

CONSUMER PROTECTION COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Consumer Protection Committee of the 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, August 16, 2006.

MEMBERS PRESENT:

Legislator Cameron Alden • Chairman

Legislator Jon Cooper • Vice • Chair

Legislator Wayne Horsley

Legislator Lynne Nowick

Legislator Tom Barraga

Legislator Kate Browning

ALSO PRESENT:

Ian Barry • Assistant Counsel to the Legislature
Charles Gardiner • Director of Consumer Affairs
Richard Baker • Deputy Clerk of the Legislature
Joe Muncey • Budget Review Office
Michael Towers
Anthony Warrenski
Christian Lister

MINUTES TAKEN BY:

Lucia Braaten • Court Stenographer

MINUTES TRANSCRIBED BY:

Denise Weaver • Legislative Aide

***[THE MEETING WAS CALLED TO ORDER AT 1:18
P.M.]***

CHAIRMAN ALDEN:

Good afternoon. Welcome to the Consumer Protection Committee meeting. We'll get started with the pledge and have that led by Legislator Eddington.

(SALUTATION)

CHAIRMAN ALDEN:

And as is tradition we'll observe a moment of silence for those

who have given their lives for our country and those who remain in harms way even as we speak. Thank you. Okay, we don't have a presentation today, so we can pretty much get right into the agenda. We've got a couple of reappointments so we've got a few folks here that will be coming up. We'll start with tabled resolutions. This is **1391. A Local Law to ensure proper storage of toxic pesticides in retail stores.**

LEG. COOPER:

Motion to table.

CHAIRMAN ALDEN:

Motion to table by Legislator Cooper. Second by myself. All those in favor? Opposed? 1391 is tabled. (Vote: 7•0•0•0)
1791 A Local Law to require gasoline service stations to install emergency generators for fuel pumps. I believe this is in public hearing, it was recessed, so we don't even have to act on this. This is •• it's still tabled for the public hearing which has been recessed. Introductory Resolutions **1897 Approving the reappointment of Edward Nielsen III as a member of the Suffolk County Home Appliance Repair Licensing Board.** Motion by Legislator Nowick. Second by Legislator Cooper. All those in favor? Opposed? 1897 is approved. (Vote: 7•0•0•0) And just as a point of information, reappointments we usually don't have the people come down, it's usually on an initial appointment that we have them come down. **1898 Approving the reappointment of Lynn Blasso as a member of the Suffolk County Electrical Licensing Board.**

LEG. COOPER:

Motion.

CHAIRMAN ALDEN:

Motion by Legislator Cooper.

LEG. EDDINGTON:

Second.

CHAIRMAN ALDEN:

Second by Legislator Eddington. All those in favor? Opposed? Abstentions? 1898 is approved. **(Vote: 7•0•0•0)**

LEG. NOWICK:

Reappointment.

CHAIRMAN ALDEN:

These are reappointments so whether they come down is pretty much their choice usually. **1899 Approving the reappointment of Robert Ruggiero, as a member of the Suffolk County Plumbing Licensing Board.**

LEG. COOPER:

Motion.

CHAIRMAN ALDEN:

Motion by Legislator Cooper. Second by Legislator Eddington. All those in favor? Opposed? Abstentions? 1899 is approved. **(Vote: 7•0•0•0).**

1900 (Approving the reappointment of Anthony T. Warrenski as a member of the Suffolk County Plumbing Licensing Board). We have Mr. Warrenski. I hope I did that right. Did you want to come up? Cause as your coming up I'm going to say thank you for serving and if you had any comments, if you want to •• any words of wisdom for us or

anything like that we'd appreciate it. You could sit down at the microphone or you could stand up.

MR. WARRENSKI:

All I've got to say is that I've been proud to serve on this plumbing licensing board for 30 some odd years. And when it first was started as you know like a new baby you got to cuddle it and bring it around. And today along like with people like Charlie Gardner and all the people and the staff, it's a well working board and I'm very proud to be serving it and I hope I can continue to serve.

