Joint Ways & Means and Budget & Finance Committees

of the Suffolk County Legislature

Capital Budget Meeting

Minutes

A special joint meeting of the Ways & Means and Budget & Finance Committees 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 Wednesday, May 18, 2011, at 9:30 a.m., to discuss the matter of the Capital Budget.

Members Present:
Legislator DuWayne Gregory - Chairman of Budget and Finance
Legislator Ricardo Montano - Chairman of Ways and Means
Legislator Lynne Nowick - Ways and Means Committee
Legislator Tom Muratore - Budget and Finance Committee
Legislator Louis D'Amaro - Budget and Finance Committee

Also in Attendance:
George Nolan - Counsel to the Legislature
Gail Vizzini - Director, Budget Review Office
Renee Ortiz - Chief Deputy Clerk, Legislature
Eric Kopp - County Executive's Office
Robert Martinez - Aide to Legislator Montano
Kara Hahn - Aide to Presiding Officer Lindsay
Marge Acevedo - Aide to Presiding Officer Lindsay
Christine Malafi - County Attorney
George Gatta - Suffolk County Community College
Gregory Sarafin - Suffolk County Community College
Gary Quinn - Director of Information Technology
Paul Caplan

Minutes Taken By:
Donna Catalano, Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 9:37 A.M.*)

CHAIRMAN GREGORY:
Good morning. We are going to get started with the Pledge of Allegiance.

SALUTATION

CHAIRMAN MONTANO:
Okay. This is the joint meeting of the Budget and Finance and Ways and Means Capital Budget. First person I'll call up is Christine Malafi, County Attorney. Good morning, Christine. How are you?

MS. MALAFI:
Good morning. Fine. How are you? I am here just to make a play, my first time Capital Budget request in eight years for a case management system for the County Attorney's Office. It's the same case management system that has been put into place in the District Attorney Office at the end of the last year. I think it will be up and running soon -- I think they are already up and running now.

When I left private practice eight years ago, we had a case management system. I came to the County. It's been a long eight years without a case management system, because the database that the County calls a case management system is not a case management system. There are many ways a case management system can save money for the County. For example, right now, if I want to do a conflicts check with an attorney, the only way I have to do that is through an e-mail to 67 lawyers and hope that they remember who their adversaries are in every case. I have no way of checking that.

If I have a plaintiff suing the County that I know has sued the County before because I recognize the name, which would mean that it's an unusual name, the only way I have to check to see what other claims that person has made against the County is to use the New York State Court website, which would only have the cases that actually went into suit. It wouldn't be on the notices of claim, because notices of claims are not filed with the Court. And again, I e-mail my 67 lawyers and ask them, "Does anyone recognize this name?" So if the attorney who handled the case with a particular repeat plaintiff no longer works for my office or doesn't remember the name off the top of their head, I have no way of checking these things.

The new case management system that has been requested in my first Capital Budget in eight years would allow us to integrate court records into our system automatically so I wouldn't have to have a secretary in three of my litigation bureau to call the court every day to see what's on for the next day. And also,it would put information into the computer that would make it that we are not dependent upon finding a hard cope of a file in order to do anything on a file.

It would have all of the attorneys' name, it would have addresses so that if an attorneys' office -- some of the larger attorneys' offices that we work with, when they move from one office to another address, we have to go into each file and change the address every place. This system would allow that if this form moves, we change the address in one place and it changes it everywhere in the system. It would integrate things so that we don't have to keep as much paper, because as everyone's dealing with, there's not enough storage at the County for physical files.

One of my floors in the Dennison Building, we have boxes stacked up an entire hallway three or four high because there's no place to put the boxes because we need to keep the physical files for at least seven years. If you are dealing with an infant, we have to keep them until the infant's 18th birthday and then for three years. So we're out of storage space. So this would prevent us -- we'd

be able to -- the way the system works things could get scanned in and be kept electronically. It would make it easier to create document that we create on every file, because we only have to create it once, and then it would integrate it by pressing the button into another file.

