

**GOVERNMENT OPERATIONS, PERSONNEL,  
INFORMATION TECHNOLOGY & HOUSING COMMITTEE**

**OF THE**

**SUFFOLK COUNTY LEGISLATURE**

**MINUTES**

A meeting of the Government Operations, Personnel, Information Technology & Housing Committee of the Suffolk County Legislature was held in the Maxine S. Postal Auditorium, Evans K. Griffing Building, 300 Center Drive, Riverhead, New York on March 1, 2017.

**MEMBERS PRESENT:**

Legislator Robert Calarco, Chairperson  
Legislator William J. Lindsay, III, Vice Chair  
Legislator Kara Hahn  
Legislator Leslie Kennedy  
Legislator Kevin J. McCaffrey

**ALSO IN ATTENDANCE:**

Presiding Officer DuWayne Gregory, 15th Legislative District  
Legislator Al Krupski, 1st Legislative District  
George Nolan, Counsel/Suffolk County Legislature  
Sarah Simpson, Assistant Counsel/Suffolk County Legislature  
Lora Gellerstein, Chief Of Staff/Suffolk County Legislature  
Amy Ellis, Chief Deputy Clerk/Legislature  
Benny Pernice, Budget Review Office  
Dennis Brown, County Attorney  
Robert Braun, Deputy Bureau Chief/County Attorney's Office  
Katie Horst, County Executive's Office  
John Marafino, County Executive's Office  
William Shilling, Aide to Legislator Calarco  
Brian Sapp, Aide to Legislator Lindsay  
Zachary Baum, Aide to Legislator Hahn  
Ali Nazir, Aide to Legislator Kennedy  
Zachary Giglio, Aide to Legislator McCaffrey  
Jason Smagin, Director/Real Estate  
Amy Keyes, Economic Development  
Lou Tutone, Suffolk County PBA  
Sean Walter, Supervisor/Riverhead Supervisor  
Reverend Keith Hayward, Bethel AME Church  
David Gallo, Georgica Green  
Rick Brand, Newsday.  
Dave Schwartz, Newsday  
And all other interested parties

**MINUTES TAKEN BY:**

Diana Flesher, Court Stenographer

**MINUTE TRANSCRIBED BY:**

Kim Castiglione, Legislative Secretary

1                   *(\*The meeting was called to order at 10:06 a.m. \*)*  
2

3           **CHAIRPERSON CALARCO:**

4           Okay. Good morning, everyone, and welcome to the Government  
5           Operations, Personnel, Housing and Information Technology  
6           Committee. If we could all please rise for the Pledge of  
7           Allegiance led by Legislator Kennedy.  
8

9                                   **SALUTATION**

10           Okay. Welcome everyone to committee this morning out in our  
11           Riverhead auditorium, and it's actually fitting we're here today  
12           because we have a couple of resolutions dealing with projects right  
13           here in the Town of Riverhead. So we will move into our Public  
14           Portion. I have no correspondence and I do have one card here and  
15           it is Supervisor Sean Walter.  
16

17                                   **PUBLIC PORTION**

18  
19  
20           **SUPERVISOR WALTER:**

21           Members of the Legislature, Sean Walter, Riverhead Town Supervisor.  
22           First of all, I want to really thank you for coming out here. I  
23           know that Al Krupski and Bridget Fleming work hard to get you to  
24           come out to the East End and we're very happy to have you.  
25           Hopefully you'll patronize some of the restaurants and the stores  
26           and the shopping in Riverhead, so thank you again for coming out.  
27

28           I'm here to speak about, very briefly, Resolution 1111, the  
29           Georgica Green project that's going to happen in downtown  
10:07AM 30           Riverhead. I think you've seen downtown Riverhead, and most of you  
31           have been here a while. There's been a resurgence of downtown  
32           Riverhead, but we're not quite where we need to be. Riverhead is  
33           very similar to Patchogue. I tell people we're about five years  
34           behind Patchogue. And of the key things that are missing is the  
35           sort of homesteading apartments, workforce housing in Riverhead.  
36

37           The project that David Gallo and Georgica Green are putting forward  
38           are going to add 117 apartments. I always screw up the numbers,  
39           something like 18,000 square feet of retail on the ground floor.  
10:07AM 40           And those apartments -- this project started after my November,  
41           2011, election. It took five years to get to the table to where we  
42           are today. Georgica Green has submitted -- they have a fully  
43           engineered site plan submitted, I think their building permits are  
44           done. It is a wonderful project and it is a wonderful way for the  
45           Legislature to invest in a place that you guys come, because every  
46           time you invest here and every time you have your meetings, the  
47           more activity we have on Main Street, the more things for you folks  
48           to do, the more places for you to eat. I might say Digger's,  
49           Perabell or recommend -- oh I'm missing -- Mazi. But we've got a  
10:08AM 50           lot of stuff happening and we really could use your support on  
51           this.  
52

53           It is a -- one of the things that we talk about, and I'll end on  
54           this, we have the transit-oriented development without the transit.  
55           So we've had all this zoning in place since 2003, long before many  
56           municipalities, including probably Patchogue, had it but because we

1 don't have the transit we have to push a little bit harder.  
2 There's like two or three trains that go out of Riverhead with  
3 maybe five, ten people on them. So pushing harder means working  
4 with you folks and trying to bring these projects, so I look  
5 forward to your anticipated support. Thank you for coming to  
6 Riverhead.

7  
8 **CHAIRPERSON CALARCO:**

9 Thank you, Supervisor. We appreciate you coming out. And as a  
10 Legislator that represents Patchogue, I think you guys are doing  
11 great work here in Riverhead and we wish you the best of luck.

