

**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, 725 Veterans Memorial Highway, Smithtown, New York, on August 14, 2008.

**MEMBERS PRESENT:**

Legislator Lynne C. Nowick, Chairwoman  
Legislator Wayne R. Horsley  
Legislator Thomas F. Barraga  
Legislator Kate M. Browning  
Legislator Jack Eddington

**ALSO PRESENT:**

George Nolan, Counsel to the Legislature  
Ben Zwirn, Deputy County Executive  
Bruce Dragonette, Commissioner of Consumer Affairs  
Renee Ortiz, Chief Deputy Clerk of the Legislature  
Joe Muncey, Budget Review Office  
Greg Moran, Aide to Legislator Nowick  
Paul Perillie, Aide to Majority Leader  
April Ortiz, County Executive's Office  
Kevin Rooney, Oil Heat Institute  
Debra Alloncius, AME Legislative Director  
Gail Lolis, County Attorneys Office  
Zabby, PEGLATM

**MINUTES TAKEN BY:**

Diana Kraus - Court Stenographer

**MINUTES TRANSCRIBED BY:**

Kim Castiglione - Legislative Secretary

**(THE MEETING WAS CALLED TO ORDER AT 12:04 PM)**

**CHAIRPERSON NOWICK:**

Can I have all Legislators that are on the Consumer Protection Committee, please? Okay. We'll start with the Pledge to the flag led by Legislator Eddington.

***(Salutation)***

Hang on to your hats, here we go.

**LEG. BROWNING:**

One, two, three.

**CHAIRPERSON NOWICK:**

Welcome to the Consumer Protection Committee. We have a rather short agenda. We do not have any cards from the public.

**ZABBY:**

I put one in.

**CHAIRPERSON NOWICK:**

I don't see it, but that's okay, Zabby. With or without, come on up.

**ZABBY:**

Thank you.

**CHAIRPERSON NOWICK:**

All right, Zabby. You got two Republicans here that you want to get rid of.

**ZABBY:**

Yes. Thank you very much for cutting down some of the things I have to say. I just wanted to say that we have on the table now this bill introduced by Legislator Cooper and Viloría-Fisher for extending the legislative term. I want to point out that that will be discriminatory to women. They want to increase this term from two years to four years. Given that we have sexist party chair people, Richard Schaeffer and Harry Withers, who do not bring women forward -- we have one Republican woman, Lynne Nowick here, and one Democratic woman, and one Working Families Party. However, at least we have a balance with the Working Families Party, one man and one woman, fifty-fifty.

I think that we should get some more parties, some Green Party, some Independence Party. Now Schneiderman is Independence Party. We definitely need some more people in here because I'm very upset with the Republican leadership, the minority leader. I think we need balance of parties for democracy. We need a balance. And so far the Republicans have not had good leadership in the minority and now they are down to one-third of the Legislature. So I think we should get some Green Party to replace them, yes, Green Party people.

And, of course, I am for replacing the whole Legislature, firing the whole Legislature, so that we might be able to get some women in and so I'm against this term. I figure, you know, you guys meet once a month, you get 80,000. These poor 911 workers are making 30,000 and you guys are getting so much money. It seems to me that if you met more than once a month maybe you wouldn't have to extend -- say that, "Oh, well, we need a longer term so we can accomplish more". You could accomplish more if you worked more.

And next, this rule change, legislation introduced by, of course, Mr. Presiding Officer Lindsay,

because of the lawsuit that Rick Montano had to sue this County because he felt that the procedures were not even upheld within this County. And the fact that Mr. Lindsay can come in like an autocrat and just use his power like a dictator in a despot to knock out the committee's judgement I think is --

**CHAIRPERSON NOWICK:**

The time is up, Zabby.

**ZABBY:**

Okay. Let me just finish this sentence. To knock out all the 11 committee's judgement, might as well not have the committees. Might as well just have Legislator Lindsay, the Presiding Officer, make all the determinations because he can come in and stop a majority vote of a resolution by voting and then it will be three to three, for instance, in the committee of five, and he kills the resolution that he doesn't like. He has too much power and I would think that you guys would be against that and get rid of his power. He shouldn't be able to come in and vote. He should be ex officio. He can attend, but not vote.

