

CONSUMER PROTECTION & GOVERNMENT OPERATIONS COMMITTEE
of the
Suffolk County Legislature

Minutes

A regular meeting of the Budget Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Auditorium of the William H. Rogers Building, Veterans Memorial Highway, Smithtown, New York, on February 14, 2001.

Members Present:

Legislator Cameron Alden - Chairman
Legislator Fred Towle - Vice-Chair
Legislator Michael D'Andre - Member
Andrew Crecca - Member

Also In Attendance:

Paul Sabatino - Counsel to the Legislature
Warren Greene - Aide to Legislator Alden
Meghan O'Reilly - Aide to Presiding Officer Tonna
Tom Donovan - Aide to Presiding Officer Tonna
Bonnie Godsman - County Executive's Office
Charlie Gardner - Consumer Affairs
Bruce Dragonette - Consumer Affairs
Emi Endo - Newsday
Al Delemo - ACSI

Minutes Taken By:

Patricia Patriss - Court Stenographer

(*The meeting was called to order at 9:49 A.M.*)

CHAIRMAN ALDEN:

We'll start the Consumer Protection Committee Meeting and we'll do that with a Pledge to the flag led by a true American, Legislator D'Andre.

Salutation

Thanks Mike, and we hope you feel better soon. Just move your chair a little further away from me though. I don't want you breathing on me.

LEG. D'ANDRE:

You son of a gun you.

CHAIRMAN ALDEN:

Okay. We have two cards. Al Delemo. Come on up. Sorry. And you can take one of those microphones in the front and you just have to flip the switch on. The switch up on the top. Flip that up. There you go.

MR. DELEMO:

Thank you.

CHAIRMAN ALDEN:

Okay.

MR. DELEMO:

We brought a bill in through Dave Bishop about reciprocal agreement for plumbers with Suffolk County Consumers Affairs. I spoke with Charlie and it seems like we might be able to work something out. So at this point maybe we can just leave this item on the table until a month or so, and we'll have an agreement.

CHAIRMAN ALDEN:

Good. And basically what we're waiting for is we'll take direction from Charlie because there was -- he testified before our committee, I believe it was late last year when the bill was introduced and there were some glitches as far as reciprocity, which means, you know, if it's reciprocal, it truly has to be reciprocal.

So we'll take our lead from Charlie. If you're going to be in contact with him --

MR. DELEMO:

Yes.

CHAIRMAN ALDEN:

-- when those little glitches are worked out, then we'll discuss the bill.

MR. DELEMO:

Right.

CHAIRMAN ALDEN:

Okay.

MR. DELEMO:

Thank you.

CHAIRMAN ALDEN:

Good. Thank you. And we have Mr. Carpluk. If he comes back before we finish the meeting then we'll have him come up.

All right. We have two Introductory Resolutions.

Introductory Resolutions

1084-01 - Amending the Suffolk County Classification and Salary Plan and the 2001 Operating Budget in connection with a New Position Title in the County Executive's Office, Division of Consumer Affairs (Assistant Director of Consumer Affairs) (County Executive). Assigned to Legislative & Personnel and Consumer Protection & Government Operations. And I'd like Charlie to come forward just to give us a brief overview on that.

LEG. CRECCA:

Do you have an extra pen?

CHAIRMAN ALDEN:
A pen?

LEG. CRECCA:
Yes.

CHAIRMAN ALDEN:
No.

LEG. CRECCA:
Do you have an extra one?

CHAIRMAN ALDEN:
Come prepared next time.

LEG. CRECCA:
Thank you, Mr. Towle.

MR. GARDNER:
Good morning, Mr. Chairman.

CHAIRMAN ALDEN:
Good morning. All right. Charlie, this is -- you said it's not creating a new position even though it says in the title it's creating a new position?

MR. GARDNER:
A new position title.

CHAIRMAN ALDEN:
Okay.

MR. GARDNER:
When I say not a new position, it's not adding another slot or another budget position to the staff. It changes the title of one existing position and upgrades it to another. So we're not adding personnel. We're not adding staff.