12  
13 **SUPERVISOR WALTER:**

14 Thank you. Enjoy the day.

15  
16 **CHAIRPERSON CALARCO:**

17 Okay. I have no other cards. Is there anybody else who would like  
18 to address the committee at this time during the Public Portion?  
19 Seeing none, we are going to move on. What I actually would like  
20 to do is I think we do have some representatives about the Georgica  
21 Pond Project here, correct? No? Maybe Real Estate could come up  
22 and give us quick run-through of what we have here.

23  
24 **MR. SMAGIN:**

25 Good morning. So the developer is actually on his way here. I  
26 think the Supervisor did a wonderful job introducing the project.  
27 It's 118 units and we're just here for the first step, for the  
28 8704, land acquisition, to actually get the authority to do an  
29 appraisal of the land.

30  
31 **CHAIRPERSON CALARCO:**

32 So this is just a -- this is a land acquisition project. We're  
33 going to help them acquire a couple of parcels in downtown  
34 Riverhead?

35  
36 **MR. SMAGIN:**

37 That's correct. It's an affordable housing project. We're looking  
38 to most likely do both land acquisition and infrastructure, but to  
39 do land acquisition this is the first step.

40  
41 **CHAIRPERSON CALARCO:**

42 Okay. And that -- so this is just for the appraisal of the  
43 property that we will be looking at acquiring.

44  
45 **MR. SMAGIN:**

46 Correct. The appraisal of the property and any type of  
47 environmental site assessment or anything like that that would need  
48 to be done on the project site.

49  
50 **CHAIRPERSON CALARCO:**

51 Okay, great. Thanks, Jason.

52  
53 **MR. SMAGIN:**

54 Thank you.

1 **CHAIRPERSON CALARCO:**

2 Oh, I have a couple of questions. I was going to actually, since  
3 the developer is on the way, would it be prudent to wait for him?  
4

5 **LEG. McCAFFREY:**

6 We'll wait.  
7

8 **CHAIRPERSON CALARCO:**

9 I figure we'll do that. Okay. Thank you, Jason. Okay, into the  
10 agenda. We're on Tabled Resolutions.

10:11AM

11  
12 **TABLED RESOLUTIONS**  
13

14 **CHAIRPERSON CALARCO:**

15 ***IR 1851 - Adopting Local Law No. -2016, A Local Law to authorize***  
16 ***the indemnification and defense of traffic prosecutors providing***  
17 ***services at the Suffolk County Traffic and Parking Violations***  
18 ***Agency (Co. Exec.).*** I'd like to make a motion to approve.  
19

20 **LEG. LINDSAY:**

21 Second.  
22

23 **CHAIRPERSON CALARCO:**

24 Second by Legislator Lindsay. On the motion? All those in favor?  
25 Opposed? Abstentions?  
26

27 **LEG. KENNEDY:**

28 Opposed.  
29

30 **LEG. McCAFFREY:**

31 Opposed.  
32

33 **CHAIRPERSON CALARCO:**

34 Not there is two opposed. 1851 is approved. (***VOTE: 4-2-0-0.***)  
35 ***LEGISLATORS KENNEDY AND McCAFFREY OPPOSED***  
36

37 **INTRODUCTORY RESOLUTIONS**  
38

39 **IR 1056** -- this was withdrawn I've been advised, and **IR 1072** has  
40 also been withdrawn.  
41

42 So we are on ***IR 1080, Authorizing the sale of County-owned real***  
43 ***property pursuant to Section 72-h of the General Municipal Law to***  
44 ***the Town of Babylon for affordable housing purposes (SCTM No.***  
45 ***0100-164.00-03.00-016.004) (Co. Exec.).*** This we do have some people  
46 in the room for, and I didn't want you to have to drive all the way  
47 out to Babylon for nothing, so if you want to come on up and just  
48 give us a quick, brief few words that would be fine.  
49

50 **MS. KEYES:**

51 Good morning. This is a transfer to the Town of Babylon. We have  
52 Pastor Hayward from Bethel AME Church who will be actually  
53 developing the parcel. He is going to speak about his plans for  
54 it.  
55  
56

1 **REVEREND HAYWARD:**

2 Good morning. Thank you for allowing us to come and share. We  
3 have a plan that will affect persons who are having difficulty in  
4 buying property on the Island. We have a brain flight in our  
5 community, and this is one of things we're trying to cease. Our  
6 young people are leaving because they cannot afford to live on the  
7 Island. So what Bethel is proposing is the houses that are  
8 blighted properties in our communities, we would like to acquire  
9 them. And this is our plan: Once we repair a property, we would  
10 charge 80% of the market value on rent. Our goal is if the rent is  
11 \$2000 a month, our goal to take \$250 each month, put it in an  
12 account for the tenants. They have three years to reside there  
13 because we don't want to have persons to come and stay in  
14 affordable housing with generations, so after three years we'll  
15 give them a check for \$10,000. We're asking them to save \$100 a  
16 month. So at the end of three years, we'll have \$13,500.

17  
18 Now we can say to them let's go to the banks and see what's in  
19 foreclosure. If the bank is only asking for \$120,000, the balance  
20 of the property, we have a \$13,000 check now. We can say to the  
21 bank we now want to take that property off of foreclosure and own  
22 the property. So now the tenant moves from affordable housing and  
23 become homeowners themselves. That serves two purposes. Now the  
24 homeowners, the houses that are in foreclosure, go back on the tax  
25 record so now it's a win-win situation for everyone. So our goal  
26 is to have at least five of these properties so there is a  
27 continuous cycle of every three years someone is moving out of the  
28 property now going to buy their own properties.

