

**CONSUMER PROTECTION & GOVERNMENT OPERATIONS  
COMMITTEE MEETING  
of the  
Suffolk County Legislature**

**Minutes**

A regular meeting of the Consumer Protection & Government Operations Committee was held in the Rose Y. Caracappa Auditorium at the William Rogers Legislative Building, Veterans Memorial Highway, Smithtown, New York on **September 5, 2001**, at 10:00 a.m.

**MEMBERS PRESENT:**

Legislator Cameron Alden, Chairman  
Legislator Fred Towle, Vice Chair  
Legislator Michael D'Andre  
Legislator Andrew Crecca  
Legislator William Lindsay

**ALSO IN ATTENDANCE:**

Paul Sabatino, Legislative Counsel  
Warren Greene, Aide to Legislator Cameron Alden  
Charles Gardner, Director, S.C. Consumer Affairs  
Bruce Dragonette, Assistant Director, S. C. Consumer Affairs  
Meghan O'Reilly, Legislative Liaison to Presiding Officer Paul Tonna  
Tom Donovan, Aide to Presiding Officer Paul Tonna  
Nicole DeAngelo, County Executive's Office I.R.  
Lance Reinheimer, Budget Review Office  
Lee Lutz, Campaign Finance Board  
Joe Muncey, Budget Review Office  
Ed Hogan, Aide to Legislator Michael D'Andre  
All Interested Parties

**Minutes taken and transcribed by Irene Kulesa, Legislative Secretary**

*(The meeting came to order at 10:00 a.m.)*

**CHAIRMAN ALDEN:**

Good morning. We're going to start the Consumer Protection Committee Meeting with the Pledge and we'll have that led by Legislator Crecca.

SALUTATION

**CHAIRMAN ALDEN:**

Okay, actually the first thing that we have is -- Lee Lutz is here to do a presentation. Good morning.

**MR. LUTZ:**

Good morning Chairman Alden, members of the Consumer Affairs Government Operations Committee. Lee Lutz, Executive Director of Suffolk County Campaign Finance Board. First of all, I thank you. I appreciate this opportunity to just spend a couple of minutes in front of you to present officially a document that the board has produced that I've spoken to most of you individually about already. I'm referring to the report, which we've named our Quadrennial Report Number one, since it's required by the law that created us to be produced for the Legislature and County Executive and it's required to be updated every four years. I've brought a few extra copies with me. I believe that -- I know that copies were distributed to all of the Legislators and hopefully, you all have them. But if you need extras, I have a couple with me today.

My intention today is simply basically, to put on the record this report to make official the

fact that it has been done as per the law, which required it to be produced and to touch on a couple of the highlights within the report. It is an overview of the law, as was approved two to one by the voters at referendum in 1998. It examines some of the technicalities of the law, addresses whether or not the board feels they're appropriate, whether or not they should be amended or revised and also addresses some of the specific limitations within the law having to do with participating candidates and their threshold amounts and spending limits and contribution limits and that sort of thing. The results that is published in this report is, thanks to a great deal of effort and work that went in over a period of about six or seven months, in which a lot of information was compiled, in order to examine whether or not, in fact, the technicalities of the law were appropriate. And you will find in the back of the report a series of tables, which outlines much of the information that was developed. Much of the data that we have on file, at this point, which indicates why we came to the conclusions, we did and why the board made the recommendations that it did.

The recommendations are divided basically into two parts. The first having to do with the technicalities of the law and primarily are supported by the tables in the back. The second part are more general and have to do with the -- what the board considers the problems with the law, the areas that need to be repaired, hopefully, by this Legislature and of course, ultimately by referendum because that's the only way that a law created by referendum can significantly be revised. And I bring to your attention the first and what we referred to as the essential recommendation of the report and that is repair of the flawed funding mechanism, which was built into the original law. As you will, no doubt, all recall back in July of 1999, the board reported that the system was flawed. That it was unlikely to work. It was unlikely to raise the monies necessary to perform the campaign funding aspects of the law and recommended changes at that time. You are all well aware, of course that in 1999, a referendum was put on the ballot. As we explained in the law, the position of the board is that it was poorly worded, not very well presented. That the public was not very educated, in terms, of what it was all about. In fact, it was described by some as being simply misleading because it appeared as if it were imposing a tax on land across Suffolk County when, in fact, that's not what it really actually did.

At any rate, we primarily, the board primarily feels that this funding mechanism needs to be repaired, in order for the law to work and we've made recommendations to that effect. We've presented much of information within that report to support that recommendation, not the least of which are two aspects, which I will bring specifically to your attention. One, the fact that this entire program, as designed and as is the law of Suffolk County, with the exception of the method of funding it, can be run, both the funds necessary to provide for participating candidates, as well as overhead and expenses to implement the program and audit it and to make sure that the public's money is being spent appropriately for roughly about one dollar per registered voter per year in Suffolk County. The board considers this to be a very small price to pay for what could be a very significant improvement in the election process.