Also, when we do legal research, though we do it via Westlaw on the internet, each file -- you know, you do the research and you put it in your hard copy file. And this way, if we have -- let's just make up a case, a trip and fall on a particular sidewalk, A, I would know that we had more than one lawsuit with respect to a certain spot on a sidewalk or an intersection; and two, the research we do on perhaps prior written notice or something specifically in that file can be placed in all of the files that have the same issue. So we don't have to recreate work.

This system would bring the County Attorney's Office into the Year 2011 instead of into the Year 1984, which is about where we are now. To me, this really isn't an option, it's a necessity. You know, in the eight years I have been here, we have not added any attorneys spots to do litigation. We have not added any secretarial spots. And the only way that we can maintain the staff levels we have is if we have help with the increased caseload by having a viable case management system.

And I know it's bad times, but this is the system. And because the District Attorney's Office already has a system, and so far no complaints about the system, they love the system, this vendor is willing to lower cost per user for everyone, not just in my office, but for the licenses that the District Attorney's Office has. So it would bring the cost down for the District Attorney's Office, which is already in place. It brings their maintenance cost down as well. If anyone has any questions, I'm willing to answer them.

CHAIRMAN MONTANO:
Go ahead, Legislator Nowick.

LEG. NOWICK:
How much.

MS. MALAFI:
$600,000. But I'm sure you would save a lot more in time and we'd be able to process cases faster and handle things without needing additional staff. The legal work of the Department of Law has not slowed down one bit in the eight years. It increases. Like I said, I have not had an increase in personnel at all except red-light camera. We did add two part-time lawyers to cover the red-light cameras, but that's because it's a completely different area.

CHAIRMAN MONTANO:
Okay. This is not included in the proposed Capital budget, is it not?

MS. MALAFI:
It is. The County Executive put it in, it passed his budget people and it passed BRO.

CHAIRMAN MONTANO:
Okay. What number is that?

MS. MALAFI:
1811.

CHAIRMAN GREGORY:
Christine, $300,000 sticks out in my head fort he DA's system. Was that just one phase of it? How much did their system cost?

MS. MALAFI:
I believe the cost is the same. I think that was one phase. But Gary Quinn off the top of his head could probably tell you that. I'm not 100% sure.

CHAIRMAN GREGORY:
Now you said that there are -- sure, Gary.

MR. QUINN:
Good morning. The District Attorney's project which had gone on for a little while with an analysis and our fee was done, our fee was eventually awarded, and that project was for a total of $1.3 with the initial phase being $300,000 for hardware to build the environment for the District Attorney and then the subsequent balance in the software itself and the implementation services from the vendor.

CHAIRMAN GREGORY:
All right. Now, you said something about license fees. So I guess there's whatever -- how many people use this system, there's an associated license fee. What's that fee?

MS. MALAFI:
There's a certain amount per user per month or year that we have to pay. And I believe it was being cut down by I believe $25 a person if my office joined, because the vendor is willing to -- they charge a certain amount per person for between 50 and 100 people, and then a certain amount per person for 100 to 200. And the vendor is willing to treat the District Attorney's Office and my office as one unit. So it would bring it up to, like, between 300 or 500 or whatever the number is to lower the cost per user.

CHAIRMAN GREGORY:
So what is the -- for your portion of the user fee, how much would that be per year, and are there any other associated maintenance costs or software upgrades or anything like that?

MS. MALAFI:
The yearly maintenance for up to 100 people was $536 a person. But for 500 or more, it went down $380 a person. We figured out it would be approximately $44,000 a year maintenance of the system. But there's a fee -- there's a budget line for maintaining my current unusable, unworkable, useless system of -- I don't remember how much it was -- $20,000 a year or something. So it really wasn't -- to have a useful system, it's not that much more per year. And the benefits of it will definitely make up that cost.

CHAIRMAN GREGORY:
So we will increase the maintenance line for your -- that you use for your old system by 20,000 estimated, but will there be a point where you have to run both systems simultaneously, or once you have the system up, that's it, you're going to using the current system completely.