29  
30 I have on my desk right now in my office 273 houses that are in  
31 foreclosure in Suffolk County. That's a lot of property. That  
32 means there is a number of tax revenue that the County is not  
33 getting. This is a win-win situation for everyone, and one of the  
34 reasons is this. We have just convinced two of our graduates not  
35 to leave New York, one is in Adelphi and one is in the City, I  
36 don't recall the university. But most of our students when they  
37 are graduating college -- high school, they're leaving the Island.  
38 And those who left last year already let me know they're not coming  
39 back.

40  
41 So how do we keep our own talent? One thing about talent, you  
42 can't discriminate against talent. Talent is talent. So why do we  
43 have at Farmingdale University only 10% of the freshman class are  
44 New York residents. That's a problem. So how do we fix this? If  
45 we can have affordable housing for our children once they graduate  
46 college, to sit with them and the banking industry and take these  
47 properties off of foreclosure -- we have two banks involved who are  
48 ready to go. We have three brokers that are ready to go, we have  
49 attorneys that are ready to go. We've put together our own housing  
50 corporation and our own management firm. So Bethel has done its  
51 work. We have partnered with -- sat down and talked with  
52 Congressman Floyd Flake and took a part of his model that has he  
53 done so well in Queens and also throughout the City. So we believe  
54 this plan could work. It can take these blighted properties and  
55 put them back on the tax map and it would help us keep our young  
56 people here on Long Island.

1 I came here from Philadelphia five years ago. I like where I live,  
2 love where I work. My Legislator is Mr. Gregory and Mr. McCaffrey,  
3 I live between the two of their districts. And what helped me to  
4 put this together is Mr. Gregory and I sat down and we talked about  
5 this problem four years ago. Mr. McCaffrey and I have discussed  
6 this problem as well. So how do we make our Island better? I'm  
7 not going back to Pennsylvania. I'm a New York resident. I love  
8 Long Island. So if I can function here, I believe that we can now  
9 present this vision and this idea to our young people to keep them  
10 here on Long Island.

10:16AM

11  
12 **CHAIRPERSON CALARCO:**

13 Great. Thank you very much, Pastor. Does anybody have any  
14 questions? Legislator Gregory -- Mr. Presiding Officer.

15  
16 **P.O. GREGORY:**

17 If I may. Pastor Hayward has been in the -- has come to the North  
18 Amityville community -- North Amityville, Copiague, Babylon  
19 community five years I think it's been?

10:16AM

20  
21 **REVEREND HAYWARD:**

22 Yes.

23  
24 **P.O. GREGORY:**

25 It's a quick five years. He is someone who can identify what the  
26 problems are and is trying to address them. So I certainly  
27 appreciate you efforts here working with the Town of Babylon for  
28 the past year, this particular parcel which -- I believe this  
29 particular parcel they were trying to do something with it for ten  
30 years now.

10:17AM

31  
32 **REVEREND HAYWARD:**

33 Yes.

34  
35 **P.O. GREGORY:**

36 So it's been a while. So I'm very encouraged in what you're  
37 trying to do and how you're trying to uplift the community and  
38 certainly am supportive of it. So thanks for coming out.

39  
40 **CHAIRPERSON CALARCO:**

41 Okay. Pastor, stay up there. We have a few people who would like  
42 to ask you questions. Legislator McCaffrey.

43  
44 **LEG. McCAFFREY:**

45 Thank you. And, Pastor, it was nice seeing you today. If I knew  
46 when we saw each in Dunkin' Donuts this morning in Lindenhurst we  
47 could have carpooled together.

48  
49 **REVEREND HAYWARD:**

50 Yes.

10:17AM

51  
52 **LEG. McCAFFREY:**

53 As the Presiding Officer said, we both look forward to working with  
54 you cooperatively for, you know, bettering our community. And we  
55 identified the same issues that we have, and as we were speaking  
56 before, you know, affordable housing for our young people is very

1 important. It's near and dear to me because my adult children are  
2 still living at home, you know, for the reason that they can't  
3 afford to live on their own. So I think it's important, the work  
4 that you're doing.

5  
6 I think one of the problems we have is the foreclosure process  
7 which takes too long. I think it destroys neighborhoods, it causes  
8 a -- it puts a burden on the County because we have to take those  
9 houses in many cases and maintain them when they should be put back  
10 into the community. Good resources, such as the work that you're  
11 doing there to be able to have a pathway for people to have  
12 homeownership. Just as, you know, Legislator Gregory said, that we  
13 fully support the work you're doing in our community and we look  
14 forward to working with you in any of those endeavors and the other  
15 things that we spoke about, making more opportunities for our young  
16 people.

17  
18 **REVEREND HAYWARD:**

19 Thank you. One thing I forgot to include here is during the  
20 process we have something in place that will help a person to  
21 repair their credit, so when we go to the bank we're going with  
22 numbers 750 and above in credit ratings. What we've discovered  
23 here is that information has lacked in our community, and I want to  
24 thank our Presiding Officer because he's helped us to get  
25 information out and do different workshops.

26  
27 We just put together, it's on my desk right now, a financial  
28 academy that would help people with credit cards, help people with  
29 foreclosure, help people who are first-time home buyers how to  
30 repair your credit, how to invest. So we have an academy that  
31 would not kick in until October, and this is going to be for the  
32 entire community, to have them come together and understand the  
33 benefit of owning property. And we're going to add another piece  
34 to that but that wouldn't happen until July. We're looking at  
35 commodities as well, teaching people how to invest. Because if  
36 they wait until they get to our age to start thinking about  
37 retirement, now we have another problem. So we can fix these  
38 problems prior to and then teach the children, starting from the  
39 age of seven, how to be investors.