CHAIRMAN ALDEN:
Okay.

MR. GARDNER:
It's a change in title based on the results of the recommendation from the Civil Service Review.

CHAIRMAN ALDEN:
How much of a -- is there a cost factor in here?

MR. GARDNER:
There's a two step increase. In other words it will go from a 27 to a 29. So as per the contract, I think the minimum is, for that individual, I believe it's three percent or three and a half percent.

CHAIRMAN ALDEN:

And it's permissible for Legislator Crecca to hold that position and also be a Legislator at the same time? No?

MR. GARDNER:

No.

CHAIRMAN ALDEN:

All right. Anybody else have any questions on this?

LEG. TOWLE:

Yes.

CHAIRMAN ALDEN:

Legislator Towle.

LEG. TOWLE:

A couple of things. Charlie, are you collapsing a position that's in your budget now, reclassifying someone?

MR. GARDNER:

Yes.

LEG. TOWLE:

What's the position that you're reclassifying?

MR. GARDNER:

A Consumer Investigator, Consumer Affairs Investigator 5, which is a Grade 27.

LEG. TOWLE:

Okay.

MR. GARDNER:

That would change as per this resolution to an Assistant Director of

Consumer Affairs, Grade 29.

LEG. TOWLE:

Is there a person in the Grade 5 now?

MR. GARDNER:

Yes, there is.

LEG. TOWLE:

And is that person the person that's going to this Assistant Commissioner's position?

MR. GARDNER:

I would certainly hope so. That would be my recommendation, yes.

LEG. TOWLE:

Who is that person?

MR. GARDNER:
Bruce Dragonette.

LEG. TOWLE:
Okay. And any particular reason that you didn't do this as far as your budget last year as opposed to doing it now?

MR. GARDNER:
We have -- I have tried to do this and the County Executive tried to do it approximately two years ago. It was cut out of the budget. As a result of that one of the most experienced and best workers that we've ever had in Consumer Affairs left the department and went to Civil Service. I lost that person because she just basically got a better offer and would have loved to stay in our department. She was there for -- since the creation 1974, but the fact is that she was working out of title every since the reorganization of the department. She left, and bingo, we were right back where we started from. Civil Service reviewed it and they agreed that this should be upgraded.

We will still be less in the number of positions than we were before the organization took -- remember, when we reorganized, the Commissioner and the Deputy Commissioner slot were removed. Then there was a couple of years ago I was made to director of the office, retaining my title of Director of Weights and Measures. So that job -- there was a one job elimination, and for a couple of years we've been operating without this number two person.

You know, my statement to Civil Service was, "I need a number two, de facto, there has always been a number two." First it was Regina Hilbert. Now it's Bruce. You can't escape the fact that when I'm not there, somebody has to act in my presence, and somebody has to handle media calls and the Legislative calls, and oversee the other bureaus. That's what that person was doing in the form of Gina. Now Bruce is doing it. Civil vice agreed.

LEG. TOWLE:
Just one other question. Thank you for the explanation. What vacancies do you have now in your department, Charlie?

MR. GARDNER:
We have a couple of vacancies in the Consumer Affairs Investigator position and Consumer Affairs Home Improvement I, and also Weights and Measures Inspector. I might add though, the only reason that we have these vacancies is because we are awaiting the results of the Civil Service test. Each one of those positions have been tested, and we are awaiting the list.

We were ready -- we had been waiting for a couple of years for the test to come out and we finally got permission to hire. Just about the same time we got that permission to hire the test was given. So it was kind of, you know, it wouldn't have made much sense to go ahead and hire somebody. So we're just waiting for those lists to come out.

It's supposed to be the end this month or March, and then I would hope to hire off the list. In the mean time we have some turnover savings.

LEG. TOWLE:
Great. Thank you.

CHAIRMAN ALDEN:
Legislator Crecca.

LEG. CRECCA:
I just disappointed. It sounds like I'm not getting this position so
--

MR. GARDNER:
I'd love to have you.