CHAIRMAN ALDEN:

So Charlie's doing a good?

MR. WARRENSKI:

Yeah.

CHAIRMAN ALDEN:

Okay. Should we keep him for awhile, Charlie? All right. So we have a motion by Legislator Cooper?

LEG. COOPER:

Motion.

CHAIRMAN ALDEN:

Second by Legislator Barraga. All those in favor? Opposed? (Vote: 7•0•0•0) 1900. Thank you very much for serving and ••

LEG. COOPER:

Thank you very much.

LEG. NOWICK:

Thank you, sir.

CHAIRMAN ALDEN:

You don't actually have to show up for the general session, but there shouldn't be a problem with getting your reappointment through there. And thank you for coming down today.

1901. And Mr. Towers is here. If you want to come up. So this would be Approving the reappointment of Michael S. Towers, as a member of the Suffolk County Electrical Licensing Board. Did you want to make a statement to us?

MR. TOWERS:

Well, because I came down, I just want to say that I've been serving on the board for a number of years. Like my colleague who just came up, it's a good board. We enjoy being on it and we take it very seriously, and I appreciate your consideration for reappointment.

CHAIRMAN ALDEN:

Thank you for serving in the past. So I'll entertain a motion.

LEG. EDDINGTON:

Motion.

CHAIRMAN ALDEN:

Motion by Legislator Eddington, second by Legislator Barraga. All those in favor? Opposed? Abstentions? Unanimous approval. **Vote: 7•0•0•0** Thank you very much.

1902 • Approving the reappointment of Christian B. Lister (as a

member of the Suffolk County Electrical Licensing Board). Is Mr. Lister here? Did you want to come up and make a statement.

MR. LISTER:

No, I trust you.

CHAIRMAN ALDEN:

Okay, thanks.

LEG. COOPER:

Motion to approve.

CHAIRMAN ALDEN:

Motion to approve by Legislator Cooper, second by Legislator Eddington. All those in favor? Opposed? Abstentions?

Unanimous approval. **(Vote: 7•0•0•0)**. Thank you very much for serving.

1903 Approving the reappointment of Daniel J. Meehan, as a member of the Suffolk County Plumbing Licensing Board.

LEG. COOPER

Motion to approve.

CHAIRMAN ALDEN:

Motion by Legislator Cooper, second by Legislator Eddington. All those in favor? Opposed? Abstentions? 1903 is approved.

(Vote: 7•0•0•0).

1951 • A Local Law to protect consumers from predatory towing practices.

LEG. COOPER:

Motion to table for the public hearing.

CHAIRMAN ALDEN:

Okay. Second by myself. All those in favor? Opposed? 1951 is tabled for a public hearing. **(Vote: 7•0•0•0).**

Let's see what else we've got here. We've got a memorializing resolution. MO62. (Memorializing resolution) requesting the New York State Public Service Commission to review the proposed LIPA/KeySpan agreement. And that's by Legislator Alden, that's me. I'll make a motion to approve.

LEG. BROWNING:

I'll second.

LEG. COOPER:

No. Motion to table.

CHAIRMAN ALDEN:

Subject to call? Go ahead.

LEG. COOPER:

Maybe, actually.

CHAIRMAN ALDEN:

Hold it. I have a second. I'll recognize the second. Okay. On the motion, Legislator Cooper.

LEG. COOPER:

My only concern, it's not on the merits of the resolution at all, but I don't believe that this cites any specific State legislation,

so it's not a memorializing resolution, it's a sense and we're not legally allowed to ••

CHAIRMAN ALDEN:

Oh, no, no, no. Look at the title. It's M062, and there is pending •• there is pending State ••

LEG. COOPER:

But it doesn't •• it doesn't •• a memorializing has to either express support or opposition to a particular bill.

CHAIRMAN ALDEN:

That's what this is, It's support of the •• to review the proposed LIPA ••

LEG. COOPER:

I don't •• Counsel, if you can address this?

CHAIRMAN ALDEN:

Go ahead.

LEG. COOPER:

Don't look at the sponsor, look at me.

