

**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 May 30, 2013.

MEMBERS PRESENT:

Leg. Robert Calarco, Chairman
Leg. William Spencer, Vice Chair
Leg. Kate M. Browning
Leg. Thomas Cilmi (absent)
Leg. John M. Kennedy, Jr.
Leg. Ricardo Montano

ALSO IN ATTENDANCE:

Presiding Officer William J. Lindsay, 8th Legislative District
D.P.O. Wayne Horsley, 14th Legislative District
Leg. DuWayne Gregory, 15th Legislative District
George M. Nolan, Counsel to the Legislature
William Shilling, Legislative Aide
Benny Pernice, Budget Review Office
Robert Meguin, Deputy Commissioner/Labor Department
Barbara Stoothoff, Assistant Deputy Commissioner/Labor Department
Tom Vaughn, County Executive's Office
Ed Heilig, District Attorney's Office
Paul Perillie, Aide to Leg. Gregory
Lora Gellerstein, Aide to Leg. Spencer
Amy Keyes, Aide to Leg. Calarco
Bob Martinez, Aide to Leg. Montano
Michael Pitcher, Aide to Presiding Officer
Ellen Dougherty, Medical Services Specialist
Mario Mattera, Plumbing Licensing Board
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

MINUTES TRANSCRIBED BY:

Denise Weaver, Legislative Aide

THE MEETING WAS CALLED TO ORDER AT 12:40 PM

CHAIRMAN CALARCO:

Can I have all the Legislators to the horseshoe for the Government Operations Committee? All right. Welcome to the Government Operations, Personnel, Housing and Consumer Protection Committee. We're going to get started. If everybody could rise for the Pledge of Allegiance led by Legislator Montano.

SALUTATION

Thank you. We're going to get started with the public portion. I have two cards. The first is Ellen Dougherty. Ellen.

PUBLIC PORTION

MS. DOUGHERTY:

Thank you. Good afternoon, everyone. As the Chair said, I'm Ellen Dougherty. I'm one of the Senior Medical Services Specialist for the Medical Services Bureau under the Department of Social Services. I did have the opportunity to address you all on May 2nd at your previous meeting, at which time I went into significant detail on the problem we're having with steps that we feel are owed to us and so far everybody has agreed.

I believe the Chair at that time had requested Tom Vaughn to get back to him in two weeks with some update. In the meantime, I've had the pleasure of meeting with myself and some of the other nurses. I do have one of the other nurses here with me today with -- we had the opportunity to meet with Legislator Cilmi, Legislator Spencer and also Legislator Krupski. I've also heard from two of the other members' staff on the phone; so I do appreciate you stepping up and trying to help us out.

But I'm still kind of at an impasse here, you know, you had indicated to me when I was here last time that you hoped to have this resolved very quickly and hoped to have good information from Tom Vaughn within two weeks. We're a month out now. I don't have any more information than I had before even though everybody has, you know, been very good about saying, you know, that they would like to help. It's been three years. You know, I really -- I honestly can't understand. I feel very bad with the amount of time. We're supposed to be fiscally responsible. I mean, we do that every day in our job. That is a big part of our job, watching for Medicaid fraud. We're not just nurses. Excuse me. You know, we're out there looking for Medicaid fraud. We're doing Fair Hearings against people who are not doing what they're supposed to do under the system.

The amount of time that myself and -- and the nurses that are affected have wasted with important people such as you, not that we've wasted our time, but we've -- it seems almost a waste of your time. We've taken your time, we've taken Commissioner Blass' time, we've taken Paul Margiotta's time. We've taken all these important peoples' time. Everybody agrees that this should happen and here we sit three years later with still nothing happening.

I'd like to read one more line to you that, you know, I did not have present with me when I was here last time to just give you some indication of how much this was supposedly supposed to be done. This is an e-mail from former Commissioner Gregory Blass directed to my coworker. She and I were meeting with him at that time. We took turns with the e-mails.

He goes on through his e-mails, the end part of his e-mail says: This is dated June 3rd, 2011, okay. *The office of Labor Relations and the Bargaining Unit should be signing off on the upgrade for incumbents in the near future as the CE's Office has also approved this. Thank you for your excellent work for your patience and for the Suffolk County Department of Social Services.*

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Nothing. You know, I don't know what to say. I don't mean to be disrespectful, but I find myself in a very frustrating position that all these people who are high up in office say this should be done and yet nobody has actually done it.

So I was wondering if maybe you could update me on what's actually happening with this, if anything's happening, you know, how long do we shuffle this?

CHAIRMAN CALARCO:

Thank you, Ellen. Mr. Vaughn, do you have an update for us on this issue?

MR. VAUGHN:

Thank you very much, Mr. Chairman, I do appreciate it. Yes, to a certain extent I do. As promised, I have looked into the situation. I've spoken to a number of different individuals on -- on this topic.