40  
41 So we just shared with the congregation last week my father started  
42 at \$75 a week. It turned into \$447,000. So if my father could do  
43 it, who's been deceased for 15 years, and he started this when I  
44 was in high school, so if we can turn \$75 a week into over  
45 \$400,000, these are the things that we want to teach our community  
46 so we don't have these blighted problems. Now, I'm afraid that one  
47 of my neighbors might fall into the trap of not being able to pay  
48 their mortgage. Then I have a house on my block that's going to  
49 the value of the rest of the neighborhood. So this is the idea we  
50 have so we continue to lift and do this in a more excellent way.

51  
52 **CHAIRPERSON CALARCO:**

53 Okay. Legislator Kennedy.

54  
55 **LEG. KENNEDY:**

56 Pastor, I commend you.

1 **REVEREND HAYWARD:**

2 Thank you.

3  
4 **LEG. KENNEDY:**

5 This is exactly what we have needed forever. We are building  
6 apartments to keep our kids here. And with each project that goes  
7 on I say to myself, there's no money, once they pay their rent and  
8 their other things, for them to save to buy a house. I got --  
9 there was a while back where I got very excited when I read a bill  
10 that they were building co-ops but it was a mistake. If our  
11 people, if our kids don't see the potential for homeownership, with  
12 the majority of them -- I have four grown children. Not one of  
13 them have ever said to me, "Mom, lend me money to get a luxury  
14 apartment". It's a deposit on a house that they want. And that's  
15 just normal evolution once they find the person of their dreams and  
16 they want to raise a family. They want a home, not an apartment.  
17 You are solving three problems. And started training at age seven  
18 with finance, fabulous. I commend you.

19  
20 **REVEREND HAYWARD:**

21 Every child in my church has a bank account. If anyone in my  
22 church is unemployed it's not our fault. I have jobs at my desk  
23 right now and I announce on Sundays if you're looking for a job,  
24 please see me before you leave.

25  
26 **LEG. KENNEDY:**

27 Beautiful.

28  
29 **REVEREND HAYWARD:**

30 We have gotten jobs for a number of persons. So the idea is this:  
31 If you plan that means you believe, because you can't start  
32 planning on something unless you believe it's going to work. So  
33 we've been planning this for over -- this is one year's work to get  
34 to this day. So I really appreciate, sir, giving us this  
35 opportunity to share to Mr. Gregory, Mr. McCaffrey. They've been a  
36 tremendous support, a tremendous help to Bethel Church and also to  
37 what our goals are in our community. Because if the village is  
38 broken, the town's going to be broken, the County's going to be  
39 broken, and the State is going to be broken. We already have  
40 issues within our country that are economic. So we decided start  
41 at home.

42  
43 I also serve as the President of the Ministerial Alliance, so what  
44 I'm sharing with you today I sat down with my board yesterday and I  
45 said to them don't allow us to do this at our church, it is not  
46 happening in yours, so it's about building the whole community. No  
47 one benefits but only the tenants and the children. There is no  
48 surplus money in this. So all the monies that are recouped goes  
49 right back into another house and another house and another house.  
50 So we get rid of all the blighted properties in our neighborhood.

51  
52 **CHAIRPERSON CALARCO:**

53 Pastor, one more. Legislator Krupski.

54  
55 **LEG. KRUPSKI:**

56 Thank you. I have to compliment you, I tell you, what a great



1 program.

2  
3 **REVEREND HAYWARD:**

4 Thank you.

5  
6 **LEG. KRUPSKI:**

7 That is really impressive and I like the way you start with the  
8 youth and say, you know -- and basically I think the message that  
9 you're giving them is save your money, then you can do anything.  
10 You can buy a home in your community, you can do a lot of different  
11 things but you're setting yourself up for success and you're  
12 setting these children up for success. That's really impressive.  
13 You said that you had -- there's over 200 homes in foreclosures.  
14 How do you get a list of qualified people who are going to move  
15 into these homes?

16  
17 **REVEREND HAYWARD:**

18 This is how the screening process works. No one is discriminated  
19 against. As a matter of fact, I'm getting ready to go buy a UN  
20 flag. I have three flagpoles outside my church; one's the American  
21 flag, one's a Jewish flag and one is a Marine flag. I'm getting  
22 ready to change that and buy a UN flag. The reason is this. We  
23 all bleed the same blood, we eat the same food, we shop at the same  
24 places. Drive the same cars. Breathe the same air. We are going  
25 to die the same death, be buried in the same cemetery. So  
26 discrimination is out.

27  
28 So this is the process. If the person's don't have the right  
29 employment we have jobs on our desk right now to direct them to the  
30 right employment. I was sharing with Legislator McCaffrey and also  
31 with Mr. Gregory this, that one of the problems we have with  
32 sending persons out for the job and then I get a call back that  
33 these persons are not able to pass a basic test. So we went to  
34 Farmingdale University. We went to Copiague Superintendent and the  
35 Amityville School Superintendent and said how can we fix this? Now  
36 let's put some continuing education in process to help these  
37 persons to be able to pass these basic tests to get a job. So  
38 that's in the process at Farmingdale University.

39  
40 We partnered with SUNY Farmingdale. We offer college degrees at  
41 Bethel Church. So we have members that are going from Associate's  
42 Degrees, we have two right now working on Master's Degrees. So our  
43 aim is not to just put affordable housing in front of you, how do  
44 we get you to that place. So we get you to that place by educating  
45 you. So preparation is believing. So I believe everybody -- if I  
46 can own a house, you can own a house. I had to prove it with my  
47 own family.

48  
49 My 27 year old son bought a house two years ago outside of  
50 Philadelphia. He calls me up, Dad, I found a house. How much do  
51 you need down? Ten percent. Okay. You need \$10,000. Yeah. Let  
52 me do the negotiating. My son bought his own house with \$1,000  
53 and I promised him I'll make your first payment and your last  
54 payment. If you've got to come to the nursing home to get the last  
55 payment, I got your last payment.