The second point that I want to make basically, to draw to conclusion and then ask if you have any questions is a table all the way in the back of the report, which indicates some information, which I found startling when I finally developed it. And I've talked to others across the country in similar positions who came to be as surprised as I was, that in this country, our fifty five point three percent of the citizens of this country already live in a jurisdiction that the State or City or County, in which taxpayer funded public funding is available for candidates running for election. Fifty five percent, more than half. There are still people who think that this is some sort of radical idea. The fact of the matter is not only is there nothing radical about it but in its current legal State, Suffolk County is actually lagging a bit behind. Jurisdictions across the country who are appropriately, in our opinion, funding the program and thereby, serving the goals of the whole concept of campaign finance reform. That's the extent of my presentation and if you have any questions, I'd be happy to answer and as I said, I have copies, in case anybody wants an additional one.

**CHAIRMAN ALDEN:**

Thank you. Legislator Crecca.

**LEGISLATOR CRECCA:**

You heard at the committee meeting yesterday where this topic came up.

**MR. LUTZ:**

Yes.

**LEGISLATOR CRECCA:**

I'm just going to reiterate a question. I still don't understand how the board reconciles with requesting public financing of campaign funds with the '93 and '99 referendum in which clearly, I think, clearly the voters rejected public financing of campaign finance. So you tell me. We keep hearing the same thing from you and the board and I think a lot of us keep saying but the public rejected it. You want us to go do something that the public has said to us, just as you want us to enforce the '98 referendum, you want us to reject the '99 and the '93 referendum, in which they clearly rejected those. So I don't see the reconciliation of both and if you can explain that to me? I still haven't heard anybody answer that question and other than saying that the wording in the '99 referendum wasn't good.

**MR. LUTZ:**

Well, I'll try and that is one of the factors. But in 1998, there was a referendum on implementing campaign finance reform for Suffolk County Elections. I would venture to guess that 99 percent of the voters, who voted either for or against that referendum, knew little, if anything about its details. People, the general public doesn't get involved in those technical aspects of how a law is to work.

**LEGISLATOR CRECCA:**

Can I just interrupt you for one second?

**MR. LUTZ:**

Yes.

**LEGISLATOR CRECCA:**

Because I understand where you're going. But you know, I mean, the referendum clearly stated using taxpayer monies to finance campaigns.

**MR. LUTZ:**

The one in '99?

**LEGISLATOR CRECCA:**

Yes.

**MR. LUTZ:**

Yes.

**LEGISLATOR CRECCA:**

That's a pretty basic concept for people to understand.

**MR. LUTZ:**

Um-um.

**LEGISLATOR CRECCA:**

And that's a pretty yes or no answer for people, I think, you know, I don't understand --

**MR. LUTZ:**

I think right there is where the basic difference of opinion and I think that's the appropriate way to put it. Because as I've said, many times, intelligent people can disagree and we can have our opinions and they may be opposite. It was my opinion at that time frankly. I mean, I expressed my reservations about that referendum before Election Day 1999. That it was misleading. That it was confusing. I will not argue with you and certainly won't dispute the fact that it called for taxpayer funding. It called for taxpayer funding in a rather

convoluted fashion, which we feel, I felt at the time and I still feel was misleading. And I do not think that there was an appropriate Education Program to try to inform the voters on both sides. I'm not -- I'm faulting the board and its actions and some of the typical supporters of the issue, Common Cause and The Legal Women Voters and {Nypergin} Progressive Coalition and others supported the measure. But there was frankly, an insufficient and inadequate program of trying to educate the public. We were also, of course, in the process of the board itself of trying to get up and running, of doing and we talked about this yesterday at the Ways & Means Committee Meeting some of the difficulties that the board had in functioning. In fact, some of the difficulties the board is still having in functioning and that -- although that's no excuse, it was certainly one reason why the education process was insufficient.

We are convinced that, as voters across the country and many other jurisdictions, have supported this type of Program, when they've had the opportunity to do so. That they would do so again, if they are informed and educated and aware of both sides of the issue and that is what we would hope we could accomplish at this point, of course, during 2002, because it's already too late in 2001 to accomplish such a purpose. So that's one reason why we feel we should -- it is appropriate to come back to the voters. A second reason is, of course, what has happened since 1999, which is the fact that we implemented the funding mechanism that was built into the law and it failed. Perhaps there were and I suspect, I'm sure there were, voters out there who assumed it would be appropriately funded and it would operate. Didn't happen. Would they now change their mind and vote differently? Again, as I've said two or three times already in this short period of time, with the appropriate information and education, public education, I believe that the people will, in fact, vote for it. I think they will indicate that this, just as has happened across the country that this is a program that's worthwhile and that is voluntary, participatory, in terms of the candidates that they don't have to participate but there's an option to do so and that there are benefits to the public when candidates do choose to participate. So for various reasons, which is our opinion and may very well differ with yours, we feel that it is appropriate to once again visit this issue with the voters.

**CHAIRMAN ALDEN:**

Legislator Crecca? Legislator Lindsay?

**LEGISLATOR LINDSAY:**

First of all Lee, I'm not sure that I agree with your thought process here being that the voluntary funding didn't work. I mean, the voters obviously -- I mean, do you see that improving in future years? Because it appears to me, right now, we have the worst of both worlds. We have a bureaucracy for campaign finance reform and no funding. So we're paying for bureaucracy with really nothing to do. There's no money to disperse.