Unfortunately, where I'm at with this at this point in time is that we think that the best resolution to this is for AME to speak with Labor Relations and iron this out once and for all. I know that this is not a situation that is, you know, within my power to solve. But we -- I have spoken with -- with the people in our office and we do think that this is -- this is a situation that needs to just be ironed out between AME and Labor Relations.

Now if there's already an existing agreement and it's a -- it's a matter of something hasn't been implemented that was promised it was going to be implemented, that's another story.

But the current understanding that I have of this topic, and I'm more than willing to -- to admit if there's something that I'm missing, would be that there needs to be a meeting between the Union and Labor Relations.

MS. DOUGHERTY:

Sir, if I may, the Union did meet with Paul Margiotta about this because we were present for the meeting. The three of us were there. And at that time it was said that as long as our salary was 100% State-funded that it should go through. He would speak directly with Mr. Bellone. But then he was switched over to the Traffic, you know, to head the Traffic Bureau -- I'm sorry, I don't know the correct name for the Traffic Bureau, but I know that's a big undertaking.

LEG. MONTANO:

Speak into the mike.

MS. DOUGHERTY:

I'm sorry. I know that's a big undertaking and in -- in the process of him supposing to do that, and I'm sure he was well-intentioned, he wound up being the head of Traffic, which, of course, had nothing to do with us. But the Union has been involved; the previous Union administration; this Union administration. They kind of, you know, said they went to whatever and left it back with us because they didn't get it done. They put it in their attorney's hands. Their attorney blew it with Mr. Margiotta. And you all had copies of that previous letter and our answer to it. And that was kind of the end of that.

So, I'm not sure who Labor Relations is at this point. The hats keep changing.

*(*P.O. Lindsay entered the meeting*)*

And I don't know who needs to direct it to Labor Relations now, you know, we're kind of nobodies in this and we've been chasing people for three years.

CHAIRMAN CALARCO:

Tom.

MR. VAUGHN:

And I sincerely understand that. What we are hoping and what, you know -- Labor Relations is well aware of this situation now. Our new -- our Acting Labor Relations Director is Jennifer McNamara. I spoke with her right prior to coming over here about this issue and about exactly what I was going to say. And, you know, we are more than willing to have -- to sit down and hopefully get this whole thing ironed out. I don't want to make promises that I can't keep, but, you know, we are more than willing to have Labor Relations sit with the Union and work this -- try and attempt to work this thing out.

CHAIRMAN CALARCO:

Well, Tom, has the Union -- you know, Ms. Dougherty is telling us that the Union's already sat down with Labor Relations once before. Is there a need for the Union to have to bring this back to Labor Relations? Or can't Labor Relations pick it up on their own -- on their own action?

MR. VAUGHN:

We -- we think that the best course of action at this point in time is for AME to contact Labor Relations and try and get this worked out. Now, what I --

CHAIRMAN CALARCO:

But if they already have --

MR. VAUGHN:

Right, but my --

CHAIRMAN CALARCO:

-- can't Labor Relations get word out to them and say, "hey, we want to continue this dialogue." Does it require a whole brand new action by the Union?

MR. VAUGHN:

I don't think that anybody's talking about a whole brand new action. But when I am looking through the paperwork that was provided to me from Miss Dougherty, I see different agreements and things in place about -- about up-stepping. I see the part that she refers to as phase II about people who were -- who were on being brought up to -- to step six. But what I don't see is this -- is this other MOA. And if what we're talking about is that there was another MOA signed and agreed to and it just simply hadn't ever been implemented, I think that would be entirely incumbent upon us. But without -- unless I'm missing a piece of paperwork on this -- and would be more than willing to -- if I am missing something that's -- that's fine. But without that other thing saying "look, this was implemented, we have two people signed off on it, not a -- not a verbal agreement, not a handshake, not a -- we're more than willing to get this done for you" just something more concrete, without that, I don't know where else to go with this unless AME reaches out -- back out to the Union -- to Labor Relations on this.

CHAIRMAN CALARCO:

I see somebody from the Union out there. Kevin, could you -- is that something that the Union would be willing to do? Reach out to the Labor Relations on behalf of these employees for us and get the -- the appropriate meetings in place so we can matter resolved?

MR. WILLIAMS:

(Shaking head yes)

CHAIRMAN CALARCO:

Okay. So, it sounds like the Union's willing to work with you. I guess, Miss Dougherty, what we're going to do is, is I'm going to ask that that occur, that we get the Union -- obviously with yourself included, sitting down with Labor Relations. I'll follow up with Miss McNamara myself as well about the issue and -- and get the matter resolved and get an MOU in place where we can get you and your fellow employees the raises you're entitled to.

MS. DOUGHERTY:

I would appreciate that. As I say, you know, I listen to this with a little bit of, hmm, because we've done all this before.