1 So I positioned my son to think two generations behind him, to  
2 think about his grandson. So my house that I presently own, it  
3 goes to my grandson, because I have prepared my son to buy his own  
4 property. So my wife and I are going to Virginia to buy another  
5 house in the Colonial Beach area. It's ten minutes from the beach.  
6 So now when we die, my son has his house, my grandson would have my  
7 house, and then now they have an investment property, because I  
8 cannot leave this planet not making sure that my children have  
9 something for them.

10  
11 I read a book entitled What Rich Folk Tell Their Children. I  
12 stopped at chapter four, it's an 11 chapter book, because I got the  
13 concept right away and I implemented this concept. Before coming  
14 to New York I implemented the same concept at my church in  
15 Pennsylvania. I left that church with \$45,000 in the bank. When I  
16 walked in the door they were \$140,000 in debt. Bethel Church. I  
17 came to Bethel Church and in five years our income is up \$150,000.  
18 We've renovated everything. Our church is full every Sunday and  
19 we're involved in our community. The reason is if we can be  
10:27AM 20 successful, why can't anybody else?  
21

22 So what got us here is because of our parents. My father prepared  
23 me and our parents prepared us. It will be a hot day in hell, and  
24 listen to what I'm going to say because this makes a lot of sense.  
25 You may not get it now. It's like a hand grenade; you might get it  
26 a little later on. It will be a hot day in hell if we keep things  
27 the same way. So how do we cool the temperature even in hell? If  
28 we believe, we prepare. So preparing, they're building this just  
29 around the corner called a prison, it would have more beds than  
10:28AM 30 they need. I believe and am fully persuaded that this plan will  
31 work.  
32

33 **LEG. KRUPSKI:**  
34 This is good. Thank you. I appreciate it.  
35

36 **CHAIRPERSON CALARCO:**  
37 Pastor, thank you very much.  
38

39 **REVEREND HAYWARD:**  
40 Thank you.  
41

42 **CHAIRMAN CALARCO:**  
43 Very inspiring words and I might bring you up to one of my  
44 communities one day to --  
45

46 **REVEREND HAYWARD:**  
47 Sure.  
48

49 **CHAIRPERSON CALARCO:**  
10:28AM 50 -- share your insights and your wisdom.  
51

52 **REVEREND HAYWARD:**  
53 Thank you.  
54

55 **CHAIRPERSON CALARCO:**  
56 All right. We have -- I don't think we have a motion yet, do we?

1 **MS. ELLIS:**

2 No motion.

3  
4 **CHAIRPERSON CALARCO:**

5 Motion by Presiding Officer; second by Legislator McCaffrey. All  
6 those in favor? Opposed? Abstentions? IR 1080 is approved.  
7 **(VOTE: 6-0-0-0. PO GREGORY INCLUDED IN VOTE)**

8  
9 **REVEREND HAYWARD:**

10 Thank you very much.

11  
12 **CHAIRMAN CALARCO:**

13 Thank you. Moving on. **IR 1093 - Amending membership of Open Data**  
14 **Committee (Calarco)**. I'd like to make a motion to approve. Second  
15 by Legislator Lindsay. All those in favor? Opposed? Abstentions?  
16 IR 1093 is approved. **(VOTE: 6-0-0-0. PO GREGORY INCLUDED IN**  
17 **VOTE)**

18  
19 **IR 1111 - Authorizing planning steps for implementation of Suffolk**  
20 **County Workforce Housing Program (Riverhead Lofts) (Co. Exec.)**. If  
21 Jason would like to come up. Has the developer gotten here yet?  
22 If you could join us up here, sir. We were talking about this a  
23 little bit before you got here and Legislator McCaffrey had some  
24 questions.

25  
26 **MR. SMAGIN:**

27 So I do have the developer here for Georgica Green, Dave Gallo.

28  
29 **LEG. McCAFFREY:**

10:29AM 30 My question, I'm not sure if you should answer it or the developer.  
31 Now, what are we giving to the developer and what is our role here  
32 in this process? Is this just for land or what are we doing?

33  
34 **MR. SMAGIN:**

35 So for this project and what we've done with some other projects in  
36 the past, it has actually received both a land acquisition and  
37 infrastructure money to make an affordable housing project to then  
38 be built. So this project looks like it will be receiving funds  
39 from both 6411 and 8704.

10:30AM 40  
41 **LEG. McCAFFREY:**

42 Okay. Is there any additional funding from the Federal Government  
43 on this as well?

44  
45 **MR. GALLO:**

46 Good morning. Dave Gallo, Georgica Green. Thank you for hearing  
47 our application and considering investing in our project. To  
48 answer your question, yes. We started with the vision with the  
49 Supervisor to create downtown workforce affordable mixed income  
10:30AM 50 housing. And, I mean, what we just heard was incredible and the  
51 need and so on and so forth, but where we are building this site,  
52 the retail shop that was there was damaged by Superstorm Sandy, and  
53 with the existing zoning that was in place to allow for our  
54 proposed project we were able to then take the next step and  
55 received six and a half million dollars of Governor's Office of  
56 Storm Recovery. The money was put out for affordable mixed income

1 housing. It was put out for areas in downtowns that were being  
2 revitalized that were specifically damaged by Superstorm Sandy.  
3 This particular site was a great candidate for it. We submitted it  
4 over a year ago and we were awarded six-and-a-half million of the  
5 Governor's storm recovery.

