

**ECONOMIC DEVELOPMENT**  
**HIGHER EDUCATION**  
**and**  
**ENERGY COMMITTEE**  
**of the**  
**SUFFOLK COUNTY LEGISLATURE**  
**Minutes**

A regular meeting of the Economic Development, Higher Education & Energy 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, July 28, 2010.

**MEMBERS PRESENT:**

Legislator Steve Stern - Vice-Chair  
Legislator Thomas Cilmi  
Legislator Ricardo Montano  
Legislator Lynne Nowick  
Presiding Officer William Lindsay - Ex Officio Member

**MEMBER NOT PRESENT:**

Legislator Wayne Horsley - Excused Absence

**ALSO IN ATTENDANCE:**

George Nolan - Counsel to the Legislature  
Joe Schroeder - Budget Review Office  
Joe Muncey - Budget Review Office  
Renee Ortiz - Chief Deputy Clerk of the Legislature  
Ben Zwirn - County Executive's Office  
George Gatta - Suffolk Community College  
Gail Lolis - County Attorney's Office  
Linda Bay - Aide to Minority Caucus  
Paul Perillie - Aide to Majority Caucus  
Bob Martinez - Aide to Legislator Montano  
Kathleen Malloy - AME  
All other interested parties

**MINUTES TAKEN BY:**

Donna Catalano - Court Stenographer

**(\*THE MEETING WAS CALLED TO ORDER AT 2:15 P.M.\*)**

**VICE-CHAIRMAN STERN:**

Welcome, everybody, to the Committee on Economic Development, Higher Education and Energy. Please rise and join in the Pledge of Allegiance.

**SALUTATION**

Remain standing and join in a moment of silence for the men and women fighting overseas. Keep them in your thoughts and prayers.

**MOMENT OF SILENCE**

Thank you. Welcome everybody to EEE. We will begin with the public portion. I have one card and that is Kathleen Malloy. Kathleen, welcome.

**MS. MALLOY:**

Good afternoon. Thank you for allowing me to speak. Legislator Stern, I'd like to let you know that I do want to go on the record, but I have shortened my speech. Thank you.

Kathleen Malloy, I'm here today on behalf of AME President Cheryl Felice. When Governor Paterson offered the County Executives throughout New York State the opportunity to sign on to an Early Retirement Incentive package, he provided the approved bill, but left the many particulars of eligibility up to the County Executives.

The time period for the ERIP, however, can and should be extended by the Legislature to 60 days. Local Law 35-2010, which was Introductory Resolution 1724 adopted on July 7th in Suffolk County, gave Mr. Levy full power under State Law to designate who can participate in the ERI. However, the only limitation placed on that eligibility and Local Law 35 was a prohibition of ERI for employees funded at least 50% by State and/or Federal aid. An exception to that 50% rule was also provided in Local Law 35 for five designated positions in the Office of the Aging and for employees at the Departments of Health and Social Services.

When Mr. Levy issued his All Employees Memo Number 21 on July 14th, he listed 13 categories of the ineligible titles, such as all of Consumer Affairs, law enforcement, lawyers and everyone at John J. Foley. This means that it is Mr. Levy, not the Local Law or County Legislators who is ultimately and unilaterally blocking certain people from being able to participate.

Legislators should also be aware that Mr. Levy's AEM contradicts the Local Law. In this section wherein he states, quote, those employees whose salary is at least 50% funded with Federal and/or State aid most likely will not be approved for inclusion, end quote. Local Law 35 did not grant any such discretion. AME asks our 18 member Legislature if your own expressed language is being ignored and contravened by the County Executive.

Introductory Resolution 1726 sponsored by Mr. Levy and pending before the Legislature links expansion of the open period from 30 to 60 days to September 21st to the sale of the nursing home. This bill is very misleading, because the title of the bill and the accompanying backup documentation creates the impression that the bill is enlarging the number of employees eligible for participation. This is not so. The bill only deals with expanding the open period from 30 to 60 days. And why? It appears that the Executive's Budget Office is overwhelmed by the huge volume of applications for this Early Retirement Incentive and the burden Mr. Levy has imposed on them in having to calculate every single application singularly.

