

**GOVERNMENT OPERATIONS, PERSONNEL, HOUSING  
& CONSUMER PROTECTION COMMITTEE**

**OF THE**

**SUFFOLK COUNTY LEGISLATURE**

**MINUTES**

A meeting of the Government Operations, Personnel, Housing & 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 February 2, 2012.

**MEMBERS PRESENT:**

Leg. Robert Calarco, Chairman  
Leg. William Spencer, Vice Chair  
Leg. Kate M. Browning  
Leg. Thomas Cilmi  
Leg. Edward P. Romaine

**ALSO IN ATTENDANCE:**

Robert Lipp, Deputy Director/Budget Review Office  
Jill Moss, BRO  
Benny Pernice, BRO  
Joe Muncey, BRO  
Renee Ortiz, Chief Deputy Clerk  
Samuel Chu, Acting Commissioner/Labor Department  
George Nolan, Counsel to the Legislature  
Sarah Simpson, Assistant Counsel  
Ben Zwirn, County Executive's Office  
Tom Vaughn, County Executive's Office  
Richard Meyer, AME  
Chris DeLuca, Aide to Leg. Cilmi  
Paul Perillie, Aide to Leg. Gregory  
Lora Gellerstein, Aide to Leg. Spencer  
Amy Keys, Aide to Leg. Calarco  
James A. McDonough, Appointee  
Derrick Robinson, Appointee  
Kisha J. Wright, Community Development Director

**MINUTES TAKEN BY:**

Diana Flesher, Court Stenographer

## THE MEETING WAS CALLED TO ORDER AT 1:06 PM

### CHAIRMAN CALARCO:

Good afternoon. We're going to get started here with the Government Operations, Personnel, Housing & Consumer Protection Committee. And if everyone could stand for the Pledge of Allegiance led by Legislator Browning.

### SALUTATION

Thank you. I'm Rob Calarco. I am the Chairman of this newly created Committee, Government Operations, Personnel, Housing & Consumer Protection. It's quite a mouthful of a title. Just to give you a little oversight, what we're looking to do with our Committee this year, obviously we know that -- how government operates and the things that we do is something we really have to take a look at given our budgetary constraints. So over the next year I hope through this Committee we're going to really start looking at how the County provides the services that we provide, and what ways we can work at making those services a little bit more efficient, done a little more effectively and most importantly done a little more cost effectively.

So with that, we'll get started today. I don't have any cards. Legislator Romaine?

### LEG. ROMAINE:

First of all, I'd like to welcome you as the Chairman of this newly formed committee. And I was very happy to hear you say the things that you said. I assume that this Committee is going to deal with more than resolutions. And I'm going to be very specific here, Mr. Chairman, and I don't expect you to react because this is your first meeting.

But are we going to look at waste fraud and mismanagement in this government? Are we going to look at examples that have been blatant and recurrent and something that is to many of us obvious? And it's not indicative of one administration or the other, while I like to think the last administration probably had a multitude of sins that they -- we have to now try to overcome. But, for example, are we going to look at things like the construction of the jail much loaded down, which is costing us, until the wages came through, over \$500,000 a month to put prisoners outside this County?

Are we going to look at 18B attorneys, who we funded in this Legislature to the tune of \$500,000 in a budget amendment that Legislator Montano put forward that were never paid? I have one constituent that's owed \$50,000. Okay? Are we going to look at the prompt payment of 18B attorneys? Are we going to look at Social Services and the first and last security deposits on housing that it secures for its clients upon lease terminations? Security deposits are often not returned and Social Services doesn't go after them. Are we going to look at that?

Are we going to look at things like the Gabreski Airport where we spend a half a million dollars to buy supplies and equipment to build a hangar that we never built and left that equipment out there on the runway -- sublet runway to rot as we go and buy an existing one? There is -- I have a whole list of things that, of course, I'm going to be forwarding to the County Executive that I'm looking at, that we have been involved in. And I don't want to go on with the list, but those are things that concern me.

Are we going to look at how we selected our risk management attorneys? We did an RFP. The RFP made ratings. We did not select the highest. We selected the lowest because the County Attorney overruled our RFP Committee. Are we going to look at things like that, that are indicative of -- I'm not going to say behavior that is inappropriate, but I'm going to say certainly raises questions that require review. Is this Committee going to be that type of committee that you can bring maybe not a whole multiplicity of items, but one item at a time and say "can we take a look at this?"

**CHAIRMAN CALARCO:**

Thank you, Legislator Romaine. We're certainly going to be a committee that's going to be proactive. We're going to be taking a look at everything and anything that we can.