6  
7 **LEG. McCAFFREY:**

8 We have requirements in terms of income, right, for anyone living  
9 there, the County does, right? And what are those requirements,  
10 Jason, in terms of it's the area median income?

11  
12 **MR. SMAGIN:**

13 Yes, so it actually goes to -- a certain amount of the project has  
14 to be below 80% of the area median income, and a certain amount of  
15 the project has to be below 120% of the area median income. This  
16 project is actually, as Dave had explained, is a mixed income  
17 project. It's 100% income restricted with 102 of those units being  
18 qualified as affordable housing under our program.

19  
20 **LEG. McCAFFREY:**

21 Okay. Now, are there any restrictions on any of the other money  
22 that the developer's receiving in terms of the income levels. They  
23 matched those same levels?

24  
25 **MR. SMAGIN:**

26 How our program works is actually is whatever money is the most  
27 restrictive, that's what controls. So how the program is drafted  
28 under the Code, whether our restrictions are the most restrictive,  
29 then ours would control. If the State's restrictions are more  
30 restrictive, then that would control.

31  
32 **LEG. McCAFFREY:**

33 In this case is it our restrictions are more restrictive or the  
34 State's are?

35  
36 **MR. SMAGIN:**

37 In this case I believe it kind of fit into both because he will  
38 have certain -- yes, I believe it is the same.

39  
40 **LEG. McCAFFREY:**

41 So the same restrictions.

42  
43 **MR. SMAGIN:**

44 Fifty percent will be below the 80%, and 50% would be at the 120 or  
45 lower level.

46  
47 **LEG. McCAFFREY:**

48 So this is going to be our workforce housing standards that we have  
49 in place now, not the Federal standards, which could be different  
50 or less than what the workforce housing are in terms of income  
51 levels.

52  
53 **MR. SMAGIN:**

54 Correct. At this stage right now we're not entering into a  
55 development agreement.

1 **LEG. McCAFFREY:**

2 Good.

3  
4 **MR. SMAGIN:**

5 We're just looking to spend the money on doing that. So once we  
6 get closer to the development agreement we'll be able to have all  
7 of those things worked out within the agreement.

8  
9 **LEG. McCAFFREY:**

10 I'm just trying to see because there's a lot of moving parts in  
11 this project, and it's not the first one. We had one in  
12 Southampton that had a lot of moving parts in it, the last one that  
13 we did. It was or Southampton Town or Bridgehampton. There was a  
14 lot of pieces that were put together for that. So, okay.

15  
16 **MR. GALLO:**

17 We've tried to layer three different rent tiers using, you know, a  
18 combination of the County money, the State money and then also, you  
19 know, really looking to target even a little bit higher of an  
20 income which ranges up to 130% of the AMI. We kind of want to have  
21 really mixed diverse incomes, some high, some a little bit more  
22 middle, like just having that ability to offer a range of options  
23 for someone living and working in the town, working at the County.  
24 I mean, so we've layered in a way that we think we're accomplishing  
25 not just one need, but very much a middle income need on Long  
26 Island.

27  
28 **LEG. McCAFFREY:**

29 And that's very important, because if you, and especially in  
30 Riverhead where you're trying to catch up to Patchogue, I  
31 understand, is you don't want to have a situation where the income  
32 levels are too low --

33  
34 **MR. GALLO:**

35 Right.

36  
37 **LEG. McCAFFREY:**

38 -- because then that's not what you need to be able to revitalize  
39 that downtown. You know, there is a need housing, but there's a,  
40 you know, maybe that's not the place for it or that the mixture  
41 between the two may not be proper. I just want to make sure we're  
42 doing it. In my district in Lindenhurst we're going to be doing,  
43 you know, similar. We have a big transportation-orientated  
44 development coming on board and we just want to make -- so I'm just  
45 trying to understand how this is all going to work and the  
46 interconnection between the two.

47  
48 **MR. GALLO:**

49 It's taking us a little bit more time because we've had to take  
50 different sources that allow for us to hit different levels, but  
51 we've got it together now, so.

52  
53 **LEG. McCAFFREY:**

54 Okay. Thank you.

1 **MR. SMAGIN:**

2 And just to reiterate. So at this step when we go to do -- enter  
3 into a development agreement with them to actually fund this  
4 project, we would come back before this Legislature for the  
5 authority to be able to do that.

6  
7 **LEG. McCAFFREY:**

8 Okay.

9  
10 **CHAIRPERSON CALARCO:**

11 Okay. Legislator Kennedy.

12  
13 **LEG. KENNEDY:**

14 Good morning, gentlemen. I read the project. I just have a couple  
15 of little questions. It's .61 and .24 of an acre, so that's .85  
16 of an acre. How many stories is this going to be in your  
17 projections?

18  
19 **MR. SMAGIN:**

20 So it's going to be five stories, with parking that will be  
21 underground along the one side.

22  
23 **LEG. KENNEDY:**

24 Okay. Next question, sewers. You're not building a treatment  
25 plant so you're porting into Riverhead?

26  
27 **MR. SMAGIN:**

28 Correct, yes.

29  
30 **LEG. KENNEDY:**

31 And how long a port will that be?

32  
33 **MR. SMAGIN:**

34 How long a what?

35  
36 **LEG. KENNEDY:**

37 How long will the piping be to get to the -- I'm not --

38  
39 **MR. GALLO:**

40 It's already sewered.

41  
42 **LEG. KENNEDY:**

43 I know it's already sewered, but they will be adding into it. And  
44 what is the distance between that property and the waste treatment  
45 plant?