**CHAIRPERSON NOWICK:**

Okay. Thank you, Zabby.

**ZABBY:**

Thank you.

**CHAIRPERSON NOWICK:**

Thank you. Is there anybody else that would like to address the committee? Okay, once again welcome to the Consumer Protection Committee, the second committee meeting of the month of August in preparation for the second Legislative meeting for the month of August.

Now, did the Commissioner have anything that you would like to address the committee about? I just wanted to ask you one quick question. I won't drill you, but I'm just curious. What's -- what's the average price now of home heating oil? What can we expect?

**COMM. DRAGONETTE:**

They were during the survey when I was coming to this meeting because the Weights and Measures guys were out in the field this morning doing the gas survey. So we had two gentlemen on the phone who called about 50 companies. I didn't get a chance to ask them. Personally, from my oil company, I can just tell you it's probably in the area of about 4.40. That's with automatic delivery.

**CHAIRPERSON NOWICK:**

Four-forty? Is that up again from last week or?

**COMM. DRAGONETTE:**

Two weeks ago it's down.

**CHAIRPERSON NOWICK:**

Okay.

**COMM. DRAGONETTE:**

Two weeks ago it's down. But I would, I mean, I would get a better reading --

**CHAIRPERSON NOWICK:**

I did well last week, then, 3.90.

**COMM. DRAGONETTE:**

Is that from cash and carry? Because that is totally different than automatic. Automatic delivery is when you have contract and everything like that. That is always going to be more than cash and carry.

**CHAIRPERSON NOWICK:**

No --

**COMM. DRAGONETTE:**

The cash and carry I didn't get. You know, as I said, they do a survey for 200 gallons. They basically call the oil company and ask how much a 200 gallon drop would be and then that's what I would get.

**CHAIRPERSON NOWICK:**

I have a contract. I'm not complaining.

**COMM. DRAGONETTE:**

No, no at that price you wouldn't. Not at that price.

**CHAIRPERSON NOWICK:**

Because Legislator Eddington wants to know their name and number right now.

**COMM. DRAGONETTE:**

Well, I don't know if they are going to get that. I don't know if they are going to get that 3.90.

**CHAIRPERSON NOWICK:**

All right. Was there anything else that you wanted to --

**COMM. DRAGONETTE:**

Nothing.

**CHAIRPERSON NOWICK:**

Anybody else have a question for the Commissioner? Okay. Thank you, Commissioner.

**COMM. DRAGONETTE:**

Thank you.

**CHAIRPERSON NOWICK:**

Then we'll go on to tabled resolutions.

### **Tabled Resolutions**

**1272, Adopting Local Law No. 2008, A Local Law to protect children from accidental poisoning by requiring the proper storage of toxic chemicals in retail stores. (Schneiderman).**

I'll make a motion to table.

**LEG. EDDINGTON:**

Second.

**LEG. BARRAGA:**

Second.

**CHAIRPERSON NOWICK:**

Second by Legislator Barraga. All in favor? Opposed? Abstentions? 1272 is tabled. **(Vote: 5-0-0-0).**

**1364, Adopting Local Law No. 2008, A Local Law to promote fair business practices. (Cooper).**

I'll make a motion to table. Second by Legislator Eddington. All in favor? Opposed? 1364 is approved. **(Vote: 5-0-0-0).**

### **Introductory Resolutions**

**1657, Adopting Local Law No. 2008, A Local Law to require the licensing of sign hangers in Suffolk County. (Lindsay).**

This law will create a sign hanging licensing board to determine the fitness of applicants for sign hanging licenses. So I have a motion to table for public hearing. Second by Legislator Horsley. All in favor? Opposed? 1657 is tabled for public hearing. **(Vote: 5-0-0-0).**

If there is no other business -- excuse me?

**LEG. EDDINGTON:**

Nobody wants to yell at us?

**CHAIRPERSON NOWICK:**

No, no, no. If there is no other business, I will take a motion to adjourn. Second by Legislator Barraga. All in favor? Opposed? This meeting is adjourned.

**(THE MEETING WAS ADJOURNED AT 12:14 PM)**