What I would ask of you is that prior to our Committee, come speak with me, we'll talk about the issues, we'll talk about what you want to bring up and what you may have information on so that we can address the problems and bring it forward and also make sure that we bring our new County Executive on board to do that. I think that he is certainly somebody who is looking to find a way of cutting through all the waste that may be in our government right now. He's somebody who's put it on the record that he wants to find ways making our government more efficient and making sure that we're not -- we don't have any abuse and we don't have any waste. So I think it's something that we need to communicate with him at the same time as we move forward.

**LEG. ROMAINE:**

I would echo your statements completely. I find this County Executive to be very willing to take a look at that. Perhaps that's one of the reasons I'm on the Task Force that is looking at that. But we have -- as we've started to look at this, just my office, a multiplicity of things, I'm not saying that there's wrongdoing or there's mismanagement or there's even fraud or waste, but it raises questions. And what I'd like to be able to do, and I appreciate the invitation very much, and this is not to ambush you, but this is to raise these issues. And you've told me now on the record, yes. And I will be conservative mostly in bringing this to your attention maybe one or two items at a time so that this Committee can take a look at that because there are serious issues out there.

I always feel that Legislators have three jobs: One is to vote and write legislation; the second is to deal with our constituents and the issues that they have or problems that they have; and the third, which I felt that we haven't done as good of a job as we could have done, is to exercise oversight over County government. And I appreciate the invitation and I will be in touch with your office about one or two of these items that I really think that we should explore.

**CHAIRMAN CALARCO:**

And I can't disagree with you, Legislator. And I have personally reached out to the County Executive both about the Government Operations Task Force you've put together that you sit on --

**LEG. ROMAINE:**

Right.

**CHAIRMAN CALARCO:**

-- and how our Committee can be a partner with them on that Task Force as well as with its efforts to perform its management, which is a high priority for this County Executive. And I think it's another avenue where this Committee is going to be a partner with him on furthering those goals. So I appreciate it.

**LEG. ROMAINE:**

Well, I'm delighted to say I am more than willing to work with our County Executive, which makes me so happy to say that.

**CHAIRMAN CALARCO:**

It's a good thing.

Getting back to the agenda, I'd like to call up Mr. Samuel Chu, Acting Commissioner of Labor, who is going to be taken up a little bit later in the meeting for an appointment to confirm his appointment to Commissioner.

So with that, Mr. Chu, if you'd be so kind and just introduce yourself to the Committee, give us a

little information about your background and maybe some of your goals for the Labor Department.

**ACTING COMMISSIONER CHU:**

Certainly. First I want to thank Chairman Calarco, the Committee and the Legislature for having me this afternoon. Again, my name is Samuel Chu. I'm Acting Commissioner of Labor. I'll take a moment to give you a brief introduction of myself.

I began my substantive working career as an apprentice with IBW Local 3 in New York City, first as an apprentice and as a journeyman electrician. I was very active in my union as well as my trade doing a lot of volunteer work, doing trainings. I was particularly active in the Futurance Society which was engaged in providing continuing education, training for the members of Local 3.

In 2007 I had the opportunity to work -- to go to work for then Supervisor Steve Bellone in the Town of Babylon, first as an administrator with the Department of Public Works in the Building and Grounds Division administering and supervising over at times 100 individuals in maintenance of the parks, the pools and the beaches and the other town facilities.

In 2008, still with Supervisor Bellone, I had an extremely unique opportunity, and what I consider I'd be lucky if I have such a valuable opportunity again in my life to take the helm of -- at the time it was an idea that the Supervisor had to deliver energy efficiency improvements to the residents of the Town of Babylon in the form of the Long Island Green Homes Program. When I first got involved in the conversation, it was discussed as a unique financing system. That was about as far as it was. And I had the opportunity to help craft that program from the ground up. And I'm glad to say that that program nearly four years later remains a national model that other jurisdictions with considerably more resources have struggled to duplicate.

And that brings me -- I should add that being in that sector at a time when green jobs was a very large topic of conversation, has since cooled in the national conversation, but I'm still very much engaged in it. It -- because of the timing, I had the opportunity to be involved in many of the national conversations about the need for increased attention and development of very effective training programs and mindful integration of existing training programs to support the new green economy.

And that brings me to today. I have been the Acting Commissioner for just -- almost a month. And it's my honor to be considered for the position of Commissioner. The Department of Labor has many functions. I want to speak about the two large functions of the Department. We administer \$7 million -- roughly \$7 million of Workforce Investment Act funding as well as the facilitation of the Workforce Investment Board. As Commissioner I intend to prioritize meeting the needs of both the workers and the employers that they serve and it's critical that our Department uses those funds, administers those funds in a way that will create the greatest economic impact for our County and stays ahead of the workforce trends and also integrates very closely with the economic development efforts of both the County and the State.