**MR. LUTZ:**

Well, I must disagree with your last remark, in terms, of the bureaucracy with nothing to do and with this very much on the record, the bureaucracy is me. I am the entire staff of the board. As you well know, the board members all serve voluntarily and are not paid. So the bureaucracy we're talking about is simply me and as far as, there is not much to keep me busy. I manage to be very busy, eight hours a day, five days a week. There are a number of requirements in the law over and above the -- or different from, in addition to the funding mechanism. As you know, we sat down and talked together. The law -- the Program isn't fully implemented until 2002. It's not even in effect yet. However, in 2002, it is a responsibility of the board to be prepared to have a Program in place. That's a mandate of the law. Frankly, it's a dereliction of the duty of the board if they don't pursue that course. So we are in the process of preparing the rules and regulations and forms necessary as if the Program were going to go into -- in fact, in 2002, which we expect it will. We are developing the computer database for data and information, which is called for by the law. Again, something that these things don't do themselves. Someone has to do them. Someone has to facilitate their being done or actually sit down and do them themselves. So this is what the bureaucracy of the Campaign Finance Board is now doing and as I say, it would be, I think, a dereliction of the board's duty if they weren't proceeding.

In addition, the law calls for other methods of soliciting funds as the board may determine is appropriate and we are attempting to pursue other methods to provide funding. In terms of the Program that raised very little money last year and this year, I do expect that it will raise more money next time around because there are more people educated. There are more people aware of the issue. Although frankly, it's not going to raise anywhere near the amount of money that we need to run the Program and we acknowledge that the board so reported back in 1999. But we're continuing to do what the law requires us to do. So in that respect, the board is doing what the board swore an oath to do, which is to obey the law and to implement the various aspects of the County Law, which was passed two to one by the voters in 1998.

**LEGISLATOR LINDSAY:**

You misunderstood my remarks.

**MR. LUTZ:**

Sorry.

**LEGISLATOR LINDSAY:**

My remarks were not that you people weren't doing your job. What I'm simply saying is campaign finance reform without finances, what are we doing? You know and we have the problem now of one referendum passing setting up, you know, your position and the board's position and all this other nice stuff and the second referendum that was clearly rejected by the voters to publicly finance it. So we're stuck in the middle.

**MR. LUTZ:**

I couldn't agree more. I entirely agree with you Mr. Lindsay. We are stuck. The board is in a very difficult, very awkward position, because we are sworn to obey the law and implement the Program and yet an integral part of that Program is the funding for candidates and we don't have the funds. As I said, that is one of the things that we're working on, alternative methods and additional methods on top of the one called for in the law, which has proven to be ineffective and the board is working very hard to do their very best to implement this Program as it's called for. You are absolutely right. If we don't have the funds for candidates, we don't have an effective Program. There are other things the board is called on to do by the law but those other things are unimportant, if we don't have the funds. We're in complete agreement in that regard and we're working on trying to rectify that situation.

One of the ways we're working on it is per our essential recommendation from this report, which is that we feel with the facts as now are in place with the atmosphere of the feeling about campaign reform that exists around the country with the fact that we're now in a position where more than half the people in this country already live under such a system. Most of who voted for it themselves. Once this information is out there that a -- the results of another referendum might be significantly different. I would also point out, purely on a technical matter, that the law, the referendum that passed in '98, passed at a greater percentage than did the referendum in '99, in an off year election when less people vote greater, then it failed. So if you want to take an average, we're still ahead but we're only ahead by a tiny little bit. That's a stretch and I'll quite acknowledge that. We think that with appropriate public education, we can -- the voters would agree that, in fact, this is the right way to go at an extremely small cost.

**CHAIRMAN ALDEN:**

Okay, thank you. Any other questions or comments from this committee? Thank you very much.

**MR. LUTZ:**

Chairman Alden; thank you very much for the opportunity.

**CHAIRMAN ALDEN:**

Okay. That's going to end the public portion unless somebody else that's here wants to speak on any issues and we're going to go right to the agenda and I'd ask Charlie Gardner to come up. While he's coming up, we'll just note for the record, we have Legislators D'Andre,

Crecca, Alden and Lindsay present. We're going to go to tabled resolution 1358. I'm going to make a motion to table, seconded by Legislator Crecca. All those in favor? Opposed? That's tabled again.

**TABLED RESOLUTIONS:**

**I.R. NO. 1358-01 (P) Adopting Local Law No. 2001, A Local Law to ban discriminatory zone pricing of gasoline in Suffolk County. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (Legislator Cameron Alden)**

**VOTE: 5-0-0-0 TABLED**

**CHAIRMAN ALDEN:**

1490 I'm going to make a motion to table that. All those in favor? Second by Legislator Crecca. All those in favor? Opposed? Okay 1490 is tabled.

**I.R. NO. 1490-01 (P) A Local Law to establish healthy bottled water labeling law. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS AND HEALTH (Legislator Cameron Alden)**

**VOTE: 5-0-0-0 TABLED**

**CHAIRMAN ALDEN:**

Introductory Resolutions: 1649 and I'd like to call and I'm not sure of the pronunciation of Slionski. If Mr. Slionski can come up? This resolution has to do with the appointment of Mr. Slionski as a member of the Suffolk County Electrical Licensing Board. Good morning.

**MR. SLIONSKI:**

Good morning.

**CHAIRMAN ALDEN:**

All right. I'll ask a couple questions and then I'll put it up to the rest of the board. Why do you want to do this?