46  
47 **MR. GALLO:**

48 I don't know, but we can find out for you.

49  
50 **LEG. KENNEDY:**

51 Okay. Go ahead. Sean knows.

52  
53 **SUPERVISOR WALTER:**

54 Both of those parcels are sewered and it goes from to the DeFriest  
55 Pump Station, which actually this building goes to --

56

10:36AM

10:36AM

1 **LEG. KENNEDY:**

2 Yes.

3  
4 **SUPERVISOR WALTER:**

5 -- the DeFriest Pump Station. It is almost literally next door.  
6 They're on McDermott Avenue. It is maybe one block over at the  
7 pump station. And then the sewage treatment -- the entire plant is  
8 over on Riverside Drive.

9  
10 **LEG. KENNEDY:**

11 Right.

12  
13 **SUPERVISOR WALTER:**

14 So that we have the capacity for it.

15  
16 **LEG. KENNEDY:**

17 Okay, great. Thank you.

18  
19 **CHAIRPERSON CALARCO:**

20 Okay. Anybody else have any questions for the Supervisor, Jason or  
21 the developer? Okay.

22  
23 **MR. GALLO:**

24 Thank you.

25  
26 **CHAIRPERSON CALARCO:**

27 Do I have a motion yet? I don't think so. I'll make a motion to  
28 approve. Second by Legislator Lindsay. All those in favor?  
29 Opposed? Abstentions? IR 1111 is approved. (VOTE: 6-0-0-0. PO  
30 **GREGORY INCLUDED IN VOTE**)

31  
32 **IR 1114, To confirm and approve promotion of Elaine Barraga (Co.**  
33 **Exec.).** I'll make a motion to approve. Second by Legislator  
34 Lindsay. Anybody on the motion? Legislator Kennedy. I think  
35 Dennis Brown is here if you had any questions.

36  
37 **LEG. KENNEDY:**

38 Yes. Dennis, come on up.

39  
40 **MR. BROWN:**

41 Good morning.

42  
43 **LEG. KENNEDY:**

44 Good morning. I have a bunch of questions about this.

45  
46 **MR. BROWN:**

47 Sure.

48  
49 **LEG. KENNEDY:**

50 Knowing full well what it is and what you must endure having a  
51 relative that also works in government, I'm quite sensitive to this  
52 one, but what I have read is that Elaine Barraga, who I have never  
53 met and have only heard good thing about her legal practice, has  
54 received three raises, three position increases in her time that  
55 have not come before us; is that correct?

1 **MR. BROWN:**

2 That's correct.

3  
4 **LEG. KENNEDY:**

5 And why didn't they come before us?

6  
7 **MR. BROWN:**

8 Well, in 2011 she was -- the resolution indicated that she was  
9 hired as a principal, but the paperwork actually showed that she  
10 was hired as a senior instead of a principal. And then -- I'm  
11 sorry, I think it was in 2010, and then in 2011 she received the  
12 promotion from the senior to the principal. I don't know if the  
13 resolution was incorrect and it should have said senior or if the  
14 paperwork hiring her was incorrect and it should have been  
15 principal so the resolution is meant to address that. I wasn't the  
16 County Attorney at the time. The 2013 and the more recent  
17 promotion, those are my oversights. I have nothing to say about it  
18 except it's my oversight and I apologize for it.

19  
20 **LEG. KENNEDY:**

21 Dennis, I'm not going to blame you. We're all human, we all make  
22 errors, but repetitive errors over time, and believe me, I do not  
23 want to go against my esteemed colleague in any way, but I'm going  
24 to have to abstain on this one because without better facts I don't  
25 feel comfortable.

26  
27 **CHAIRPERSON CALARCO:**

28 Legislator McCaffrey.

29  
30 **LEG. McCAFFREY:**

31 Thank you. Dennis, I share the same concerns. I mean, this is --  
32 this is something in the DPW Department where they kind of forgot  
33 about it or they didn't know that this law was on the books and  
34 something happened you'd say okay, I guess they didn't know. But,  
35 you know, this is the County Attorney's Office that are kind of  
36 charged with enforcing these laws and these type of things. It  
37 wasn't once, it was three times that this happened, you know, and  
38 that's what our concern is about this. And I've never met Elaine,  
39 I obviously know her father very well, and it puts us in a  
40 difficult position of going against someone's child. I just wish  
41 this had been brought forth properly. We've done that in the past.  
42 We've had several resolutions come before us, they've always been  
43 on a timely manner, and I don't think any of them, the timely ones,  
44 didn't come from the County Attorney's Office, they came from other  
45 departments, Parks & Rec and other things. So I guess the question  
46 is the same as Legislator Kennedy's was, how could this happen?

47  
48 **MR. BROWN:**

49 First, I agree with you and I can't explain the 2011 one, and I  
50 could offer you explanations for 2011 -- for 2013 and 2016, but  
51 they're not meant to be excuses because the buck stops here. But  
52 as far as 2013 is concerned, at that time there were actually --  
53 actually did seven promotions at one time and Elaine happened to be  
54 one of them. I believe there might have been two people that were  
55 appointed to Deputy Bureau Chiefs at that time. And more recently  
56 it was really related to personnel issues that were -- that were



1 occurring starting in the end of November through December, and I'd  
2 be happy to discuss them with you in either executive session or on  
3 a sidebar.

4  
5 But as you know -- as you may know, the Bureau, the General  
6 Litigation Bureau was acting without a Bureau Chief for -- since  
7 2012, and there were -- there was really, you know, it really  
8 needed -- it really needed more on hands type of leadership.  
9 Originally there was one person that was involved as acting as the  
10 Bureau Chief, and she has been for the past couple of years  
11 completely, totally involved on a full-time basis the dune  
12 reconstruction project in -- that's going on in Fire Island. And  
13 one other person has been handling both the general litigation and  
14 the tort litigation exclusively for a year. And then there were  
15 just issues in as far as general litigation is concerned that did  
16 require somebody to be appointed with direct, hands-on leadership  
17 responsibilities. And I'll be happy to discuss it with you.  
18 That's some of the personnel issues.