How to resolve this dilemma? AME asks our Legislative Body to please simply extend the ERIP

period to 60 days. As the union that represents -- oh, this is just my thank you. As the union the represents about 7000 working workers with a large amount expressing interest in this ERI package, AME President Felice thanks you, seeks your help in eliminating any unnecessary anxiety, any innocent mistakes that could be made based on incorrect, confusing and misleading information. On behalf of the AME Offices and all of our members, your assistance to the workers who make Suffolk work is now and always appreciated. Thank you very much. And I have copies for everyone.

**VICE-CHAIRMAN STERN:**

Kathleen, thank you[.].|.|. I do not have any other cards? Is there anybody else here today that would like to be heard before the committee? Seeing none, we're going to our agenda now. Table Prime Resolutions.

***1147, Dedicating the revenue generated by the County's lease with Eastern Long Island Solar Project. (Romaine)***

I will make a motion to table.

**LEG. NOWICK:**

Second.

**VICE-CHAIRMAN STERN:**

Seconded by Legislator Nowick. All in favor? Opposed?

**P.O. LINDSAY:**

Could I just ask a question?

**VICE-CHAIRMAN STERN:**

Mr. Presiding Officer.

**LEG. LINDSAY:**

Does anybody know what happened to this project? It was supposed to start in the spring. No? Nobody knows?

**VICE-CHAIRMAN STERN:**

All in favor? Opposed? Abstentions? Motion is approved. **TABLED (VOTE: 5-0-0-1 Not Present: Legislator Horsley)**

***1190, Adopting Local Law No. -2010, A Local Law to strengthen tourism promotion in Suffolk County, (Schneiderman)***

**LEG. NOWICK:**

Motion to table.

**VICE-CHAIRMAN STERN:**

Motion to table by Legislator Nowick, I'll second. All in favor? Opposed? Abstentions? Motion is approved. **TABLED (VOTE: 5-0-0-1 Not Present: Legislator Horsley)**

***1366, Adopting Local Law No. -2010, A Local Law to maximize promotion of tourism in Suffolk County. (Schneiderman)***

Motion to table by Legislator Nowick, I'll second. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-1 Not Present: Legislator Horsley)**

***1531, Adopting Local Law No. -2010, A Local Law improving tourism promotion in***

***Suffolk County. (Schneiderman)***

Same motion, same second, same vote. **TABLED (VOTE: 5-0-0-1 Not Present: Legislator Horsley)**

***1657, Authorizing the temporary transfer of development rights to Motor Parkway Plaza. (Co. Exec.)***

**VICE-CHAIRMAN STERN:**

I will make a motion to table at the request of the administration, seconded by Legislator Montano. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-1 Not Present: Legislator Horsley)**

***1703, Authorizing the County Executive to execute an agreement with the Suffolk County Faculty Association, Suffolk County Community College, covering the terms and conditions of employment for employees covered under Bargaining Unit No. 3 for the period September 1, 2011 through August 31, 2015. (Co. Exec.)***

**MR. ZWIRN:**

Mr, Chairman, if I might. Can we table this for one cycle? The Board of Trustees has not yet ratified this. They're meeting between this General Meeting and the next one. So hopefully by the second meeting in August we'll be able to have this up for a vote before the entire Legislature.

**VICE-CHAIRMAN STERN:**

Counsel says that is good to go. I believe we had that discussion with Mr. Gatta as well. So I will make a motion to table, seconded by Legislator Nowick. All in favor? Opposed? Abstentions? Motion is approved. **TABLED (VOTE: 5-0-0-1 Not Present: Legislator Horsley)**

***1715, Appoint member to the Suffolk County Community College Board of Trustees (Belinda Alvarez-Groneman). (Cilmi)***

**LEG. CILMI:**

Motion to approve.

**VICE-CHAIRMAN STERN:**

Motion to approve by Legislator Cilmi.

**LEG. MONTANO:**

Motion to table.

**VICE-CHAIRMAN STERN:**

Motion to table by Legislator Montano. I believe she is here, yes.

**LEG. LINDSAY:**

Well, maybe Ms. Groneman can come forward. It's a new appointment from the local jurisdiction, but she has been serving on the board as a Governor's appointment, you know? And Belinda, have a seat and make yourself at home. And, you know, I just had a discussion with Legislator Montano, and I'll respect his wish to table at this time, because it doesn't have any affect, because Ms. Groneman is sitting on the board now.