MS. MALAFI:
Well, we're going to see probably a little bit of an overlap, because once -- if I can get this system in place, all new cases will go into the system and each secretary in the office, each clerical person in the office will be told that you have to put five or so old case into new system every day so that we catch up. Butt he old system, once we got to a certain point, the old system, we would just stop using, because like I said, it almost doesn't do anything anyway.

CHAIRMAN GREGORY:
Okay.

CHAIRMAN MONTANO:

Christine, so you are asking for 425,000 for 2012. I assume that's for the -- let me not assume. What is that exactly for?

MS. MALAFI:
Correct me if I'm wrong, Gary. The vendor comes in, they install a certain -- they get information from our office as to exactly what we want the system to do and how we want it to do it, and then they have to make the exact program for our office. That cost is lower than it was for the District Attorney's Office because we're going to start with the District Attorney's Office program and just change to fit our needs.

CHAIRMAN MONTANO:
But the DA's office program, those costs should not increase or be affected; is that accurate?

MS. MALAFI:
The vendor is telling us the costs go down ultimately for the District Attorney's Office.

CHAIRMAN MONTANO:
So it goes down Countywide as a result of bringing you into the system.

MS. MALAFI:
That's what I was told by the vendor.

CHAIRMAN MONTANO:
It goes down per person or it goes down a real dollar amount?

MR. QUINN:
So the District Attorney bought a system, included hardware, included the application, which as Christine mentioned, by-user, so they have 400 plus seats of the software for their ADA's and all their administrative clerical people. And then there was implementation services to actually get the software up and running based upon the DA's business requirements. Christine is looking to a similar project, only smaller in nature. She'll have some smaller hardware requirements, because she is not on the same physical platform as the District Attorney, because they're separate being criminal and civil cases.

CHAIRMAN MONTANO:
Right. They're two systems; you're not going to have access to their data and they're not going to have access to our data, I would imagine.

MR. QUINN:
That's correct.

LEG. MONTANO:
Okay.

MR, QUINN:
The systems do not talk to each other, they do not touch each other. In addition to that, Christine has a little over a hundred seats that she will require for her department, similar to the District Attorney at 400. Then she'll need implementation services to customize based upon her bureau types and the type of work that they do. So that's where the $425,000 comes in; for the initial phase of getting the hardware in, installing their base software, getting it up and running in the Year of 2012 into 2013.

CHAIRMAN MONTANO:

And 2013 is $175,000 appropriation. What is that for?

MR. QUINN:
That I believe is going to be for if there's any additional requirements beyond what we initially scoped out with the vendor for Christine's department. So you could say that's a minimal place holder in case we had an overrun or if something came up that was undiscovered during the initial phases of the project right now that she's been working with the vendor on.

CHAIRMAN MONTANO:
All right. And then thereafter, Christine, the maintenance would come out of your Operating Budget with the money that you use now on the case management system and possibly a little more appropriation to bring you up to $40,000.

MS. MALAFI:
Yes.

CHAIRMAN MONTANO:
It's going to cost 40,000 a year to run the program.

MS. MALAFI:
It's also going to cut down my Westlaw costs. We constantly our electronic research, we had Lexis initially when we got here, the costs were out of control. We did an RFP. We went with Westlaw. And after we went with Westlaw, we have continuously, every, like, six months, I sit down West Law representative, and we bring the cost down even further. And once this is up and the research can be shared -- if one person does the research in West Law, it now would go on the case management system so that nobody would have to redo that research, it would just be updated. So it's going to save money on West Law. When we save money on West Law, it's thousands of dollars at a time that we cut off. So I would anticipate that I could keep, you know, zero budget increase as a result of the new system.

CHAIRMAN MONTANO:
Oh, on the maintenance. In other words, you wouldn't need more than the $20,000 you're spending now. Because I thought you said you spend $20,000 on the case management system you have now, which would then then become -- you're wouldn't have to expend that money if you had this system. And how much would this system cost to maintain?