LEG. CRECCA:
But I'll support Charlie --

LEG. TOWLE:
We can take care of that right away.

LEG. CRECCA:
What's that?

LEG. TOWLE:
We can take care of that right away.

LEG. CRECCA:
Yeah, I'll pass on that.

CHAIRMAN ALDEN:
Charlie, just two things.

MR. GARDNER:
Yes.

CHAIRMAN ALDEN:
You mentioned that the position was cut out of the budget. To my recollection it's not Legislative action, it was County Executive cut that out?

MR. GARDNER:
No. A couple of years ago it was included in the County Executive's -- you know, I'm not too good on the who did what, when, but I know it was in our budget. It was two or three years ago and it made it right up to almost January, and then it was gone, and it was the same thing. It was a two grade upgrade.

CHAIRMAN ALDEN:
The second thing, on this resolution there's no fiscal impact. There really should be a statement with it.

MR. GARDNER:

Well, the fiscal impact --

LEG. CRECCA:
I have one.

CHAIRMAN ALDEN:
You got a fiscal impact statement on this?

LEG. CRECCA:
Yeah, according to the one I have -- I'm sorry to interrupt.

CHAIRMAN ALDEN:
Go ahead.

LEG. CRECCA:
It shows that there is no fiscal impact. Now, how that could be I don't know, but --

MR. GARDNER:
I can tell you why. It's because at the same time we have downgraded several positions. It's part of like you know the dominos, different things falling into place, and I can tell you that our budget is less than it was about six or seven months ago. Even with this upgrade it will be less.

CHAIRMAN ALDEN:
Okay, because there's a couple of Legislators that are sticklers on the fiscal impact and that became apparent yesterday. No, that's good. Okay.

All right. I'll make a motion to approve.

LEG. CRECCA:
I'll second that motion.

CHAIRMAN ALDEN:
Second by Legislator Crecca. All those in favor? Opposed? Abstentions? All right. That one is approved (Vote: 4-0-0-0).

MR. GARDNER:
Thank you.

CHAIRMAN ALDEN:
Okay, and just to note, we're not prime though. I think it's prime in

Legislative and Personnel. Okay.

Also, now we've got 1108-01 - Adopting Local Law No. -Year 2001, a Local Law to modify composition of the Electrical Licensing Board (County Executive). Assigned to Consumer Protection & Government Operations.

MR. SABATINO:
Public Hearing, Mr. Chairman.

CHAIRMAN ALDEN:

So we have to table for a Public Hearing. I'll make a motion to table. Second by Legislator Crecca. All those in favor? Opposed? It's tabled for a Public Hearing. It's tabled for a Public Hearing (Vote: 4-0-0-0).

Tabled Resolutions

1579-00 - Adopting Local Law No. 2000, a local law to ban discriminatory zone pricing of gasoline in Suffolk County (Alden). Assigned to Consumer Protection & Government Operations.

I'll make a motion to table. Second by Legislator D'Andre. All those in favor? Opposed? That's tabled (Vote: 4-0-0-0).

2310-00 - Approving the appointment of Robert J. Kohlmeyer as a member of the Suffolk County Electrical Licensing Board (Fisher). Assigned to Consumer Protection & Government Operations.

I think we should hold off on this until we find out which way we're going with the other resolution. So again, I'll make a motion to table. Second by Legislator D'Andre. All those in favor? Opposed? That's tabled (Vote: 4-0-0-0).

We have no sense resolutions.

LEG. CRECCA:

No sense at all.

CHAIRMAN ALDEN:

What do you mean no sense at all?

LEG. CRECCA:

We make no sense.

CHAIRMAN ALDEN:

That's right. Tabled subject to call. Does anybody want to bring those forward at this point? No. Anybody have any other business they want to bring before the committee? If not, I'm going to make a motion to adjourn. Seconded by Legislator Crecca. All those in favor? Opposed? We stand adjourned. Thank you, very much.

(*The meeting was adjourned at 9:59 A.M.*)

Legislator Cameron Alden, Chairman
Consumer Protection & Government Operations Committee