The Governor hasn't made any appointments, so she is a hold-over. And they tell me he won't make any appointments to any boards throughout the State until the budget mess is resolved. And I know Legislator Cilmi is the Legislator that represents Belinda's district. And Ms. Groneman has done a wonderful job on the board as far as I'm concerned. But I will support Legislator Montano's

motion to table this at this time. We meet again in two week, and hopefully, the issue surrounding it can be resolved. But in the interm, it doesn't add or detract from anything that the board is doing now, because Ms. Groneman still sits on the board.

**LEG. MONTANO:**

If I may, also, with respect to Ms. Alvarez who is a very close friend of mine and we have worked many years. But there is also a legal issue that's involved, and that is that she is currently a board member of the Board of Trustees. And in talking with Counsel, it might be a situation where if you were to be appointed, you may have to resign your position first before you can be appointed and considered. And that's something that we will discuss. She is currently a member of the board, because you serve as a hold-over.

**MS. ALVAREZ-GRONEMAN:**

Right.

**LEG. MONTANO:**

You're following what I'm saying? So that's something we will discuss at the -- you know, and hopefully we'll get this resolved.

**VICE-CHAIRMAN STERN:**

Just to be clear then, in order to first be considered for the position she's being nominated for, she would technically have to resign her current board position having been appointed by the Governor in order then to be considered for this position?

**LEG. MONTANO:**

I'll let George answer that.

**MR. NOLAN:**

That would be my opinion, that, yes, there would have to be resignation or somebody else appointed by the Governor for that spot before we can appoint her to that spot. It was my understanding that Ms. Groneman was coming off the board, but apparently -- and correct me if I'm wrong -- it sounds like you're serving as a hold-over on the Board of Trustees now.

**MS. ALVAREZ-GRONEMAN:**

That's correct.

**LEG. MONTANO:**

I would ask to table it with no negative inference at all. As you indicated, she continues to serve on the Board of Trustees. We have a meeting on August 17th, and we can take it up in the interm.

**VICE-CHAIRMAN STERN:**

Mr. Presiding Officer.

**P.O. LINDSAY:**

The only thing that I'd like to point out is we can't afford to have the board diminished any more. If Ms. Groneman was to resign at this point pending our appointment, we've had trouble with getting a quorum for the meetings now. So I wouldn't suggest that that be done. But the other thing I would suggest is while she is here before the committee, that we please, you know, ask any questions that you might have of her so that we don't have to bring her back again.

**LEG. MONTANO:**

I don't think -- there certainly would be no questions on my part with respect to her. As I said, we know each other 30 years. And she does work in the community with Pronto. We have been friends for 30 years. So I have no questions of her. These are just technical issues and political issues that come up. I'm sure you understand that.

**MS. ALVAREZ-GRONEMAN:**

(Shaking head yes).

**VICE-CHAIRMAN STERN:**

Legislator Cilmi.

**LEG. CILMI:**

Allow me a minute, Mr. Chairman.

**VICE-CHAIRMAN STERN:**

Sure.

**LEG. CILMI:**

To Counsel or to the Presiding Officer who may be familiar with this issue, the question I would have is how long will she remain a hold-over, and at what point does the Governor have to appoint, you know, a new trustee?

**P.O. LINDSAY:**

I know with even some of our local boards here, we've had hold-overs for years.

**LEG. MONTANO:**

It's indefinite.

**LEG. CILMI:**

Does it work the same way at the State level?

**P.O. LINDSAY:**

I believe so, yeah. I believe so. And the Governor, I don't believe, he's made any appointments to any board or commissioner Statewide, he's taken the position, until the budget passes.

**LEG. MONTANO:**

Supposedly right now they are doing that up in Albany. No. They're up in Albany. I'm not saying they are doing anything, I'm just saying they are there.

**P.O. LINDSAY:**

There's a big difference.

**LEG. CILMI:**

Counsel -- we were talking as a side-bar here, but I don't think we got to an answer. This resolution -- if the Legislature were to pass this resolution, would the County Executive have sign it in order for it to be enacted?

**MR. NOLAN:**

No. It's a Legislative appointment. It would be effective immediately upon passage.

**LEG. CILMI:**

You know, if it's the recommendation that we table it for one cycle to see -- I mean, what's going -- if the Governor is not going to do anything between now and our next meeting, then this will just remain tabled until such time as the Governor makes a decision? Or Ms. Groneman resigns from the board.