MR. BARRY:

The sponsor and to you. There is no legislation that's being memorialized, you're correct.

LEG. COOPER:

Yes. I'm sorry.

CHAIRMAN ALDEN:

You dirty rat, you.

LEG. COOPER:

For the record.

LEG. ALDEN:

Go ahead.

LEG. COOPER:

I appreciate your effort on this, and nice try.

CHAIRMAN ALDEN:

Wait, Wait, wait.

LEG. EDDINGTON:

It's in the first resolved clause.

CHAIRMAN ALDEN:

Yeah. I mean, this is so crystal clear and clear•cut that it just jumps at you. But, Jon, instead of making that motion, why don't you just ask for a ruling whether its a memorializing resolution? And you get a second bite at the apple, because if it does get out of committee, then you can ask the Presiding Officer to rule on it if it goes before the full Legislative body.

LEG. COOPER:

I ask for a ruling from Legislative Counsel.

CHAIRMAN ALDEN:

Yeah, but he has to defer to me, so.

MR. BARRY:

It would be a ruling of the Chair whether or not this is in order.

LEG. COOPER:

Oh, no way. Nice try. But, seriously, Cameron, because it's a Sense and ••

CHAIRMAN ALDEN:

It's not a Sense, this is a Memorializing Resolution.

LEG. COOPER:

Well, I know, but it's ••

CHAIRMAN ALDEN:

It fits all the criteria. There's just ••

LEG. COOPER:

It's probably drafted.

CHAIRMAN ALDEN:

There's jut not a bill or an Assembly bill number, that's all.

LEG. COOPER:

But that's what a Memorializing Resolution is.

CHAIRMAN ALDEN:

No, no, no, no, no.

LEG. COOPER:

It's to express support or ••

CHAIRMAN ALDEN:

This is a concept that was debated up in Albany, very, very heavily debated ••

LEG. COOPER:

Oh, come on.

CHAIRMAN ALDEN:

•• whether the Public Service Commission should get involved.

LEG. COOPER:

Motion to table.

CHAIRMAN ALDEN:

Do you have a second for the motion to table?

LEG. EDDINGTON:

Yeah, I'll second it.

CHAIRMAN ALDEN:

Who's seconding that? All right. You've got a motion to table with a second. I'm opposed to the tabling, but all in favor of tabling?

LEG. HORSLEY:

Aye.

LEG. COOPER:

Aye.

CHAIRMAN ALDEN:

Okay, so you got ••

LEG. COOPER:

Yo.

CHAIRMAN ALDEN:

•• Horsley, Cooper ••

LEG. EDDINGTON:

I'm opposed.

CHAIRMAN ALDEN:

•• Browning, Eddington. Okay, so that's four. Opposed, Me.

LEG. NOWICK:

Opposed.

CHAIRMAN ALDEN:

Oh, Three. Four•three, we lose. It's tabled. So do the people, though. The people of Suffolk County actually lose when this type of action takes place.

Now, just for the record, I just have one piece of correspondence that has to be noted. It's from the Long Island Gasoline Retailers Association, and I'll give it to you in just one second. And this is in regard to a local law to require gasoline service stations to install emergency generators for fuel pumps. That's tabled because it's in public hearing, but this will be part of our record.

"Long Island Gasoline Retailers Association, represents over 800 gasoline stations and repair shops throughout Long Island, respectfully requests that IR 1791 be held for further consideration in Consumer Protection Committee. As stated by LIGRA President, Kevin Beyer, at the June 27th, 2006 meeting of the Legislature in Riverhead, we stand ready and willing to work with County Executive Levy, Chairman Alden and the entire Legislature on crafting meaningful legislation that addresses the

public safety concerns of the County Executive and the Legislature, as well as considers the economic impact on and the practicality to our members." And then they give a number that we can contact. So putting that on the record. Is there any other business that anyone wants to bring before the Legislative committee? No? We stand adjourned. Thank you.

[THE MEETING WAS ADJOURNED AT 1:28 P.M.]