The Workforce Investment Board is required to consist of at least 51% private businesses. It is my full intention to ensure that that board remains optimized to continue the most relevant guidance in developing -- developing the training programs that are needed to keep up with the economic trends of our County.

The other major program that the Department administers is the Suffolk Works Employment Program, otherwise known as SWEP. The program fills the mandates placed on those receiving public assistance and finding a path to self-sufficiency through employment and training. It is my intention as Commissioner to ensure that we are, in fact, providing a path to self-sufficiency, not just fulfilling mandates. I look forward to working with the Legislature and the other County Departments to provide the most effective delivery of resources to our constituents in building a

productive, dignified workforce for what we hope will be -- will be the road to economic prosperity. And with that I'll be glad to answer any questions of the Committee.

**CHAIRMAN CALARCO:**

Thank you. Legislator Browning.

**LEG. BROWNING:**

Good morning or afternoon, I guess. I see that Legislator Cilmi has introduced the Living Wage Bill again. And, again, I know that there's an effort to put together the committee. I believe one of my constituents from Colonial Youth -- she runs Colonial Youth and will be sitting on that committee so I'd kind of like to get an opinion from you on, you know, the Living Wage Law. I don't want to -- I know you're just coming in. If you have any information or if you're able to comment on it and what you feel needs to be done.

**COMMISSIONER CHU:**

Sure. It's -- you know, as my function as Commissioner, one, I would say that I intend to be -- make sure the Department remains an effective -- and my administration remains an effective steward of both the legislation as well as the fund. You know, I have had the opportunity to see, and I made the time to make sure that I was aware of the information and who is still -- who is still making use of the contingency fund. You know, there -- it would seem that the fund has served the intent of the legislation. You, Legislator Browning and I, you know, we had a conversation previously about this.

I also intend, which I have not had time to do, it's been a fairly long month, but I didn't manage to squeeze it in, but I promise you I will do it this month, to make sure that I become aware of the specific situations of those that are still making use of that fund. So without having done that, you know, I would be cautious to offer my own opinion, but I would say that it would seem after ten years that the fund has served the intention of the initial legislation. And I will continue to make sure that I'm on top of that, in a position to offer the most information that I can in the future at committee meetings or otherwise. And, again, to restate, whatever the decision of the Legislature, whatever direction the Legislature goes in, I will make sure that we remain effective stewards of that decision.

**LEG. BROWNING:**

It's just that there was a committee when the legislation was passed, I don't know how many years ago, there was an intent -- there was supposed to have been a committee formed to address this. And to my -- best of my knowledge, it was never done. So, you know, I think it's important to get that committee together, up and running so that they can come back with a report. I don't know if I'm seeing a no, that I'm not correct, but, you know, to my knowledge there never really was a committee and we've never had a report here from that committee. So I think it's necessary for us to address that issue.

My concern is, is take away the Living Wage Law, you know, take away that Living Wage Law, take away that subsidy and the DSS clients who are working, what's going to happen when the day-care providers say, "well, we're not going to take those DSS kids anymore because we're not getting the funding necessary to pay our employees. We're being mandated to do this." Then we're going to have the child whose parent is going to say, "well, I can't pay privately so I'm just going to go on DSS." So I'm concerned about the snowball effect. I could be wrong, but I'm hoping that that's what this committee will come up with, a solution for us.

**ACTING COMMISSIONER CHU:**

I assure you I will review that and make sure that the committee is functioning and is formed as required by the legislation and a report is issued. And I will also say that, you know, in the course of this -- in the course of the debate of the Legislature over the matter of the fund and how it will be

implemented, I will also pay close attention to the potential outcomes and the specific situation, the constituents that might be impacted because these -- they do provide services to a very, you know, specific demographic; and also perhaps be in a position to offer, you know, remedy to those situations either way the decision goes. So we'll make sure that we're in a position to offer the best amount of services to those constituents. And I will work with DSS as well to make sure that we're aware of that situation.

**CHAIRMAN CALARCO:**

Thank you, Legislator. Does anybody else have any questions for Mr. Chu? Seeing none, I'd like to make a motion to take resolution number **IR 1053 out of order, Confirming the appointment of County Commissioner of Labor. (Co. Exec.)**

**LEG. BROWNING:**

I'll second that.

**CHAIRMAN CALARCO:**

Seconded by Legislator Browning. The resolution is now before us. All in favor? Opposed? Abstentions? Motion carries. Resolution is now before us. **IR 1053, confirming appointment of County Commissioner of Labor. (Co. Exec.)** I will make a motion to approve.

**LEG. BROWNING:**

Second.

**CHAIRMAN CALARCO:**

Second by Legislator Browning.

**LEG. CILMI:**

On the motion.

**CHAIRMAN CALARCO:**

On the motion.

**LEG. CILMI:**

I just wanted to say, Mr. Chairman, thank you, that I appreciate Mr. Chu reaching out to our office and coming in and speaking with me specifically about his experience and what he hopes to bring to the Department. And I'm happy to share that we had some agreement on some issues that were important to me. I'm interested to see going forward the Commissioner's work in terms of this Living Wage Fund that was created. And I'll speak more about that when we get to that bill. But for now I'm happy to offer my support to the Commissioner and -- or the current Acting Commissioner, soon to be Commissioner, in whatever way I can. So good luck to you.

**ACTING COMMISSIONER CHU:**

Thank you.

**CHAIRMAN CALARCO:**

Thank you. So we have a motion and a second. All in favor? Opposed? Abstentions? Motion carries. **(VOTE: 5-0-0-0)**

Congratulations, Mr. Chu. And this resolution goes before the full Legislature on Tuesday.

**COMMISSIONER CHU:**

Thank you very much.

**CHAIRMAN CALARCO:**

I don't think you will be needed to come on Tuesday, but thank you very much. If we need you, we'll call. Thank you.

**COMMISSIONER CHU:**

Thank you very much.

**CHAIRMAN CALARCO:**

Before we get to the rest of the agenda, there are a couple of gentlemen in the audience with us today. There are a couple -- actually three vacancies in the district courts that the County Executive is looking to fill. The Administrative Judge has asked that we try to fill these as quickly as possible so that he can get to doing his business.

So if you may indulge me here, I'd like to invite up Mr. James McDonough to the podium here to just kind of give us a little background on his -- who he is and what he's been up to and his -- for his appointment here as district judge. Yes, Ben?

**MR. ZWIRN:**

If I might, Mr. Chair, I just want to let the Committee know that we intend to bring these nominations to the full Legislature by way of Certificate of Necessity at the General Meeting this Tuesday. And there will be a -- because of the scheduling budget amendments, requests from members of Legislature, there will be a number of CN's, more than we would normally have except maybe at the end of the term of somebody in office. But generally speaking there will be -- there will be about a dozen that we're looking at right now. And one is at the request of Legislator Romaine that we're working on with the Town of -- with LIPA, with -- with tax warrants.

**LEG. ROMAINE:**

Taxes.

**MR. ZWIRN:**

We have something from the Treasurer's Office and we have -- there are a lot of them that are pro forma and in the economic development bill we hope to bring forward at that time. We have an explanation of that. And, again, we hope to meet with the caucuses on both sides of the aisle tomorrow and Monday to go over them, which is something that we have not done in the eight years I was here, that we ever met with both the minority and majority caucuses on CN's and things. So that, I think, will be helpful.

I just wanted to say that these two gentlemen who are being interviewed before your Committee today will be before the entire Legislature, their nominations. And they are from both sides of the aisle as well.

**MS. FLESHER:**

Just make sure you keep the button depressed on your mic.

**MR. McDONOUGH:**

There we go. Okay. Devil's in the details.

Hi, I'm Jim McDonough. I appreciate you having me down here this afternoon very much. I'm very happy with the opportunity and the things that have developed recently that give me this opportunity. Again, my name is Jim McDonough. Not the easiest name to pronounce from the spelling. I have been an attorney --

**CHAIRMAN CALARCO:**

My apologies.

**MR. McDONAUGH:**

-- in Suffolk County for 17 years. I was an Assistant District Attorney for Suffolk County for over six years. I served in the District Court Bureau, which is the court that we're discussing here today. I was in the Narcotics Bureau for the last three years of my tenure in the District Attorney's Office. In 2001 I went into private practice. I've been in private practice in Lindenhurst for the last ten-and-a-half years. I practiced both civil and criminal law. I have experience in both areas from private practice as well as, as an Assistant District Attorney. I've had the opportunity to do appellate work as well.

The last three years I've also had the opportunity to serve as the Associate Village Justice down in the Incorporated Village of Lindenhurst as well. So I have had the opportunity to get some judicial experience under my belt. And it's enough that I feel that this is the path that I'd like to follow and hopefully have the opportunity to do it full-time.

I'd be remiss if I didn't mention that in the 17 years that I've been practicing law, I've probably wanted the opportunity to become a District Court Judge for probably about 16-and-a-half of those years. At the age of 26, though, I wasn't quite ready so I think I've put my time in on my craft and hopefully at this point I am ready. I feel that my experience in being in court as often as I have, I've probably sized up the characteristics I find to be most important to be a good judge.

I think being conscientious and fair to the people that appear in front of you would be one; being hard-working being the other; and finally having a grasp of the law being the final one. I think I bring all those characteristics with me as an attorney. And they certainly will accompany me onto the bench should I have that opportunity. And I appreciate, again, your time this afternoon very much. And if you have questions for me, I'd be happy to answer them.

**CHAIRMAN CALARCO:**

Thank you very much for being here today. Anybody have any questions?

**LEG. BROWNING:**

What division Hibernians? Two?

**MR. McDONAUGH:**

Yes. And the Brehon Society.

**LEG. BROWNING:**

And I see you're a Brehon. Well, you got me.

**MR. McDONAUGH:**

Wonderful.

**CHAIRMAN CALARCO:**

Thank you very much, Mr. McDonaugh.

**MR. McDONAUGH:**

Thank you.

**CHAIRMAN CALARCO:**

Excuse me.

The other appointment's before us today is Mr. Derrick Robinson. If you'd please come forward and, again, just share with us a little bit of your background, your history and what you've accomplished.

**MR. ROBINSON:**

Good afternoon. My name is Derrick Robinson. I want to first start off by saying it's an honor to be here. I appreciate the opportunity to be before this Committee, Chairman Robert Calarco and the rest of this Committee.

I wanted to briefly tell you about the qualities that I believe would enable me to discharge the duties as a District Court Judge. I have -- I believe that the qualities necessary for any judicial candidate includes knowledge of the law, professional standing in the community and temperament. And I believe that I have those qualities that would enable me to discharge my duties. My professional experience has included -- presently I am an Assistant Attorney General for the State of New York. I've been an Assistant Attorney General for four years. And I work in the Nassau Regional Office. And I handle a wide range of litigation in representing state agencies and state officials. I've represented the Governor, I've represented commissioners of various departments. And I also -- I am also engaged in litigation in both State and Federal court. I have tried cases involving employment and labor law matters, representing the colleges: Farmingdale, SUNY Stony Brook, York College. And so I believe that that trial experience certainly enables me to understand the difficulties in preparing a case and the challenges and the work that's required to be successful in those things.

Prior to my coming to the Attorney General's Office, I was the Chief Deputy Town Attorney for the Town of Brookhaven. I worked under Robert Quinlan who was the Town Attorney. And as a result of that experience, I was in charge of the -- I supervised ten other attorneys and we -- they were responsible for bringing code violations before the District Court in Patchogue. And the challenges of supervising those attorneys and the investigators as well as the responsibility for advising all the commissioners and the supervisor on the day-to-day functioning of the Town certainly gave me the confidence that you can do all the things that are required to discharge your duties, but you have to rely on the people that are working around you. And so I have to say that it was with great gratitude that that office had great attorneys working for them, dedicated investigators working for them. And it was all done to -- for the betterment of the quality of life in the Town of Brookhaven.

Prior to the Town Attorney, I worked briefly in private practice and -- also representing towns and villages, because Municipality Law was a strength of mine. That strength in Municipal Law came from my 25 years as an Assistant County Attorney. And I worked under many different County Attorneys. I worked under Howard Pachman, David Gilmartin, Robert Cimino, Christine Malafi. And those 25 years gave me a wealth of experience in a wide range of activities.

I was able to work very closely with the Suffolk County Health Department in protecting the groundwater in Suffolk County; worked with the Department of Consumer Affairs in protecting the consumers from deceptive and unconscionable business practices. I've had the opportunity to work with some outstanding people in the County Attorney's Office and in the various departments throughout the County. I have to say that I was impressed with the level and the quality of work that was performed there.

And so -- but the other aspect that I want you to know is that besides being an attorney, you also have to have professional standing. And I believe that my professional standing is demonstrated by my active involvement in the Suffolk County Bar Association. I've been a member of the Board of Directors of the Bar Association twice. I was active in the various committees. I was on the Judicial Screening Committee. And in my last year of my term, I was Chair of the Judicial Screening Committee for the Suffolk County Bar Association. I have been active in the New York State Bar Association. I was a member of the Board of Delegates which is the governing body of the New York State Bar Association which has the responsibilities of over 70,000 attorneys throughout the State of New York.

Those are great challenges but also great opportunities to learn and to network with the various

other attorneys throughout the State of New York. Besides that I've had active community involvement, being involved in a number of community organizations, because that's really where -- it's all about, you know; it's all about what you do locally, what you do personally and because we all want to see a better quality of life for the work that we are engaged in.

So those are some of the things that I just wanted to tell you about. And last, but certainly not least, was there is a Amistad Long Island Black Bar Association. They've been in existence for over ten years. I was the Founding President of the Amistad Bar Association. And as a result of that, we have identified both in Nassau and Suffolk County a number of attorneys of color that would -- that have networked together, developed a collegiality and have attempted to advocate for the interest of all the citizens of Long Island. And our success has been in great part due to the support that we've received from the Suffolk County Bar Association and the Nassau County Bar Association.

So for those reasons, I believe that I would qualify and I would just ask your consideration for this great opportunity that I have. Thank you.

**CHAIRMAN CALARCO:**

Thank you, Mr. Robinson, for coming in today. Does anybody have any questions for him? You seem to know everybody.

**LEG. BROWNING:**

No. When he worked in the Town Attorney's Office -- I'm very familiar with you and I appreciate all the help that you've given my office while you were there.

**CHAIRMAN CALARCO:**

Well, Mr. Robinson, Mr. McDonough --

**MR. McDONOUGH:**

McDonough.

**CHAIRMAN CALARCO:**

You both have very impressive resumes. I just can't get it right. Good luck. And I expect to see one of you probably down in Patchogue. The Sixth District Court has been operating without a regular judge lately. So hopefully one of you will be assigned down there. And I'm only a couple of doors down. Come see me any time. Thank you.

**MR. ROBINSON:**

Thank you.

**CHAIRMAN CALARCO:**

Thank you. I see Mr. Zwirn.

**MR. ZWIRN:**

I just want to ask a question. I know there's no bill before the Committee or resolution to move these forward. I just -- as a procedural, should we ask these gentlemen to come back before the full Legislature on Tuesday? I only say that -- it's --

**LEG. ROMAINE:**

I don't think that's necessary. All the gentlemen that appeared in front of us were eminently qualified and obviously I believe my colleagues either in their caucus meetings and in their general discussions will convey the depth of the excellence of their qualifications for the black robes. And I'm sure that we -- they will be confirmed.

**MR. ZWIRN:**

With the Committee's permission, you know, the way the General Meeting is going to run, it's going to be very hard to tell at what stage these CN's will come up. So I don't know if we should have them there or ask the Presiding Officer maybe to call them early in the meeting in case there are any questions. I don't want their appointments to be held up.

**LEG. ROMAINE:**

I would like their appointments to be first thing in the meeting if the Presiding Officer would be willing to do so. I'm sure my colleagues on the other of the aisle would encourage the Presiding Officer to let this come up right away, let's get these gentlemen confirmed so that they can be sworn in by the County Clerk, take the oath of office and start serving as our district court judges.

**CHAIRMAN CALARCO:**

Thank you, Legislator Romaine. I appreciate you voicing that opinion for me.

**LAUGHTER**

**MR. ZWIRN:**

Yes. Mr. Chairman, so maybe we should have them here first thing in the morning?

**CHAIRMAN CALARCO:**

Yes, please have -- just if the County Exec's Office could reach out to the Presiding Officer first thing and we'll try to make sure if they're needed, that we'll handle it right away.

**MR. ZWIRN:**

Thank you very much.

**CHAIRMAN CALARCO:**

Thank you, gentlemen. So we'll get back to the agenda.

**INTRODUCTORY RESOLUTIONS**

**Introductory Resolutions. IR 1015, Adopting Local Law No. -2012, a Local Law to Sunset Living Wage Subsidies. (Cilmi)**

**LEG. CILMI:**

Motion to approve. Sorry.

**LEG. ROMAINE:**

Public hearing. Table for public hearing.

**LEG. CILMI:**

Second.

**CHAIRMAN CALARCO:**

I have a motion to table for public hearing and a second. All in favor? Opposed? Abstentions? Motion's tabled. **(VOTE: 5-0-0-0)**

**IR 1019, Directing the Planning Department to conduct a feasibility study on incorporating LEAN Government Principles in Suffolk County. (Cilmi)**

**LEG. CILMI:**

I'll make a motion to table.

**CHAIRMAN CALARCO:**

And I'll second that motion.

**LEG. CILMI:**

On the motion, please?

**CHAIRMAN CALARCO:**

Yes.

**LEG. CILMI:**

I just wanted to -- for the edification of the Committee, just talk a little bit about what LEAN is and what it's not and certainly look forward to working with not only our Chairman, but the administration in examining performance based metrics within our County government to make sure that we're improving.

What LEAN is, is a management tool that was designed by Toyota that basically relies on training employees to expose waste and to eradicate it through a variety of scientific methods, not -- this is not conceptual, not ethereal. These are scientific principles in terms of eliminating waste.

So much so that one of our finer institutions of higher learning here in Suffolk County, Stony Brook University, actually has a course on LEAN, which they teach to public policy students as well as to business students. There's a company, probably one of the largest employers in the manufacturing realm on Long Island, a company called the D'addario based in Farmingdale. They are the world's largest manufacturer of guitar strings and other musical instrument equipment. They implemented LEAN several years ago. And it's been wonderfully successful for them in terms of not only improving quality of their products, but improving the lives of their employees, and improving their performance such that it's dropped literally hundreds of thousands of dollars to their bottom line and allowed them to grow.

When I first ran for office in 2009, I learned about this system and started talking about it as a possible way that government could transform itself and become more effective. And to my surprise after being elected, I learned that there are a handful of governments throughout the country that are actually employing this quite successfully, two of which are Iowa and Minnesota. Connecticut also has an Office of LEAN. And actually in New York State OASIS is an entity, an agency within New York State government that has used it as well.

It's -- if you look at any sort of a process, any system that goes unchecked, it's estimated that up to 95% of the activities that go on, the things that happen within that system, that set of processes do not add value and only 5% do add value. So the objective is to get down to that 5% that do add value and eliminate everything else.

So I'm aware that the County Executive is quite familiar with this tool and have reached out to the County Executive to discuss it in detail. And as I said, in deference to our Chairman and in deference to a commitment from the County Executive to really focus on performance management within Suffolk County, I offer the tabling motion for the time being to see what ideas our administration has in terms of improving the performance in the multitude of functions that we have tried to -- tried to endeavor with fewer and fewer employees over the past several years. Thank you.

**CHAIRMAN CALARCO:**

Legislator Browning.

**LEG. BROWNING:**

Yeah, Tom, just out of curiosity, you said OASIS has used this principle. And I hate to say with the

experience I have at OASIS and the lack of doing anything, is that what their LEAN is?

**LEG. CILMI:**

You know, OASIS is obviously a very large organization with a very significant bureaucratic structure in place. And they've -- they used this in one very specific area of their agency. And I'm not equipped to really describe to you exactly what that area is, but I'm sure if you invited somebody from New York State down -- in fact, the Governor has actually talked about employing LEAN throughout New York State.

So there are people that you can talk to. You can just Google -- go on line and Google LEAN Government, and in particular Iowa and Minnesota. They have what's called Offices of LEAN Enterprise. And not only does it describe what LEAN is and how it impacts government, but it goes over very -- the websites will all talk about very specific measurable results, not only in terms of cost savings, but in terms of performance and how they've been able to, for example, reduce permit times from, you know, years or months down to days. So that's just one example.

**LEG. BROWNING:**

And if you have the example from OASIS I'd love to see it because I don't know that I'd want to use them as an example.

**LEG. CILMI:**

Well, I'll Google that for you and I'll e-mail you a copy of the link.

**LEG. BROWNING:**

Sure.

**CHAIRMAN CALARCO:**

Thank you. And if I could add here, there are a lot of different types of performance management tools that are out there, LEAN being one of them, Six Sigma and others, Service Stat another. And I think that it is very important for us at this point in time to start trying to put measurable outputs to what we do so we can start trying to find out how we can do them better and more efficiently because it is critical at this stage in the game. Mr. Lipp?

**MR. LIPP:**

Yes, point of information, actually Budget Review Office did a brief memo to Legislator Cilmi in August 2010 on LEAN government initiatives and we focused on 24 different areas that were potentially fruitful areas within the County. That being said, we didn't go into any detail of actually how anything could be done. So this is just like a starting point and should this particular initiative -- rather resolution, pass, we could share that information with Planning. Or if you want to go in a different direction, we could do that also. It's not like we've --

**CHAIRMAN CALARCO:**

If you would, Mr. Lipp, I'd be very happy to see that and maybe it's something we can share with the County Executive's Office now and get ourselves moving or --

**MR. LIPP:**

I could e-mail it to you as we speak.

**CHAIRMAN CALARCO:**

Thank you.

**LEG. CILMI:**

If I may, just to follow up, yeah, I appreciate that, Rob, and there were several suggestions that Budget Review came forward with. But with all -- in all deference, they were great suggestions, but

they didn't really capture the essence of what LEAN is, you know, in its definition. They were excellent suggestions and they all should be explored and I encourage you to look at them. But, as I said, they don't capture the essence of improving efficiencies through the elimination of waste. They were other types of suggestions by and large. There may have been a couple in there that related.

There are consultants that deal with this, you know, that teach this -- this tool. And, you know, at some point moving forward we can bring those consultants down to talk to the Committee in greater depth. But I want to make it clear this resolution is not one that would authorize LEAN in Suffolk County, but rather one that would authorize and direct our Planning Department to delve into the subject and report back to us as to whether or not this is something that could help us going forward, so.

**CHAIRMAN CALARCO:**

Thank you. We have a motion and a second. All those in favor? Opposed? Abstentions? Motion's tabled. **(VOTE: 5-0-0-0)**

**IR 1048, Adopting Local Law No. -2012, a Local Law to require all retail stores to display fees associated with layaway programs. (Pres. Off.)** I'll make a motion to table for public hearing.

**LEG. BROWNING:**

Second.

**CHAIRMAN CALARCO:**

Seconded by Legislator Browning. All those in favor? Opposed? Abstentions? Motion's tabled. **(VOTE: 5-0-0-0)**

IR 1053 we have already covered.

**IR 1055, Adopting Local Law No. -2012, a Local Law to increase licensing fees for motor fuel facilities operating in Suffolk County. (Kennedy)** I will make a motion to table for public hearing.

**LEG. SPENCER:**

Second.

**CHAIRMAN CALARCO:**

Seconded by Legislator Spencer. All those in favor? Opposed? Abstentions? Motion's tabled. **(VOTE: 5-0-0-0)**

Mr. Zwirn, did you have any other CN's relative to our Committee that you may want to speak about?

**MR. ZWIRN:**

Yes. Thank you, Mr. Chairman. There will be a CN with respect to a position at the Community Development Agency. There is grant money available that we'll be able to save one position there. And Kisha Wright is here from the CDA if you have any further questions. But we'll present that -- that CN to you. Hopefully this time around the CN's that you're going to be getting will be -- you will get the day before we have a General Meeting so that you'll have an opportunity to review them. And usually they wind up coming in at the very last minute and everybody's flying by the seat of their pants sometimes. We're trying to correct that as much as we can, and this time around we should be able to do that.

So there'll be one position there that we'll be asking for us -- we'll bring forth with a Certificate of Necessity. And also in the Labor Department, Commissioner Chu, I think it's three positions? Two positions there can be saved through grant funding through the State that we'll be able to save. So that's good news. We'll be able to save a couple of jobs in the County not solely at County taxpayer expense.

The ones that I think that will cause the most debate will be the ones on Economic Development and Performance Management, amending the budget and restoring economic development especially. They are working on the titles now today with Civil Service. So we're going to have that done and all the budget numbers done in advance. And we will make a presentation on that before you.

I know we have had some verbal support in advance for Economic Development. We think it's critically important. It was the County Executive's really focal point during the campaign trying to get people back to work and working in this County and getting them jobs in the private sector as we see them in the public sector. Because of declining revenues, it's very hard to fund positions in the County or any government today. And that's where you see some of the greatest decline in the workforce, is in the public sector.

So he's very committed to this. We're going to -- as I say, the next couple of days go with you to the respective caucuses to try to explain the positions and we'll ask for your support going by CN. We're asking for 12 votes. We're going to ask for a public hearing to be held. And it's a big list and we're going to ask for your support on this because we think it's so important. And part of the -- the issue is that we don't have another meeting really until March. So to get this up and running as fast as possible, we're going to try to get it done in the month of February, if we can. We'd have to hold another public hearing on it as well. The County Executive has to have a public hearing after the Legislature holds one so it's an involved process.

And as I said, we're going to ask for your indulgence. And I think you see a new attitude coming from the County Exec's Office from the very beginning, even today at the Public Safety Committee; instead of having a press conference, now it's how the Police Department is going to move forward with issues. We did it in a governmental setting so the Legislature could be a part of it and here as it's unfolding. I think that's the tone, I think, this administration's trying to set. And there'll be times when he's going to have to come to the Legislature and ask for help to try to get some of his proposals done. He believes, and I think everybody will know that it's in the best interest, he believes, of the County and the taxpayers of this County to get this thing up and running.

So I think that'll be the big one. Most of them, I think, are going to be very fairly routine. Grant money, again from the District Attorney's Office, the \$6,000 grant, which shouldn't be controversial, the one that Legislator Romaine and Counsel Nolan put together for us, certainly, I don't believe will be controversial. The one from the Treasurer's Office, that won't be controversial. But there'll be a couple that, I think, that there will be questions asked and we'll, you know, stay here until we can get the questions resolved and hopefully we can get approval for that at the General Meeting on Tuesday. But, you know, until then, we'll bring everybody with us so that we can -- you'll have the opportunity to ask the Budget Office and get your questions answered.

So other than that, I haven't got any more specifics on that at this time, but I appreciate Legislator Cilmi tabling his resolution on LEAN because I know the County Executive -- and give him the opportunity to put forth his Performance Management Plan that he has for the County Exec's Office and the County. So I appreciate that and I appreciate the cooperation and good will we've had with the Legislature, you know, hopefully we can keep it going.

**CHAIRMAN CALARCO:**

Thank you, Ben, we appreciate it. And we certainly appreciate being able to prevent some layoffs and keep people working in the County here without it costing our taxpayers any extra dollars. So

thank you very much. And with that, the meeting is adjourned. Thank you.

**THE MEETING CONCLUDED AT 1:56 PM  
{ } DENOTES SPELLED PHONETICALLY**