MS. MALAFI:
It would cost about $44,000, but what I'm saying is we're using the 20 from the old system maintenance, and then I would use other cost-saving measures that would result from using this case management system to cover the difference.

CHAIRMAN MONTANO:
Okay. And the DA Office's cost would go down also, or it will stay fixed?

MR. QUINN:
The DA's annual maintenance cost for their users will go down because we're increasing the size of the pool from 400 to 500.

CHAIRMAN MONTANO:
Okay. So you're getting a discount for additional people.

MR. QUINN:
Correct.

CHAIRMAN MONTANO:
Okay. Thank you.

MR. QUINN:
Thank you.

MS. MALAFI:
Thank you[.|. |.]

CHAIRMAN GREGORY:
We have George Gatta from Suffolk Community College.

MR. GATTA:
Good morning. I was here yesterday afternoon in front of one of the other joint committees. In the interest of time -- and several of the members here this morning also heard the presentation yesterday -- I will be relatively brief. Lori Taggert is one my colleagues from the college is handing out three documents. The first of which you received about a week ago from President McKay. It covers all of the college's request for the Capital budget and plan over the next three years.

I'll just touch on each of them. The second document continues a synopsis of each of the projects. We thank the Budget Review Office for their support. If you're looking down at that list, the first three, the Learning Resource Center at the Grant Campus, the Health and Fitness Facility at the Eastern Campus and renovations to the Sagtikos Building, BRO agreed with the college's submission. Those projects were discontinued in the proposed budget. We do have State funding in place, the 50% State matching funds for each project.

We do have students here today with us. They are not going to address the Legislature -- address the committee in the interest of time. There are students from the Ammerman Campus in the center of the auditorium, and their main interest is the parking situation at Ammerman. The enrollment there has grown significantly over the past four or five years, 14,900 students, 3700 parking spaces. We've made every effort to spread classes out, have classes on Fridays, have classes early in the morning, late in the afternoon, evening. We're starting a new weekend cohort next fall so that students can take all their credits on Friday, Saturday and Sunday if they so choose in a General Studies Degree.

So we've made every effort to accommodate students, but we are still lacking during certain peak times enough parking spaces for every student. So their interest is to see that we advance that project. We've looked at the most economical way to do it. What we've learned is that we can reconfigure existing parking lots and gain about five to 600 spaces at Ammerman at a cost of about 3.2 million. So we'd ask for your consideration of that. That project not included in the proposed budget.

One of the projects that was also delayed or eliminated funding was college-wide infrastructure. The Legislature has previously supported that, $10.3 million a year to help us with deferred maintenance. We've previously given significant information from a SUNY report to the Legislature, a number of meetings, so the background is there. BRO has included that within their report. And we want to make sure that we can stay current with a deferred maintenance starting with roofs to parking to you name it. All those things need repair. Many of our buildings are approaching 50 years of age and are in desperate need of renewal.

In addition to the academic needs that these projects will address, they'll also help from an economic development standpoint within the region. There is an economic impact analysis

attached. In essence, using a Federal econometric model through the US Department of Commerce, the County's $40 million investment in this Capital Project will result in more than $175 million of output within the regional economy.

If you look at jobs created, both primary and secondary, you're looking at close to 700 jobs in direct construction and almost another 700 -- 680 in secondary impact. So for those reasons, for -- also we have students this morning here that are very interested in the Learning Resource Center at the Grant Campus. They're sitting to your right along with one of our Student Support Service Deans. We ask for your support of our capital requests. And I'll be happy to answer any of your questions.

CHAIRMAN MONTANO:
George, I just want to make the point, these projects, these Capital Projects, are they not all 50% funded by the State if we go through with them?

MR. GATTA:
All of them have 50% State funding with the exception of the new project, which is the parking at Ammerman, but we need that project included in the Capital Program in order to approach the State to secure the funding.

CHAIRMAN MONTANO:
But it will be contingent upon getting the 50% funding.