**MR. SLIONSKI:**

I've been in the electrical industry for 34 years. I've dedicated my adult life to working in this industry. I'm a member of Local 25 International Brotherhood of Electrical Workers. I have completed the required registered and recognized by New York State Apprenticeship Program. I was an instructor in that Program for 12 years. I've worked on major electrical projects as a foreman for over 20 years in the industry. I'm currently a business rep with Local Union 25, an Assistant Business Manager. I'm a graduate of Cornell Labor Relations Program and I feel I can be an asset to the consumers and to the public to serve in this capacity.

**CHAIRMAN ALDEN:**

Do you think you have the time to serve on the board?

**MR. SLIONSKI:**

Yes, I will.

**CHAIRMAN ALDEN:**

Great. Legislator D'Andre.

**LEGISLATOR D'ANDRE:**

Where do you live?

**MR. SLIONSKI:**

I live in Ronkonkoma. I live on 212 Springdale Drive, Ronkonkoma, New York. I've been a resident of Suffolk County since 1973. I'm on the Islip side.

**CHAIRMAN ALDEN:**

That's a plus though, Mike.

**LEGISLATOR D'ANDRE:**

I wholeheartedly endorse him.

**LEGISLATOR CRECCA:**

And I was actually thought he lived in the Brookhaven portion of Ronkonkoma that I represent. But anyway I would second it. Is there a motion to approve yet?

**CHAIRMAN ALDEN:**

Not yet.

**LEGISLATOR CRECCA:**

Bill do you want to make a motion to approve?

**LEGISLATOR LINDSAY:**

No.

**LEGISLATOR CRECCA:**

I'll make the motion to approve and I thank you in advance for your time and your service to the County.

**CHAIRMAN ALDEN:**

Motion to approve by Legislator Crecca, seconded by Legislator Lindsay. All those in favor? Opposed? Abstained? It's unanimous then. Thank you very much for coming down.

**INTRODUCTORY RESOLUTIONS:**

**I.R. NO. 1649-01 Approving the appointment of Andrew Slionski as a member of the Suffolk County Electrical Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**MR. SLIONSKI:**

Thank you.

**CHAIRMAN ALDEN:**

What happens now is we discharge this -- or actually approved it in committee. It will go before the full legislative body. Paul, can we put this on the consent calendar? Or is there something that everybody has to --

**MR. SAABATINO:**

Well, legally you can but confirmations have historically been viewed as something a little more individualized but legally you can. It's really a call for the committee.

**CHAIRMAN ALDEN:**

We probably won't put it on the consent calendar. It will go before the full board but your testimony, if anybody has any questions, the four of us can answer them because you came before us today. So I do anticipate it passing.

**MR. SLIONSKI:**

Thank you very much.

**CHAIRMAN ALDEN:**

Thank you very much for coming down. Okay. Introductory Resolution 1792. The sponsor

has asked me to table that. So I'm going to make a motion to table, second by Legislator Crecca. All those in favor? Opposed? 1792 is tabled.

**I.R. NO. 1792-01 (P) A Local Law to establish "Three Strikes, You are Out" cancellation of County Occupational Licenses for violators of Employment Laws. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (Legislator Joseph Caracappa)**

**VOTE: 5-0-0-0 TABLED**

**CHAIRMAN ALDEN:**

1851, now the rest of these -- there's a whole series of reappointments and that's why Charlie is up here to speak to these individuals. So the first one is 1851 and that's approving the reappointment of Salvatore Escaldi as a member of Suffolk County Plumbing Licensing Board.

**MR. GARDNER:**

A member of the board since 1981. One of our active members and the board has recommended he --

**CHAIRMAN ALDEN:**

No problem with attendance or anything like that, participation?

**MR. GARDNER:**

No.

**LEGISLATOR CRECCA:**

Motion to approve.

**CHAIRMAN ALDEN:**

Motion to approve by Legislator Crecca, seconded by Legislator Lindsay. All those in favor? Opposed? 1851 is approved.

**I.R. NO. 1851 (P) Approving the reappointment of Salvatore Escaldi as a member of the Suffolk County Plumbing Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1852 is Richard Leo, a member of Suffolk County Plumbing Licensing Board.

**MR. GARDNER:**

Again, extensively qualified. Been in the business for years and a member of our board since 1981.

**LEGISLATOR CRECCA:**

Motion to approve.

**CHAIRMAN ALDEN:**

By Legislator Crecca, second by Legislator D'Andre. All those in favor? Opposed? 1852 is approved.

**I.R. NO. 1852-01 Approving the reappointment of Richard M. Leo as a member of the Suffolk County Plumbing Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1853 is reappointment of Anthony Warrenski and that's of the Plumbing Licensing Board.

**MR. GARDNER:**

Just for your information, Mr. Warrenski is currently the Chairman and he has been on the Plumbing Board since its inception 29 years ago. So obviously, highly recommended.

**CHAIRMAN ALDEN:**

Good. Motion by Legislator D'Andre, second by Legislator Crecca. All those in favor? Opposed? 1853 is approved.

**I.R. NO. 1853-01 Approving the reappointment of Anthony T. Warrenski as a member of the Suffolk County Plumbing Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1854 reappointment of Robert Ruggiero as a member of the Suffolk County Plumbing Licensing Board.

**MR. GARDNER:**

Same with Mr. Ruggiero. Long time member and again that contributes greatly to the operations of the board.

**CHAIRMAN ALDEN:**

Motion by Legislator Lindsay, second by Legislator Crecca. All those in favor? Opposed? 1854 is approved.

**I.R. NO. 1854-01 Approving the reappointment of Robert Ruggiero as a member of the Suffolk County Plumbing Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1855 is the reappointment of Andrew Seickel, as a member of the Suffolk County Commercial and Industrial Residential Septic Tank Sewer Drain Treatment, Bacteria Additives and Maintenance Board.

**MR. GARDNER:**

Yes, this is one of our newer boards. Mr. Seickel has been on since its inception a couple years ago. He runs Four Seasons Cesspools in St. James. Again, we lean heavily on his expertise.

**LEGISLATOR D'ANDRE:**

I had him over to my house and he did a marvelous job.

**CHAIRMAN ALDEN:**

So it wasn't actually a social visit, Mike? It was more in the business end?

**LEGISLATOR D'ANDRE:**

A lot of know how and he was reasonable.

**CHAIRMAN ALDEN:**

So motion by Legislator D'Andre.

**MR. SABATINO:**

Just for the record Mr. Chairman, on 55 and 56, these gentlemen's terms don't expire until the beginning of December. All the others you've done have been holdovers. So I just want to make you aware that it's not coming up until December.

**CHAIRMAN ALDEN:**

And we can reappoint him starting in December then right?

**MR. SABATINO:**

Yes, if you want to just let the persons terms run, I mean, I'm just -- they're not holdovers. The ones you just previously did was all holdovers so --

**MR. GARDNER:**

Well, I have them as December 7th, of 00.

**MR. SABATINO:**

Yes, I agree. I have them as December 7th.

**MR. GARDNER:**

December 7th of 00.

**LEGISLATOR CRECCA:**

2000.

**MR. SABATINO:**

We have 01 in the -- okay.

**MR. GARDNER:**

They were originally appointed to two-year terms. Remember when you create a board, we stagger them three's and two's?

**CHAIRMAN ALDEN:**

What we're going to do is --

**MR. SABATINO:**

Maybe we should table --

**MR. GARDNER:**

Two year appointees. The others expired December the 7th, 01. They were the three-year appointees. We had three, three-year appointees and two, two years. These two gentlemen were the two-year appointees.

**CHAIRMAN ALDEN:**

Right. I'm going to hold votes on all these and I'm going to let Legislative Counsel and your office work out the details on that. So on 1855.

**LEGISLATOR CRECCA:**

Why don't we just vote it now?

**CHAIRMAN ALDEN:**

That's what we're doing.

**LEGISLATOR CRECCA:**

Oh, I thought you said you're going to hold the votes on them.

**CHAIRMAN ALDEN:**

Right.

**LEGISLATOR CRECCA:**

I thought you meant hold like in a sense of --

**MR. GARDNER:**

And Mr. Falk, by the way, 1856. That's Bob Falk. He is the Assistant Director of Sewer

District Activation. He's a County Employee, DPW again. We lean very heavily on him, especially when we interact with Bergen Point and the --

**CHAIRMAN ALDEN:**

So I've got 1855 and that's a motion by Legislator D'Andre, second by Legislator Crecca. All those in favor? Opposed? Abstentions? 1855 is approved.

**I.R. NO. 1855-01 (P) Approving the reappointment of Andrew Seickel as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1856 as we just heard from the Commissioner who will take a motion by Legislator Crecca, seconded by myself. All those in favor? Opposed?

**1856-01 (P) Approving the reappointment of Robert Falk as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED**

**LEGISLATOR CRECCA:**

Is there a law against a Committee with this long of a name?

**MR. GARDNER:**

Yes.

**CHAIRMAN ALDEN:**

Wait until a Sense Resolution.

**LEGISLATOR CRECCA:**

Sure. I think there needs to be no more than 26 words to a committee.

**CHAIRMAN ALDEN:**

1857 is --

**MR. GARDNER:**

Just for your information Legislator Crecca, we just call it the Liquid Waste Board. A lot easier and everybody knows what we're talking about.

**CHAIRMAN ALDEN:**

Warren, you want to take a note of that and just in case we have appointments in the future, we'll just call it the Liquid Waste Board too. Thank you. 1857 approving the reappointment of Douglas Callahan, a member of the Suffolk County Home Appliance Repair Licensing Board.

**MR. GARDNER:**

Yes, a member of the board since 1995. A long time holdover with these Home Appliance Repair Board members are. But again, Doug operates Doug's Refrigeration and Appliance out of Holbrook, contributes greatly to the board.

**CHAIRMAN ALDEN:**

Motion by Legislator D'Andre, second by Legislator Lindsay. All those in favor? Opposed? 1857 is approved.

**I.R. NO. 1857-01 Approving the reappointment of Douglas Callahan as a member of the Suffolk County Home Appliance Repair Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1858 approving the reappointment of Vito Ferilitto.

**MR. GARDNER:**

Vito Ferilitto.

**CHAIRMAN ALDEN:**

Ferilitto as a member of the Suffolk County Home Appliance Repair Licensing Board.

**MR. GARDNER:**

A member of the board since 1994, operates Authorized Radio and TV Service out of Patchogue. He comes to all the meetings, contributes greatly.

**MR. SABATINO:**

It's a technical point again. We think, according to our records, this should be a three year term not a two year but -- All I would just suggest, you don't want to make a mistake, in terms of getting the people's terms right. So you can vote on a resolution but I would just recommend that the Director just, you know verify that with the records because we double-checked it.

**MR. GARDNER:**

It's a three-year term.

**MR. SABATINO:**

It should be three. I think they only gave him two in this one so --

**CHAIRMAN ALDEN:**

Okay. On the record then, we're going to correct that. That should have been a three-year term.

**MR. SABATINO:**

It should be three years according to our records.

**CHAIRMAN ALDEN:**

It looks like a scrivener's error.

**MR. GARDNER:**

I know why -- where it comes from. These holdovers are so long that his, I guess, what you call normal cycle is 94 and 97, 00 and 03.

**MR. SABATINO:**

Okay, he's running the right cycle then?

**MR. GARDNER:**

That's right.

**MR. SABATINO:**

All right, okay.

**MR. GARDNER:**

He's on the right side. In other words, he would be essentially --

**MR. SABATINO:**

The three-year term, he's already exhausted one of those three years. Okay, then it makes

sense. Our records show that -- okay, fine.

**MR. GARDNER:**

May 13th, 00, 03 would be --

**MR. SABATINO:**

00, 03 right.

**CHAIRMAN ALDEN:**

Great. So that's 1858. We have a motion by Legislator Lindsay, seconded by myself. All those in favor? Opposed? 1858 is approved.

**I.R. NO. 1558-01 (P) Approving the reappointment of Vito Ferilitto as a member of the Suffolk County Home Appliance Repair Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1859 is a reappointment of Warren Stuart and that's Suffolk County Home Appliance Repair Licensing Board.

**MR. GARDNER:**

Yes, Mr. Stewart, a member of the board since 1995, operates W&L TV and Video Incorporated on Main Street in Smithtown, contributes very much to the operations of the board.

**CHAIRMAN ALDEN:**

Motion by Legislator D'Andre, seconded by Legislator Crecca. All those in favor? Opposed? 1859 is approved.

**I.R. NO. 1859-01 (P) Approving the reappointment of Warren Stuart as a member of the Suffolk County Home Appliance Repair Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1860 approving the reappointment of Leonard Borger as a member of the Suffolk County Home Appliance Repair Licensing Board.

**MR. GARDNER:**

Mr. Borger is a special member, in that he has been a member of this board since 1980, operates Ark and Appliance Service Corporation out of Commack, New York. Lenny brings a great deal of experience to the table and helps us tremendously.

**CHAIRMAN ALDEN:**

Motion by Legislator Lindsay, second by myself. All those in favor? Opposed? 1860 is approved.

**I.R. NO. 1860-01 (P) Approving the reappointment of Leonard Borger as a member of the Suffolk County Home Appliance Repair Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1862 is a reappointment of Lee Eysman as a member of the Suffolk County Electrical Licensing Board.

**MR. GARDNER:**

Again, Mr. Eysman operates Jayco Electric Incorporated out of Ronkonkoma. A long time member of the board and again, contributes much to the operations of the board.

**CHAIRMAN ALDEN:**

Motion by Legislator Lindsay, seconded by Legislator Crecca. All those in favor? Opposed? 1862 is approved.

**I.R. NO. 1862-01 (P) Approving the reappointment of Lee Eysman as a member of the Suffolk County Electrical Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR**

**CHAIRMAN ALDEN:**

1863 this is the reappointment of Michael C. Daly as a member of the Electrical Licensing Board.

**MR. GARDNER:**

One of the newer members of the board. Mike operates J. P. Daly and Sons Incorporated out of Deer Park. He was originally appointed in 1999 and has really jumped in and helped us out with the operations of the board and the office.

**CHAIRMAN ALDEN:**

Motion by Legislator Lindsay, seconded by Legislator D'Andre. All those in favor? Opposed? Abstentions? 1863 is passed.

**I.R. NO. 1863-01 Approving the reappointment of Michael C. Daly as a member of the Suffolk County Electrical Licensing Board. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (County Executive)**

**VOTE: 5-0-0-0 APPROVED**

**CHAIRMAN ALDEN:**

Okay, now we go to the Sense Resolutions. Okay, Resolution 67-2001 memorializing resolution requesting State of New York to prohibit discriminatory zone pricing by retail chain stores.

**LEGISLATOR CRECCA:**

Motion to table.

**CHAIRMAN ALDEN:**

Okay. Well, we could table it for one cycle. We'll get some more information on it, if that's what you want to do. Okay motion by Legislator Crecca to table, second by myself. All those in favor? Opposed? Okay that's tabled.

**SENSE RESOLUTIONS:**

**67-2001 Memorializing resolution requesting State of New York to prohibit discriminatory zone pricing by retail chain stores. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (Legislator Ginny Fields)**

**VOTE: 5-0-0-0 TABLED**

**CHAIRMAN ALDEN:**

68-2001 memorializing resolution requesting the United States Congress to repeal Federal Taxes on price of gasoline. My question on this is you know, if they actually do that, are they going to raise some other tax? If they do away with the tax that's fine but when it pops up someplace else, the revenue source but okay, so we have a motion by Legislator Lindsay, second by Legislator D'Andre. All those in favor? Opposed? That's approved.

**I.R. NO. 68-2001 Memorializing resolution requesting United States Congress to repeal Federal Taxes on price of gasoline. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (Legislator Ginny Fields)**

**VOTE: 5-0-0-0 APPROVED**

**CHAIRMAN ALDEN:**

Memorializing resolution requesting State of New York to repeal State Tax on price of gasoline. I think we passed -- did we pass this at the last --?

**LEGISLATOR CRECCA:**

Didn't we do these already?

**MR. SABATINO:**

The one that we passed was to take the State portion on its first dollar of the sales tax. This one deals with something different, which is the -- this deals with the New York State Excise Tax, which is currently eight cents per gallon and the New York State Oil Spill Fund Tax, which is currently point two nine, two cents and the New York State Petroleum regulatory fee, which is point 0, five cents and the New York State Gross Receipts Tax.

**CHAIRMAN ALDEN:**

But the one tax --

**MR. SABATINO:**

Right, the one that passed the last session was to take the State Tax of 4 percent on the first dollar of a retail sale of gasoline.

**CHAIRMAN ALDEN:**

Now this involves the Oil Spill Fund?

**LEGISLATOR CRECCA:**

Right, that's one of the things I was concerned about too.

**CHAIRMAN ALDEN:**

Let's get some more information from the sponsor of what she really wants to do here. So I'll entertain a motion to table by Legislator Crecca, second by myself. All those in favor? Opposed? All right, we'll table 69, 2001.

**I.R. NO. 69-2001 (P) Memorializing resolution requesting State of New York to repeal State Taxes on price of gasoline. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (Legislator Ginny Fields)**

**VOTE: 5-0-0-0 TABLED**

**CHAIRMAN ALDEN:**

78-2001 memorializing resolution requesting State of New York to authorize Suffolk County to regulate registration and licensing of taxicabs within Suffolk County.

**LEGISLATOR CRECCA:**

I would want more information from the sponsor of this bill.

**LEGISLATOR LINDSAY:**

I wanted to ask Charlie what he thinks about this while he's here. I mean a --

**MR. GARDNER:**

My only comment on that would be, be careful what you ask for because you might get it. And if we can do it, who is going to, you know -- that's the Towns. Some of the Towns do that now. So if the State said okay County, go ahead and do it --

**CHAIRMAN ALDEN:**

By State Law, I'm sorry to interrupt, but State Law gives the power to the Towns right now to regulate and license.

**MR. GARDNER:**

It must, because some Towns do it, yes. So all I'm saying is if the County took it over, well, the next question says who is going to do it.

**LEGISLATOR LINDSAY:**

But you know, correct me if I'm wrong. But Charlie, really the licensing really belongs to all the Towns for anything really. I mean, we've kind of assumed electrical plumbing, home improvement. I mean, technically the Towns have that jurisdiction. They just don't have the capabilities of doing it in some kind of effective way.

**MR. GARDNER:**

That's correct.

**LEGISLATOR LINDSAY:**

Do you know how many Towns license taxicabs?

**MR. GARDNER:**

No, I don't know the number. I just know that not all of them do. So obviously, the Townships have the ability to do it, not all of them do it, for whatever reason.

**LEGISLATOR LINDSAY:**

Any kind of feasibility study on this Charlie? How many more people you would need? How many people were talking about it?

**MR. GARDNER:**

I haven't done that yet, only because it's a Sense Resolution.

**LEGISLATOR LINDSAY:**

Okay.

**CHAIRMAN ALDEN:**

One other thing too --

**LEGISLATOR LINDSAY:**

Because I don't think it's a bad idea. I really don't. Because there are some taxi fleets out there that deserve to be regulated.

**CHAIRMAN ALDEN:**

Legislator Lindsay. Just one comment on this? Because I was kind of in that business. The Public Service Commission does inspections on those and there's sort of a licensing, not agreement but it served the licensing process that they have to go through. Also drivers that say Chauffeurs License, so that's a New York State regulation also. So pretty much right here, you've got New York State Public Service and you've got New York State Department of Motor Vehicles that actually have some other seeing type of capabilities in this.

**MR. GARDNER:**

And in, for instance, New York City, Consumer Affairs has a great deal to do with it because they check all the odometers. The Weights and Measure's Division is responsible for certifying accuracy of all of the odometers and all of the taxicabs.

**CHAIRMAN ALDEN:**

Because they charge by the --

**MR. GARDNER:**

About twelve thousand taxicabs in New York City.

**CHAIRMAN ALDEN:**

Right. They charge by the quarter mile or whatever it is.

**MR. GARDNER:**

Not zones, as it's currently out here.

**LEGISLATOR LINDSAY:**

Legislator Alden, what I was thinking are more in terms of not the physical plant of the vehicle but of the consumer aspect of taxi companies ripping off unsuspecting customers and stuff like that. You know, we know that goes on unfortunately.

**CHAIRMAN ALDEN:**

I think that right now the complaint would go to the Public Service Commission, wouldn't it?

**MR. GARDNER:**

Well, I know that we referred the complaints to those Towns that have the licensing in effect.

**CHAIRMAN ALDEN:**

If there's no Town Licensing though, then it would go to New York State, right? The Public Service Commission?