CHAIRMAN CALARCO:

No.

MS. DOUGHERTY:

And we just keep doing this circle.

CHAIRMAN CALARCO:

It's very frustrating. I agree with you.

MS. DOUGHERTY:

And you're telling me that you as the Chair with this wonderful Committee will keep following up for us so maybe it actually gets done this time?

CHAIRMAN CALARCO:

I'll give Miss McNamara a call myself.

MS. DOUGHERTY:

I would truly appreciate that.

CHAIRMAN CALARCO:

No problem.

MS. DOUGHERTY:

Thank you for your time.

CHAIRMAN CALARCO:

Thank you, Miss Dougherty.

LEG. KENNEDY:

Mr. Chair?

CHAIRMAN CALARCO:

Legislator Kennedy.

LEG. KENNEDY:

Could I just pose a quick question to BRO? Benny, the salary is 100% State funded, how about the bennies? Are the softs picked up by the State as well?

MR. PERNICE:

Yeah, that's correct.

LEG. KENNEDY:

So everything, the pension contribution, the whole nine, all 100% State? Okay.

MR. PERNICE:

I believe so, yeah.

LEG. KENNEDY:

Okay. Thank you.

CHAIRMAN CALARCO:

Yeah, Tom.

MR. VAUGHN:

Just one of the issues that we had -- that we had had concerns about, because that was something that we had reached out on as well is to figure out if this is indeed 100% State-funded. And that was actually one of the details that we were trying to get ironed out. So we have -- we have -- BRO and I -- and I understand their position and don't doubt their authority on this, but I've also received conflicting information that, yes, it's 100% State-funded but up to a certain amount, a total amount. And it is my understanding that if we are not at the allocation already, that we're getting very close to it.

So it was -- I can promise you that I didn't spend the last three weeks sitting on my hands about this issue. There have been -- there has been, you know, work that has gone into figuring out exactly what is going on. But I do think that that is one of the concerns. And that being said, I'm not saying that that's not a reason to do this. And I'm not saying that they are not entitled to this raise. I just think that the most proper procedure on this, and I think that that's something that we also strive for is the most proper procedure, is for AME and Labor Relations to get this thing worked out.

MR. PERNICE:

I just wanted to say what -- what Tom just said is exactly correct. There is, you know, a cap on what it is. And if we pierce it, that would become 100% County.

LEG. KENNEDY:

But when you speak about a cap, you're talking about a departmental cap?

MR. PERNICE:

I mean, there's a -- there's just a point where the State will just stop giving us more money for what we spend, you know, they -- because if we wanted to do a two billion dollar program, they're not going to give us two billion dollars in aid. So there's a threshold of what they will reimburse us for. If we pierce that, then we'll have to pay it locally so we're near it. But --

LEG. KENNEDY:

So, to Tom, then, Budget is dealing with State Health on this to establish where we're at? Who's the person with the action item at this point?

MR. VAUGHN:

We feel that the person with the action item at this point in time is AME talking to Labor Relations. But the idea -- the notion that this is 100% State-funded is true up until the point that it's not. And that's the -- and that's the concern. So I also have another phone call out to Commissioner O'Neill to try and get his take on this as well. But the -- part of the information that I'm receiving at this is that we are really close to that cap at this point in time.

LEG. KENNEDY:

All right. Tell me again, O'Neill, because you're through Department of Social Services?

MS. DOUGHERTY:

Department of Social Service, sir, yes. And as I say --

LEG. KENNEDY:

Attached to Medicaid.

MS. DOUGHERTY:

It's to Medicaid. If I might, and I'm not sure, you would guess Tom's aware of this, but technically speaking on the books we have 11 open positions for Medical Services Specialists that the State is supposed to fund. So, I mean, you have to wonder where that potential money is going also. And as far as --

LEG. KENNEDY:

Budgeted unfilled?

MS. DOUGHERTY:

We don't have open SCINs but we have 11 open positions.

LEG. KENNEDY:

Well, but I'm asking BRO. Benny, what is it? Is she --

MR. PERNICE:

Well, there's -- there's significant amount of -- of vacant positions. Whether or not they're -- they're funded is -- is another question. There's -- the unit that she represents is the Medicaid Compliance Unit, which has -- other than her unit, it has other groups in -- other different units that perform Medicaid functions in it as well.

So to -- to say that they are all funded might not exactly be true, but they are definitely -- the vacancies exist.

LEG. KENNEDY:

Yeah -- the -- so if they're 100% State-funded positions and -- again, I'm sorry, ma'am, your name again?

MS. DOUGHERTY:

Ellen.

LEG. KENNEDY:

Ellen. And if Ellen is telling us that she's got 11 vacancies, when we adopted the 2013 budget, did we fund salary for those other 11 positions or no?