19  
20 **LEG. McCAFFREY:**

21 Thank you.

22  
23 **CHAIRPERSON CALARCO:**

24 Okay. Legislator Lindsay.

25  
26 **LEG. LINDSAY:**

27 Good morning, Dennis.

28  
29 **MR. BROWN:**

30 Good morning.

31  
32 **LEG. LINDSAY:**

33 I just have one quick question. In your opinion, is she qualified  
34 for this job?

35  
36 **MR. BROWN:**

37 Absolutely, yes.

38  
39 **LEG. LINDSAY:**

40 That's all I need to know. Thank you.

41  
42 **CHAIRPERSON CALARCO:**

43 Mr. Presiding Officer.

44  
45 **P.O. GREGORY:**

46 Not to backtrack, but Dennis, can you explain to me what the  
47 impetus of this law was, because to me it's overkill.

48  
49 **MR. BROWN:**

50 I mean, I don't know because I think it goes back to 1987 or 1989,  
51 and I've never pulled it to look at the legislative history or ask  
52 for the minutes. I could think of, you know, at least four  
53 occasions during my tenure that hasn't been complied with. You  
54 know, some of it -- some of it is overreaching or overkill in my  
55 opinion, but people get tripped up on it, yes.

1 **P.O. GREGORY:**

2 As I understand it, right, so if someone -- if I were to hire a  
3 relative or someone, has to be a relative who fits in the  
4 definition of the law, they would -- a bill would have to be passed  
5 in the Legislature. But as I understand it, every year that  
6 individual or is it the department has to file paperwork with the  
7 Clerk's Office, and now every time that person receives a promotion  
8 there is supposed to be a vote?  
9

10 **MR. BROWN:**

11 Yes, the yearly reporting, for example. So if a relative of yours  
12 was hired and it met the definition of relative, you would have to  
13 file every year. And every time that there is some type of  
14 incremental raise and/or promotion that has to be done by  
15 resolution as well. So there are multiple steps that have to be  
16 met in order to comply with the law and, you know, it does lead to  
17 error because there are so many steps.  
18

19 **P.O. GREGORY:**

10:45AM 20 And I certainly appreciate the concerns that the public may have  
21 and that people may have, certainly my colleagues may have, that if  
22 an individual is related to an elected official that there may be  
23 some favoritism, you know, in how they're handled. So to have the  
24 Legislature pass the law identifying that there is some area of  
25 concern, I certainly appreciate that.  
26

27 **MR. BROWN:**

28 Absolutely.  
29

30 **P.O. GREGORY:**

31 But for every promotion and every year I think that to me that's  
32 overkill. It goes from a merit based system, in my mind, to a  
33 system where you're guilty by suspicion. So you don't achieve  
34 whatever promotion you've gotten because of the work that you put  
35 in, but because of the relation that you have or some political  
36 deal, and I don't think that's right.  
37

38 So I'm going to be looking at making some changes as to some of the  
39 onerous requirements that this law, you know, forces you to go  
10:46AM 40 through, but I certainly don't think that -- I don't know this  
41 person. I've never met her, I've only heard about her, but I trust  
42 your word that you said she's qualified to do the job. So, you  
43 know, I don't see the need for all these requirements, particularly  
44 which is going to harm her. If this bill doesn't pass, she's going  
45 to have to, as I understand it, pay for -- pay the money back that  
46 she has gotten in from promotions because some of the clerical  
47 requirements weren't met that she may not have been even aware of.  
48 I mean, it's just -- I think it's really unnecessary.  
49

50 **MR. BROWN:**

51 And the only thing that I would add, and it sort of relates to  
52 Legislator Lindsay's question about the qualifications is that I  
53 don't look at Elaine as the relative of another official. I look  
54 at Elaine as a peer, so it doesn't really -- it didn't really enter  
55 my mind. But, again, I said the buck stops here. I have nothing  
56 to say except it was my oversight.

1 **CHAIRPERSON CALARCO:**  
2 Okay. Anybody else? No?

3  
4 **MR. BROWN:**  
5 Thank you.

6  
7 **CHAIRPERSON CALARCO:**  
8 We have a motion and a second. All those in favor? Opposed?  
9 Abstentions?

10:47AM

10  
11 **LEG. McCAFFREY:**  
12 Abstain.

13  
14 **LEG. KENNEDY:**  
15 Abstain.

16  
17 **CHAIRPERSON CALARCO:**  
18 I have two abstentions. IR 1114 is approved (**VOTE: 4-0-2-0.**  
19 **LEGISLATORS McCAFFREY AND KENNEDY ABSTAIN. PO GREGORY INCLUDED IN**  
20 **VOTE).**

21  
22 ***IR 1115 - Accepting and appropriating an increase in grant funds***  
23 ***from the U.S. Department of Housing and Urban Development in the***  
24 ***amount of \$6,294 for the Home Investment Partnerships Program and***  
25 ***authorizing the County Executive to execute agreements (Co. Exec.).***

10:48AM

26  
27 I make a motion to approve. Can we place this on the Consent  
28 Calendar? So I'll make a motion to approve and place on the  
29 Consent Calendar; second by Legislator Lindsay. All those in  
30 favor? Opposed? Abstentions? IR 1115 approved. (**VOTE: 6-0-0-0.**  
31 **PO GREGORY INCLUDED IN VOTE/PLACED ON CONSENT CALENDAR)**

32  
33 I have no other items before us so we are adjourned.

34  
35 ***(\*The meeting was adjourned at 10:48 a.m. \*)***

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