**MR. NOLAN:**

Or if Ms. Groneman resigns from that particular appointment, yeah.

**P.O. LINDSAY:**

I wouldn't recommend she do that.

**LEG. CILMI:**

I would agree. Okay. Thank you.

**VICE-CHAIRMAN STERN:**

Let's do this: Before we proceed, so far there is a motion to approve and there is a motion to table. I don't recall having a second on either of those, do we?

**MS. ORTIZ:**

We have a second on the tabling.

**VICE-CHAIRMAN STERN:**

The Presiding Officer was indicating a second on the motion to table. We have a before us as. As Legislator Montano points out, these are technical issues that can be discussed further. But in the interest of our guest's time, which, of course, is valuable, she is with us today, so I would suggest that we go through the process and say hello and anybody who has any questions have the opportunity to ask those questions, and then we will proceed from there. So, Ms. Groneman, welcome.

**MS. ALVAREZ-GRONEMAN:**

Thank you.

**VICE-CHAIRMAN STERN:**

Tell us a little bit about yourself and how you see this position and what you will bring.

**MS. ALVAREZ-GRONEMAN:**

Absolutely. I actually have a copy of my resume for everyone that's here. For those of you don't know me, I've been a Board of Trustee -- I've been a Board of Trustee at Suffolk County Community College since 2004. Prior to that, I was a Suffolk County Police Officer who retired in March of 1999.

I guess I just wanted to tell you that me serving here at the College has been nothing but great things for me. I believe I have a lot to offer in continuing on and staying here at the College. I just really wanted to throw it out there and out find out if there's any questions for me.

My resume basically tells you a little bit about my community involvement. I'm the President of Pronto of Long Island. I just took over as President at the beginning of the year. I will tell you that sitting on Middle States for me was the best thing as a Trustee, because it gave me the opportunity to know the ins and outs of the College. And I would recommend that every Board of Trustee have the opportunity to sit on Middle States, because that opened my eyes. I didn't know what I was actually doing when I came here as a Board of Trustee. By but the time I finished after two years, I definitely had knowledge of what the College environment was all about.

**VICE-CHAIRMAN STERN:**

Legislator Cilmi.

**LEG. CILMI:**

Really just a statement. I just wanted to make the committee aware, many of us here have known Belinda for some time. She has an impeccable record of service in the community, she has done a tremendous job on the Board of Trustee of our College, both in terms of her contributions to the debates that the College continually has, referenced all of the issues that affect the College and has also been a tremendous advocate for the College in terms of outreach in the community.

So, you know, I will encourage this committee and the full Legislature to give Belinda Groneman the utmost of respect in terms of that and look forward to approving this resolution if not today then in the near future. Thanks.

**LEG. CILMI:**

Legislator Montano.

**LEG. MONTANO:**

I was just going to say that she does have our utmost respect. And personally speaking, I think we go back 30 years, Belinda, when she first joined the Police Department.

**MS. ALVAREZ-GRONEMAN:**

Thirty-two.

**LEG. MONTANO:**

Thirty-two. I'm getting older. Thanks for coming. You know, it's unfortunate we're in this situation in terms of the technicalities. I'll talk to you, you know, after the meeting, if you will give me a couple of minutes. Thank you.

**MS. ALVAREZ-GRONEMAN:**

Will do.

**VICE-CHAIRMAN STERN:**

Anybody else? Thank you. Thank you for being with us today.

**MS. ALVAREZ-GRONEMAN:**

Thank you for giving me the time to be here today.

**VICE-CHAIRMAN STERN:**

Sure. Okay. Anybody else on the committee that wants to be heard on any other matter? Hearing or seeing none, there was a motion to table and a second. So we will call the vote. All those in favor? Opposed? Abstention?

**LEG. CILMI:**

Opposed.

**VICE-CHAIRMAN STERN:**

One opposed. Motion is approved. **TABLED (VOTE: 4-1-0-1 Opposed: Legislator Cilmi; Not Present: Legislator Horsley).**

Our Chairman Legislator Horsley was not able to be with us today. He has an excused absence. Okay. Thank you to everybody else. We are adjourned.

**(THE MEETING WAS ADJOURNED AT 2:35 P.M.\*)**