MR. PERNICE:

What I could say to that is that we have -- County can create as many positions as -- as we want. You know, just because -- it's not like when we create it, we secure the State aid for it, so there's, you know, positions in that fund that aren't necessarily, you know, tied to -- tied to aid.

LEG. KENNEDY:

All right. I -- I got to yield to the Commissioner. Tom, I don't want to, you know, you got more but I have to yield to the Chair because, once again, I'm monopolizing, you know, what seems to be, you know, a tennis match that's going back and forth. I still don't understand the role that -- that -- AME and Labor Relations, but I'll speak to Jen McNamara, too. You know, she's a real pragmatist. And, you know, where AME comes into this, this seems to be an issue of employees who are doing the job, who are 100% State-funded, who had a commitment made about trueing up a salary and -- and it's not occurred yet. I don't know.

MS. DOUGHERTY:

And needless to say, sir, it doesn't just affect our salary, you know, it's also affecting all our retirement benefits for the past three years. And some of us aren't spring chickens anymore, you know, so we look to that too.

LEG. KENNEDY:

Right.

MS. DOUGHERTY:

And back to what Tom was saying, you know, right in this memo that we have from then Commissioner Blass: "The Office of Labor Relations and The Bargaining Unit," which, of course, is the Union, "should be signing off on the upgrade for the incumbents in the future as the CE's Office has also approved this." Now, this is from Gregory Blass. I mean, that's what we went by because he's our boss.

MR. VAUGHN:

And I completely understand that, ma'am. And the date on that resolution is -- or the date on the e-mail, please?

MS. DOUGHERTY:

June 3rd, 2011. And here we are two years later.

CHAIRMAN CALARCO:

Okay. Legislator Lindsay, you wanted to add something?

P.O. LINDSAY:

Just an understanding that I have of the situation and maybe I'm wrong, but when we talk about caps, very often we can't figure the cap until after the fact of how many people you hire that goes against the cap or even the raises we're talking about goes against the cap. So you very well might be piercing that cap now and you don't -- you don't even know it, but that's the way the State system works. And it's -- is that correct, Tom?

MR. VAUGHN:

That's my understanding of the -- of the situation, Mr. Presiding Officer, but the only way that -- very often when I don't understand very complicated things I put -- I try and put them into pictures that I can understand. And as Irishman myself, I am a big fan of Jack Daniels. And so it's like having a bottle whiskey where I have a bottle and I have as much as is in that bottle. And if I spread it out over, you know, over a couple of evenings, that's fantastic. Or if I use it all in one-shot, that's a little bit less than fantastic. But, I mean, that's the -- that's the concern that we have.

P.O. LINDSAY:

And that's a good analogy. Because if you don't have enough booze in the bottle, you drink it fast and then you forget what the problem was.

(LAUGHTER)

CHAIRMAN CALARCO:

Okay.

MS. DOUGHERTY:

Maybe that's what us nurses need to start doing then.

MR. VAUGHN:

I'm not positive I'd recommend that.

CHAIRMAN CALARCO:

Okay. So it sounds like what we need to do right now is, is have the Union sit down with Labor Relations and do exactly what former Commissioner Blass said, is sign off on this -- on this agreement so that the -- the changes in salary can occur. I will be following up with Labor Relations myself, but Ellen, Miss Dougherty, I think you should follow up with the Union and make sure they --

MS. DOUGHERTY:

That call --

CHAIRMAN CALARCO:

-- for whatever reason, that they have to be the one to make the contact, make the contact so we could get the ball rolling.

MS. DOUGHERTY:

As I say, they have contacted and contacted.

CHAIRMAN CALARCO:

I'm sure they have.

MS. DOUGHERTY:

So if you -- if you -- you know, as Committee Members and Chair, if you would follow up because obviously our contacts before really haven't panned out, we would receive appreciate it and we'll get back to you and let you know how it works.

CHAIRMAN CALARCO:

We will do.

MS. DOUGHERTY:

Thank you very much for your time.

MR. VAUGHN:

And I would just like to add, look, there is -- there is a lot of things about this situation that I'm very limited to do. However, if the concern is that there is not -- there has not been a return phone call, I promise that if Mr. Finland makes that call, we will make sure that it is returned.

MS. DOUGHERTY:

Thank you.

CHAIRMAN CALARCO:

Very good. I appreciate it.

MS. DOUGHERTY:

Thank you for your time.

CHAIRMAN CALARCO:

Thank you, Miss Dougherty.

Okay. Our next card is Mario Mattera. Mario, come on up.

MR. MATTERA:

Thank you, Mr. Chairman and Committee people. And it's great to see Presiding Officer Lindsay here also. My name is Mario Mattera and I'm here today for -- representing the Plumbing and Fire Protection License Board for Consumers Affairs. And I'm very proud of it.