MR. GATTA:
It will be contingent. We would not send over an appropriating resolution without that State.

LEG. MONTANO:
And the infrastructure college-wide money, is that also 50% match?

MR. GATTA:
It is also a 50% match. We did receive 5.15 million in this year's State budget to match the 2011 appropriation. One thing I should also mention, the Learning Resource Center at the Grant Campus, the Health and Sports Facility out east, this body has already money for the planning of those projects. But, yes, all the others have State funding. And we wouldn't advance the parking unless we had the State match in hand.

CHAIRMAN MONTANO:
Thank you.

MR. GATTA:
Thank you.

CHAIRMAN GREGORY:
Okay. We have Gregory Sarafin.

MR. SARAFIN:
I was originally -- I'm a student at Suffolk Community College, and I was asked to speak about the Capital Project for the parking lot, but in order to conserve time, if the body would prefer me to hold my comments, that can be done. Would you like me to speak?

CHAIRMAN GREGORY:
Go ahead, sure.

MR. SARAFIN:

I've been a student at Suffolk Community College for three years now. And I'd say parking is one -- is a major concern of students on campus, not only for reasons of just trying to find it, coming in on a Thursday, you'll be strapped to find a parking space toward the end of the semester. There are so many cars on campus. The numbers being about 14,000 students on our campus, there's about 4000 spots, a little less.

And I know over this winter, I've been forced to park on a snow drift every now and then, because of lack of anywhere better. But also, another concern is safety. If you look at the parking lots now, a lot of the parking lots end -- very abrupt endings which will lead to three-point turns. And most students on the campus have only been driving for a few years. That can be a major concern in and of itself. But also, there's a concern that some of the parking lots, in the disrepair that they're in, they can lead to unknown right-of-ways or things like that, trying to move around a pothole and other things to that effect. For both the safety concerns and for space concerns -- this is the Ammerman parking project -- this project is something that our campus really needs and has needed. Also, I'd like to thank the Legislature for their previous support of our projects and our budget. If there's any questions, I can answer them.

CHAIRMAN GREGORY:
No questions. Thank you. Thank you for your time. Well done.

CHAIRMAN MONTANO:
Thank you. I just want to tell you, I had to attend an event at the college, and I couldn't find parking for half an hour. So I know what you are talking about.

MR. SARAFIN:
Thank you.

CHAIRMAN GREGORY:
Next we have Paul Caplan.

MR. CAPLAN:
Good morning. My comments are going to be brief, but I just wanted to point out that yesterday, the voters overwhelmingly supported their school budget across Long Island. The budgets averaged anywhere from four to 8% in a tax levy increase. I and the Elwood School District, we had 7.98 tax levy increase with an 8.9 tax rate. And our budget was overwhelmingly supported by our residents.

And I just wanted to mention, if I may, to this body that the people have spoken. And they apparently are more than willing to spend additional monies from their pocket to support the educational system. I had mentioned previously about a sales tax increase from the County of one-eighth to a one-quarter percent on a temporary basis that would help fund the health center programs that are being drastically reduced with the State aid and the clawback.

So I just wanted to mention that you may be as surprised as I was myself that taxpayers may be willing to pay more money to support important programs. And the school educational system does get a lot of press, far more than the Suffolk County Health Centers and what is happening here in the County. Perhaps with, you know, better press and understanding through the communities that our health centers are in jeopardy, residents just might be willing to pay an additional small sum in either a sales tax or a County property tax to help the County.

So again, just to reiterate, apparently this entire County and Long Island really is willing to dig deeper into their pocket to pay more money to support, obviously, programs that they find important. So I just wish that you would consider that possible temporary increase with an

explanation to the residents what it actually would be for. Thank you.

APPLAUSE

CHAIRMAN GREGORY:
Thank you. That's all we have for cards. Is there anyone in the audience that didn't fill out a card that would like to make a comment, please come forward. Okay. Seeing none, we stand adjourned. Thank you.

(*THE MEETING WAS ADJOURNED AT 10:04 A.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY