

**CONSUMER PROTECTION COMMITTEE**

**of the**

**SUFFOLK COUNTY LEGISLATURE**

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**Minutes**

A regular meeting of the Consumer Protection Committee Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Wednesday, **February 9, 2005**.

**MEMBERS PRESENT:**

Legislator Cameron Alden • Chairman

Legislator Jon Cooper

Legislator Lynne Nowick

**MEMBERS NOT PRESENT:**

Legislator William Lindsay

Legislator Jay Schneiderman

**ALSO PRESENT:**

Mea Knapp • Counsel to the Legislature

Warren Greene • Aide to Legislator Alden

Ilona Julius • Deputy Clerk of the Legislature

Charles Gardner • Director of Consumer Affairs

Kevin Rooney • Oil Heat Institute

Lynne Bizzarro • County Attorney's Office

Joan Gilroy • Cablevision

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**MINUTES TAKEN BY:**

Donna Catalano • Court Stenographer

**(\* THE MEETING WAS CALLED TO ORDER AT 1:18 P.M. \*)**

**CHAIRMAN ALDEN:**

Good afternoon. Welcome to the Consumer Protection Committee Meeting, and we will start with the Pledge led by Legislator Cooper.

**SALUTATION**

**CHAIRMAN ALDEN:**

I'd like to just have one moment of silence for those that have actually paid the supreme price for our freedom, and just in remembrance of those who are serving now. Thank you.

**MOMENT OF SILENCE**

**CHAIRMAN ALDEN:**

Thank you. I don't think we have any cards. And I don't think that we have a •• there's no public hearing scheduled, right, no public hearing?

**MS. JULIUS:**

No, we don't have a public hearing.

**CHAIRMAN ALDEN:**

So we will go to Charlie. Come on up. We can get a little update of what's happening over in Consumer Affairs.

**DIRECTOR GARDNER:**

Good afternoon, Mr. Chairman. Actually the couple of bills that we had some concerns about have both been tabled, has to do with the carbon monoxide detectors and the alarm systems. So I understand both have been tabled.

**CHAIRMAN ALDEN:**

Well, not yet, but they've been asked to be tabled by the sponsor.

**DIRECTOR GARDNER:**

Yes. And we're working with them and •• some of our comments, we're working with them.

**CHAIRMAN ALDEN:**

Okay. Hold off on that. How about on licensing and all that kind of stuff and staffing, are you still short-staffed?

**DIRECTOR GARDNER:**

Actually, this week we hired one of our three budgeted positions for this year, a clerk typist came on board this Monday. Yeah, we're doing fine. We're doing fine. We're up to 40 now.

**CHAIRMAN ALDEN:**

Good.

**DIRECTOR GARDNER:**

We had been as low as •• we had been as high as 46, we had been down to 33, if you remember, after the early retirements. So we're slowly creeping back up.

**CHAIRMAN ALDEN:**

How are complaints on the •• for licensed home improvement contractors?

**DIRECTOR GARDNER:**

Still number one category, far and away, always has been every year.

**CHAIRMAN ALDEN:**

Is it on the up or is it on the down or is it pretty much flat?

**DIRECTOR GARDNER:**

It's flat, yes. We get •• when I said number one far and away, we get any •• we probably average about 750 complaints per year against •• about unlicensed contractors, and the next category is down around 200. But it varies between seven and 800. We have a few more •• a little bit, nothing •• not a significant increase, but there was a small increase in 2004. I attribute that to the publicity generated by our joint operations with the Suffolk County Police Department and the Street Crime Units in the local precincts. As you know, we average about 80 or so criminal charges each year. This past year, we were at several hundred criminal charges because of our interaction with the police.

**CHAIRMAN ALDEN:**

you mentioned publicity, and that's •• that's bringing up the subject that I'm glad Lynne Bizzarro is here. And this is something that Legislator Cooper is actually working a little bit on, but identity theft. Last night I went to a civic meeting, and one of the people that they had speak was the, I think he's the bureau chief or the regional director of the FBI for the Long Island region. And it's very interesting, as far as, you know, saddening, but very interesting about the increase in identity theft and the different ways that they've targeted people and all things that are happening.

I know Legislator Cooper was looking at a couple of ways to, like, maybe mitigate that or lessen that effect. I'm hopeful that the FBI will be able to come to our committee and make a presentation. But do you find identity theft and things like that in Consumer Affairs, or that really is not ••

**DIRECTOR GARDNER:**

Well, that's criminal, so when we get involved •• I mean, we get involved in speaking engagements with tips and things that can help you, again, to mitigate it, because, you know, some of the largest cases have been from people working on the inside, and no matter what kind of steps an individual takes, you cannot protect yourself if somebody inside a business operation decides to steal your identity. But you can take steps to mitigate. But it's criminal, and we work with either New York State Attorney General's Office or the Postal Inspection Service, those types of agencies.

**CHAIRMAN ALDEN:**

One of the examples he gave, and it was, you know, like, a little bit scary, is how they prey on senior citizens. So there was an unlicensed home improvement contractor, went to these people, and you know, I guess, they needed, you know, like, the handicapped ramp and a couple of things in the house. So they would have needed 20 or \$30,000 worth of improvements. And they said that they could supply the financing also. So they gave the woman some documents to sign. She ended up signing her house over, and these guys went and took \$180,000 mortgage against the house and took off.

I was thinking that maybe, you know, like, between all of us, and we might be able to do it through this committee, some kind of a publicity or some kind of an advertising program that we can do in Suffolk County to warn people that if they're getting solicitation calls, think twice about

going and responding with any of your information. And I know Jon is right on this one, but don't give out any of your information. When you haven't initiated the call, don't tell them your Social Security, your date of birth, you know, things like that.

So I'm wondering if maybe through this committee you and the County Attorney's Office and our Legislative Counsel, if we can maybe come up with some kind of an advertising program or something that will benefit people, make them alert to the fact that, you know, we can't hit every specific, you know, scheme that is going to be out there, but just warn them about contractors, because that's •• that's definitely, you know, something that you are involved in and we are involved here; unlicensed, uninsured. And just because it says on the truck licensed and insured, doesn't mean they're licensed and insured. You have to get the documentation from us. But the least we can do is maybe put something on the internet and maybe even do a little bit of an advertising program.

**DIRECTOR GARDNER:**

Well, we're in the middle •• that's our •• if noticed, on our website, on Consumer Affairs' website, we have a lot of links and a lot of little headlines, so to speak, to click on. And we're right in the middle of adding that, because •• about identity theft. We have tip sheets and steps that you should take and things that you should be aware of now. In the case that you just mentioned, if somebody had called •• happened to call our office first, we would immediately give that to the Economic Crimes Bureau in the Suffolk County District Attorney's Office with whom we work most closely on those types of crimes.

**CHAIRMAN ALDEN:**

Unfortunately, some of those senior citizens, they're even embarrassed after they've been ripped off and they've lost house, they're embarrassed to even come forward. And a lot of times it's, you know, like, one of the family members, you know, what's going on, and then they bring them forward with it. So I think it's becoming a more prevalent problem, and it's more prevalent •• but here, a little, like, suggestion, probably, like, ten points that he made as far as suggestions, so, you know, I'm hopeful that he can come in and do his presentation here and that we can put our heads together and do something to help the people.

**DIRECTOR GARDNER:**

There are a lot of little •• for instance, most of this stuff is based on, you know, after the fact

when they arrest somebody and they find out how and where they got the information. For instance, there have been people who have been involved in identity theft, and they get their information by walking around the neighborhood, going to mailboxes that have the flag up and removing the envelopes from the mailboxes, many of which have bills with the check in it. They now have an account number for whether it's a credit card or a store or whatever, they have the name, the address, the account number and the checking account with the bank routing number and account number of the check on the check, so. With that, they can get into a lot of other things.

**CHAIRMAN ALDEN:**

Legislator Cooper.

**LEG. COOPER:**

I just wanted to suggest, I see that Joan Gilroy is here from Cablevision, and perhaps if you contact her with the idea of doing a PSA on this subject, I'm sure they would be accommodating.

**DIRECTOR GARDNER:**

As a matter of fact, last year I did a half hour show on Channel 12 about that very subject.

**LEG. COOPER:**

Great.

**DIRECTOR GARDNER:**

Yes.

**CHAIRMAN ALDEN:**

We were thinking more along the lines of getting Joan to come out here and, you know, watch the Consumer Affairs Committee in action and us coming up with all these great ideas and things, so.

**MS. GILROY:**

I think the suggestion of a PSA can work very well, we can do a 30 second spot on that.

**CHAIRMAN ALDEN:**

See, Cablevision is not all bad. There's a lot of good things.

**LEG. NOWICK:**

My bill went up again.

**DIRECTOR GARDNER:**

Besides the fact of the bills, they do run quite a few consumer protection stories throughout the course of the year, both in regular news and weekend editions, very many.

**CHAIRMAN ALDEN:**

I think we have to work with the media to get that word out, because there's a lot of people out there that, you know, like, they're getting stung every day for big dollars.

**DIRECTOR GARDNER:**

I just wish they didn't have my cell phone number.

**LEG. NOWICK:**

I have a question.

**CHAIRMAN ALDEN:**

Legislator Nowick.

**LEG. NOWICK:**

Just off on a tangent. Being consumer activists that we are, is there any way we could require restaurants, and I think we might have talked about this, to fully disclose the cost of specials on menus? I know this sounds crazy, but I find it offensive that that's not disclosed, and I also find that these are always the highest priced on there, and the surprise, surprise comes when the bill comes.

**LEG. COOPER:**

Just two weeks ago, a constituent of mine suggested that same thing.

**LEG. NOWICK:**

There you go. Is there a way •• we don't have to do it in a tacky way, put it quietly in the menu with the prices.

**DIRECTOR GARDNER:**

I would suggest you working with the Restaurant Association. And, you know, it's a simple matter of drafting legislation. I mean, right now there are no requirements.

**CHAIRMAN ALDEN:**

Even if we don't, you know, draft legislation, I mean, first off, you know, you really shouldn't be ordering stuff that you don't know what it costs.

**LEG. NOWICK:**

But that's the whole thing, you are with people in a restaurant, you are taking them out to dinner, business or otherwise, you certainly can't say to your guest, don't order that unless you get a price. They put you in •• my belief ••

**CHAIRMAN ALDEN:**

Legislator Nowick, what you want is a little bit of preparation so that it's not a total shock when you get the bill. You just want to, you know, prepare yourself, oh, my guest just ordered a \$38 lobster.

**LEG. NOWICK:**

I would really like ••

**CHAIRMAN ALDEN:**

I'll go with the salad.

**LEG. NOWICK:**

•• disclosure.

**DIRECTOR GARDNER:**

Well, as for the question of asking for the price from a consumer protection of view, I would point out that is one of the main reasons, for instance, that items that are sold from bulk; deli items, salads, etcetera, why there is a regulation requiring those prices to be posted, because human nature, people are a little bit hesitant or might be embarrassed to ask how much is that shrimp salad, gees, I didn't know it was \$18.99 a pound. That is why the requirement is there to require those prices ahead so people do not have to ask and feel a little bit, you know, guilty about having to ask.

**LEG. NOWICK:**

And I think it's worse when you're with guests in a restaurant, people hesitate or are embarrassed to ask what it is. And those are the most expensive items on the menu. And even for younger people who are not so restaurant savvy, I just think it's a good idea consumer wise.

**CHAIRMAN ALDEN:**

It was either Rolls Royce of Dusenberg, if you have to ask the cost, you can't afford it.

**LEG. NOWICK:**

You must be very, very wealthy there not to have to worry about those things.

**CHAIRMAN ALDEN:**

No. I ask the cost of everything. So, obviously that puts me at the bottom of the scale. I can't afford anything. All right. Any other comments or questions? Thanks, Charlie.

**DIRECTOR GARDNER:**

You're welcome, sir.

**CHAIRMAN ALDEN:**

And we're not going to go into Cablevision and their very costly opposition to the stadium. So we won't go into that today. Does anybody else want to address this? If not, we have one Introductory Resolution.

**1037•2005. Adopting Local Law No •• 2005, a Local Law to require the installation of carbon monoxide detectors in connection with heating system conversions.**

**(CARACCIOLO)**

**CHAIRMAN ALDEN:**

The sponsor has asked me to table. So I'm going to make a motion to table 1037, seconded by Legislator Cooper. All in favor? Opposed? 1037 is **tabled** for a public hearing. **(VOTE:3•0•0•2)**

**(Not present: Legis. Lindsay and Schneiderman).**

We don't have anything else. We stand adjourned. Thank you.

**(\* THE MEETING WAS ADJOURNED AT 1:30 P.M. \*)**

**\\_ \\_ DENOTES BEING SPELLED PHONETICALLY**