And one thing I just want to start off, is I guess it was around a year -- a year ago plus, we passed a backflow licensing, you need to be a licensed plumber to test backflows. This resolution IR 1258-13, is -- we need to kill this bill. The reasons why we need to kill this bill is because we do not need to put in extra language for one person. Suffolk County has approximately 960 license holders that pay \$400 every two years, not that they have to pay this fee to have this license, they have to pay insurances. What happened before was these -- these -- these people that were inspecting had no licensing, they had no insurance, then they were fixing these backflows.

Presiding Officer Lindsay was here when I had, which he called it a field day, which I had my truck, but I had all sizes of backflows. I had four-inch, three-inch, down to two-inch, but I wanted to put the 12-inch one, but it was the size of my truck; that, in other words, that are being inspected. You need to be a licensed plumber held responsible for testing these backflows. We had complaints from consumers. We had complaints even from the fire marshals that they were in favor of having a licensed plumber being held responsible, that you need to be licensed plumber.

When you go get your license, you have to have a written test, then you do a practical. You have to have seven years under a licensed plumber before you could even take this test. When you do pass, you're qualified, no matter if you're union, nonunion, whatever it is, you're qualified to be -- to be an installer. You need to be a licensed plumber to install the backflow. It was passed unanimous decision with this. We do not need to put in amendments, whatever it is to this bill to -- to this law. We need -- this bill needs to be killed, this resolution IR 1258-13.

The licensed plumber is responsible and he is accountable for any backflow that is being worked on. And I am here to, please, we need this bill killed. We don't need to put extra language put on for one person because he is an instructor. I have 12 instructors, but they aren't licensed plumbing. That doesn't mean they could be licensed plumbers. If they want to be licensed plumbers, they have to go take the test like all 960 master plumbers that we have with Suffolk County.

(TIMER SOUNDED)

That was three minutes already?

CHAIRMAN CALARCO:

(Shaking head yeS)

MR. MATTERA:

Wow, I don't even realize myself sometimes. I never talk in slower. So please kill resolution IR 1258-13. Thank you.

CHAIRMAN CALARCO:

Thank you, Mario. Does anybody have any questions?

LEG. MONTANO:

Yes, I do.

CHAIRMAN CALARCO:

Legislator Montano.

LEG. MONTANO:

You didn't hear my comment. I said if you get elected, you could speak as long as you want.

MR. MATTERA:

Oh, wow. (Laughter)

LEG. MONTANO:

But I did have a question. Mario, when this bill was passed, I believe it was Legislator Cooper's bill, there were companies that were in the business that had a certification from the State, but they weren't licensed plumbers. And there were some objections because some of these individuals had been testing for years. Since we passed the bill, I haven't really heard any complaints. Do you have -- well, what's the status of that issue?

MR. MATTERA:

We actually have our Commissioner here. And, I tell you, I'd love him -- if it's okay.

LEG. MONTANO:

Yeah.

MR. MATTERA:

And -- because we work very, very hard together and actually with Legislator Spencer also when this first came out. And I'm going to tell you something, there was complaints, but we fixed it. We actually went out of our ways, we called in the -- the people that didn't have the plumbing license.

LEG. MONTANO:

Right.

MR. MATTERA:

What do you want to call, contractors, and they worked it out, that they got a licensed plumber and they worked it out. And, Bob, you know, Bob is going to give you a little details on it.

LEG. MONTANO:

Just briefly.

DEPUTY COMMISSIONER MEGUIN:

My name's Bob Meguin. I'm the Chief Deputy Commissioner of Labor, Licensing and Consumer Affairs. And as Mr. Mattera has indicated, we did encounter a couple of problems where a number of people -- a significant number in my mind, probably upwards of ten people, said "why -- why can't we be -- essentially be grandfathered in?" And the legislation was clear that you needed to be a licensed master plumber, take the -- have taken the State certification, but you could have employees who you supervise who likewise had passed this State certification.

We did, in fact, issue violations in two or three cases where we had situations where it appeared to be that the licensed master plumber was, in effect, brokering his license to these individuals and -- and we had them appear before the Plumbing Board and we kind of straightened that out. I have gotten probably in the last year about five complaints by individuals that fall in the category that you described, that had been longstanding -- conducting businesses in that. And, frankly, I pointed out that that's the -- the issue by way of the Legislature mandating that there be a licensed master plumber because of the potential danger to the public water system if -- if somebody that -- really doesn't know what they're doing.

So, specifically to answer the question, yeah, we've had follow-up problems in that regard. And -- and there are other tangential issues likewise with the implementation of that -- that law. But in terms of the Department, we stand along with the Plumbing Boards, their -- their

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recommendation. And we've had many, many discussions of this at the Plumbing Board meetings that this Legislature has determined the significance of having a master licensed plumber supersede this and, likewise, we would frankly oppose any exemptions to the current legislation.

LEG. MONTANO:

And, just so I'm clear, this bill would exempt one individual from the -- the legal requirements that were passed?

MR. MATTERA:

Yes.

LEG. MONTANO:

Can we do that? Can we do that, George?

MR. NOLAN:

It's not the way it's --

LEG. MONTANO:

I'll ask for an explanation.

MR. NOLAN:

-- not saying one person is exempt from the law. It states that if -- if a guy is an instructor for the State in this -- in this field and a master plumber asked him to come in and perform the service, he can do so without having the employer/employee relationship with a plumber. So I don't know if that's one person or 10 people or 20 people, but it's written that way.

LEG. MONTANO:

Do you know how many people are -- are instructors that fall in this category?

MR. MATTERA:

On Long Island there is the one -- one gentleman that is making this -- this --

LEG. MONTANO:

No, but -- not one that's making the complaint, one -- how many fall within this category as defined in the bill that you know of?

MR. MATTERA:

Oh, God, I just know the one on Long Island. And then you have to go to New York City.

LEG. MONTANO:

All right. Thanks, Mario.

MR. MATTERA:

That's it.

LEG. MONTANO:

Thank you.

CHAIRMAN CALARCO:

Thank you. Okay, I have no other cards. Is there anybody else who'd like to address the Committee? Seeing none, we'll move into the agenda.

TABLED RESOLUTIONS

IR 1208 - Adopting Local Law No. -2013, A Charter Law to clarify employee residency requirements. (Cilmi)

LEG. BROWNING:

That's still -- where is that one?

CHAIRMAN CALARCO:

I'm going to make a motion to approve.

LEG. BROWNING:

I'll second.

CHAIRMAN CALARCO:

Second by Legislator Browning. All those in favor? Opposed?

P.O. LINDSAY:

What does this do?

CHAIRMAN CALARCO:

Counsel, could you just give us a quick --

MR. NOLAN:

This -- I don't know if it clarifies a section of our Code having to do with the waiver of the residency requirement. It just basically states that if a non-resident's coming on -- coming to County employment, he can't do so unless the Legislature passes a resolution first allowing that to happen. The way the section's written now, what we've had happen is people have come onto the payroll and then we get the resolution later. This would require that the resolution actually be passed before the person begins his employment.

P.O. LINDSAY:

Okay.

LEG. BROWNING:

It's basically, to me, putting the horse before the cart like it's supposed to be.

CHAIRMAN CALARCO:

You're good. Okay. Thank you, Counsel. I have a motion and a second. All those in favor? Opposed? Abstentions? **IR 1208 is approved. (VOTE: 6-0-0-1 - PO LINDSAY INCLUDED IN VOTE - LEG. CILMI ABSENT)**

And, I was remiss, I just wanted to make a -- for the record, Legislator Cilmi is not here today, he has an excused absence.

IR 1258 - Adopting Local Law No. -2013, A Local Law authorizing an exemption in County's Backflow Testing Law. (Schneiderman)

LEG. SPENCER:

Motion to table.

CHAIRMAN CALARCO:

Motion to table by Legislator Spencer.

LEG. KENNEDY:

Motion to table subject to call.

LEG. BROWNING:

I was going to say that. I'll second the --

CHAIRMAN CALARCO:

I have a motion table subject to call by Legislator Kennedy, seconded by Legislator Browning.

LEG. SPENCER:

I'll drop my motion to table and yield to the subject to call motion.

CHAIRMAN CALARCO:

Okay. I have a motion and a second. All those in favor? Opposed? Abstentions? **IR 1258 stands tabled subject to call. (VOTE: 6-0-0-1 - PO LINDSAY INCLUDED IN VOTE - LEG. CILMI ABSENT)**

IR 1316 - Adopting Local Law No. -2013, A Charter Law to improve hiring opportunities for Suffolk County Residents. (Nowick) The public hearing is still open so I'll make a motion to table.

LEG. BROWNING:

Second.

CHAIRMAN CALARCO:

Second by Legislator Browning. All those in favor? Opposed? Abstentions? **IR 1316 is tabled. (VOTE: 6-0-0-1 - PO LINDSAY INCLUDED IN VOTE - LEG. CILMI ABSENT)**

IR 1358 - Adopting Local Law No -2013, A Local Law establishing registration requirements for pool maintenance businesses operating in Suffolk County. (Spencer)

LEG. SPENCER:

Motion to approve.

CHAIRMAN CALARCO:

Motion to approve by Legislator Spencer.

P.O. LINDSAY:

Second.

CHAIRMAN CALARCO:

Seconded by Legislator Lindsay. Counsel, could you give us a quick explanation?

MR. NOLAN:

This, as the title suggests, this requires people engaged in the pool maintenance business, you know, the persons who come around to your pool, they clean them during the season, put the chemicals in, things like that, they have to register with -- with the Department. When they register with the County, they have to provide proof that they obtained the Association of Pool and Spa Professional Certified Management Specialist Certification or other equivalent certification approved by the Department of Labor Licensing and Consumer Affairs.

LEG. MONTANO:

(Off the microphone)

MR. NOLAN:

This is '58. 1359 has to do with the people who construct pools and spas. This has to do with people who do the maintenance work during the season.

LEG. MONTANO:

And the public hearings were closed on these?

MR. NOLAN:

Yes.

LEG. MONTANO:

Okay.

CHAIRMAN CALARCO:

Okay. I have a motion and a second. All those in favor? Opposed? Abstentions? **IR 1358 is approved. (VOTE: 6-0-0-1 - PO LINDSAY INCLUDED IN VOTE - LEG. CILMI ABSENT)**

IR 1359 - Adopting Local Law No. -2013, A Local Law to amend Chapter 563 of the Suffolk County Code to further regulate the installation and servicing of swimming pools and spas in Suffolk County. (Spencer)

LEG. SPENCER:

Motion to approve.

CHAIRMAN CALARCO:

Motion by Legislator Spencer.

P.O. LINDSAY:

Second.

CHAIRMAN CALARCO:

Second by Legislator Lindsay. All those in favor? Opposed? Abstentions? **IR 1359 is approved. (VOTE: 6-0-0-1 - PO LINDSAY INCLUDED IN VOTE - LEG. CILMI ABSENT)**

INTRODUCTORY RESOLUTIONS

Going to introductory resolutions. **IR 1394 - Appropriate funds in connection with the replacement of weights and measures inspection vehicles for the Suffolk County Department of Labor, Licensing and Consumer Affairs (CP 1813) (Presiding Officer at the request of the County Executive)**

LEG. BROWNING:

Motion.

CHAIRMAN CALARCO:

Motion by Legislator Browning.

P.O. LINDSAY:

Second.

CHAIRMAN CALARCO:

Second by Legislator Lindsay.

LEG. KENNEDY:

On the motion.

CHAIRMAN CALARCO:

On the motion.

LEG. KENNEDY:

What -- what are we buying with this? What are we getting? Are these the heavy vehicles, Bob? Or are these pickups? What are we getting?

DEPUTY COMMISSIONER MEGUIN:

They're essentially the F-150 --

CHAIRMAN CALARCO:

Bob, you got to push the button.

DEPUTY COMMISSIONER MEGUIN:

I'm sorry. It's essentially, we have a fleet of six for the Weights and Measure inspectors.

LEG. KENNEDY:

Aha.

DEPUTY COMMISSIONER MEGUIN:

It's asking for two. It's basically in the realm of like a Ford F-150.

LEG. KENNEDY:

Okay.

DEPUTY COMMISSIONER MEGUIN:

Sort of pickup with a cap in order to carry their inspection equipment.

LEG. KENNEDY:

Are we buying or leasing?

DEPUTY COMMISSIONER MEGUIN:

The intent is to buy.

LEG. KENNEDY:

Okay, all right. Fine. Thank you.

CHAIRMAN CALARCO:

Sure. Legislator Lindsay.

P.O. LINDSAY:

How old are the existing vehicles we're using now?

MR. MEGUIN:

Legislator Lindsay, I'm going to defer to Barbara, she -- Barbara Stoothoff, who is likewise a Deputy Commissioner. We do have the mileage and the age of the fleet and if I could defer to her.

ASST. DEPUTY COMMISSIONER STOOHOFF:

Good afternoon. I don't have the age of the fleet. I know many of the vehicles do go back to 1999. As far as mileage, the vehicle with the least amount of mileage is 91,000 miles. We have vehicles going up to 148,000 miles. We -- at the present time out of the six vehicles we have,

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three are in the shop. And we estimated that we've lost about 35 days work because the vehicle's in the shop.

CHAIRMAN CALARCO:

Okay. We're good? I have a motion and a second. All those in favor? Opposed? Abstentions? **IR 1394 is approved. (VOTE: 6-0-0-1 - PO LINDSAY INCLUDED IN VOTE - LEG. CILMI ABSENT)**

IR 1414 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Southold for affordable housing purposes (SCTM No. 1000-015-00-02.00-014.000). (Presiding Officer at the request of the County Executive).

LEG. BROWNING:

Motion.

CHAIRMAN CALARCO:

Motion by Legislator Browning. I'll second that. All those in favor? Opposed? Abstentions? **IR 1414 is approved. (VOTE: 6-0-0-1 - PO LINDSAY INCLUDED IN VOTE - LEG. CILMI ABSENT)**

IR 1424 - Vesting District Attorney with step increase discretionary authority. (Presiding Officer)

LEG. BROWNING:

I'll make a motion. Okay, I'll make the motion. I guess we'll --

CHAIRMAN CALARCO:

I have a motion by Legislator Browning, seconded by Legislator Lindsay. Is see Mr. Heilig in the audience there from the District Attorney's Office. Perhaps, Ed, you could come forward and just briefly tell us what this is doing for you and why you feel you need it.