**MR. GARDNER:**

Yes, we would use the New York State Consumer Protection Board or the Attorney General's Office to get us in the right direction.

**CHAIRMAN ALDEN:**

Note for the record that Legislator Towle is present at the meeting.

**LEGISLATOR LINDSAY:**

Maybe we could get some more information about it Charlie?

**MR. GARDNER:**

Yes because again, my comments --

**LEGISLATOR LINDSAY:**

It's not a rush item.

**MR. GARDNER:**

And my comments naturally are not addressed to the intent, justification or philosophy behind any proposed legislation. It's simply to be the effect on our office and our ability to effectively enforce any proposal.

**CHAIRMAN ALDEN:**

My office is going to contact Legislator Fisher's Office and see if she can come down and do a presentation for us. But to give you heads up, some of the questions we're going to be asking you is how many additional staff you would need? How you would envision being able to enforce this? Should it pass and should New York State give us the power to go and create this? So -- and those are good questions that Legislator Lindsay brought up.

**MR. GARDNER:**

Yes.

**CHAIRMAN ALDEN:**

So, if you'd prepare that and I'll contact Legislator Fisher's Office. All right, so we have a motion to table by Legislator Lindsay, second by Legislator Crecca. All those in favor? Opposed? 78-2001 is tabled.

**78-2001 (P) Memorializing resolution requesting State of New York to authorize Suffolk County to regulate registration and licensing of taxicabs within Suffolk County. ASSIGNED TO CONSUMER PROTECTION & GOVERNMENT OPERATIONS (Legislator Vivian Fisher)**

**VOTE: 5-0-0-0 TABLED**

**LEGISLATOR LINDSAY:**

Mr. Chairman, before the Commissioner leaves, could I take upon the privilege and ask him some stuff?

**CHAIRMAN ALDEN:**

Absolutely, Legislator Lindsay.

**LEGISLATOR LINDSAY:**

Charlie, I had a constituent approach our office recently, very irate about getting what she felt, ripped off by a home inspection company. You know, when you go to buy a new house and you hire somebody to come in and inspect the house and whatever and she was trying to sell the house. She thought she was done a great injustice by the inspection that this guy did. And she called in a subsequent one and they came up with totally different results and she was questioning us> Does anybody license these people? And they have a dramatic effect on the buying and selling of houses in our County and I'm asking you, do you know, does anybody license them now and is it something that we should look into?

**MR. GARDNER:**

I don't believe that anyone licenses those -- that industry. That profession now.

**LEGISLATOR LINDSAY:**

Do you think that's an area that we should look into?

**MR. GARDNER:**

Well, if you were asking just based on the number of complaints that we get, we do not generate a large number of complaints against that type of business. You know, which came first, chicken or the egg? If we had it, you know, is it because people realize that nobody can help them on that? They work with their lawyers or their banks. Because those people are, you know, let's face it, hopefully, you would have somebody that is some type of an engineer and/or architect doing that type of work.

**LEGISLATOR LINDSAY:**

You would think so. But there's people out there that are running around inspecting houses with no credentials at all.

**MR. GARDNER:**

They have to answer though to, for instance, the banks or the lenders. I mean, people are willing or not to offer large amounts of money, based on the assessment of, you know, these inspectors so -- but our office doesn't receive, does not receive a -- it wouldn't even be in our top twenty, as far as the number of complaints received per year.

**LEGISLATOR LINDSAY:**

Okay.

**MR. GARDNER:**

But you know, I don't think anybody licenses them and it's certainly something that we can look into.

**LEGISLATOR LINDSAY:**

Okay, thanks.

**CHAIRMAN ALDEN:**

Okay. I'm going to make a motion to include Legislator Towle with the majority on all votes, seconded by Legislator Crecca. All those in favor? Opposed? Okay that passes.

**LEGISLATOR CRECCA:**

I have a motion to place some things on the consent calendar.

**CHAIRMAN ALDEN:**

Motion by Legislator Crecca. Which ones do you mean?

**LEGISLATOR CRECCA:**

We'll do all the reappointments. I was going to do the appointments too and if somebody is in objection, I'll be happy to -- they can. They just haven't traditionally been done in the past. We've been doing --

**CHAIRMAN ALDEN:**

If anybody objects to it?

**LEGISLATOR CRECCA:**

In Ways and Means, we've been doing it and if somebody wants to object to it, they can take it off.

**CHAIRMAN ALDEN:**

Okay, so --

**LEGISLATOR CRECCA:**

I'm going to make a motion to put the following resolutions on the consent calendar: Resolution 1649, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1862 and 1863.

**CHAIRMAN ALDEN:**

I'll second that. All those in favor? Opposed? Okay, those should be included on the consent calendar. I think that traditionally, while we haven't done that, it's been the duty of the committee for due diligence and to have the people before us and I think we've accomplished that today. So with that being said, is there any other business to come before the committee?

**LEGISLATOR CRECCA:**

Motion to adjourn.

**CHAIRMAN ALDEN:**

Motion to adjourn by Legislator Crecca, seconded by Legislator D'Andre. All those in favor? Opposed? We stand adjourned. Thank you.

***(The meeting was adjourned at 10:45 a.m.)***

{ } Denotes spelled phonetically