MR. HEILIG:

Thank you. Good afternoon Members of the Committee. Mr. Chairman, the purpose of this legislation is to vest within the District Attorney the discretion to hand out automatic step increases that are currently what the law is now. I think since 2005 the law was changed to allow all exempt employees within Suffolk County to obtain automatic step raises every July. What has happened since 2005 are two different reasons for this -- the purpose for this bill.

One being the DA is requesting the ability to manage his staff of over 180 lawyers, Assistant District Attorneys, using step increases as management tool. Maybe somebody is not performing to the level that the District Attorney wishes that that ADA performs to and he would like to use the step increase as a management tool to get that employee, that ADA to -- to work harder. Maybe they're not at the level where they can be released. Everyone knows that the Assistant DA serve at the pleasure of the District Attorney. And there may be some that say, "well, why not just get rid of that ADA if they're not performing?" Well, it may be a situation where they -- they're just not performing on their current assignment or they're not performing up to par and they need a nudge, so to speak, in order to -- to reach the level that the District Attorney requires so they're holding -- you know, by not giving the step increase perhaps that gives an incentive to that ADA to perform better and -- whereas the following year the ADA would get the step increase.

The second situation that has occurred since 2005 is the situation where we have -- we have over 70 Assistant District Attorneys that are at top step, many of whom who have not had a raise in over ten years. Some, probably 10 to 15, who haven't had a raise in 20 years based upon our current

classification and salary plan. And what has happened with the automatic step increases is that somebody who has 20 years experience who is at top step, who is a very good Assistant District Attorney, well now you have somebody with 10 years less experience who is coming and approaching and reaching that same pay grade and step. And it's hard to manage, you know, it demoralizes that person who's been there for 20 years working at the level they're working at. And you want to reward that person, but under our current pay system there's nothing we can do about that.

As I said, we have over 70 people at top step that are -- are stuck there, for lack of a better term. And unless we change the classification in salary plan, which I promise you will be a conversation we'll have on a different date with the District Attorney because he -- he would like to see some changes in that plan, this is what we're stuck with.

So he's simply looking for the discretion to award step increases where he sees fit. And, with all due respect, there isn't another agency within the County that has over 180 professional lawyers under the staff that -- that have to be managed. So it's simply asking for the discretion to give out those step increases. And the benefit to the County is if the step increases aren't given out, that's money returned back to the County out of that budget year. It's -- you know, I don't anticipate it being, you know, 10% or 20% of our staff not receiving step increases, but again, that would be up to the District Attorney.

So I'm happy to answer any questions that any of the Legislators might have regarding this bill.

CHAIRMAN CALARCO:

Great. Thank you, Mr. Heilig. Legislator Browning has a question.

*(*D.P.O. Horsley entered the meeting*)*

LEG. BROWNING:

Well, it's more -- just out of curiosity because I'm -- what I'd like to know is, and I don't know if anybody knows the history of how the ADAs are equivalent to AME and not -- because you're -- you're a law enforcement unit. So why would you not be parallel to law enforcement and not the civilian employees? Does anybody know the reason or the answer?

MR. HEILIG:

I don't know the reason for that. I do know, yes, we are law enforcement, however, we're -- we're grouped in with you all Countywide management and exempt employees. I think that's the reason behind it. I don't know how it ever came -- came to be. We -- just so everybody on the -- the Committee knows that Assistant District Attorneys are forbidden under law to unionize. So we cannot simply unionize and then -- and try to negotiate a contract.

That raises another issue, which I'd like to bring up, and again, it's really a conversation for a different date, but when the County negotiates an agreement with a law enforcement union, that, in effect, over the next four or five years is going to pay a detective that's testifying at a trial probably two to two-and-a-half times what the ADA who is preparing that detective for the trial and who is trying that case is making, that -- that's, you know, an inequity. That's unfair.

LEG. BROWNING:

Just I -- you know, I don't know what your salary scale is either, really, but just out of curiosity, you know, what is your retention within the District Attorney's Office for prosecutors?

MR. HEILIG:

Well, we have a very good retention rate. And that's why I say we have these prosecutors who have been here for 20 years; however, you know, financial situation being what it is, I was telling

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Legislator Kennedy earlier today that we just lost five ADAs in the last two to three months, resigned, to make more money. That's basically the reason; resigning to make more money.

It's a great job. I tell people nobody ever leaves this job as an Assistant District Attorney because they don't like the job. They leave because they have to make more money. And it's unfortunate. And even despite the salary scale that we operate under, we have dedicated Assistant District Attorneys, we had over 300 applications, I should say more than that, over 400 applications for ADA positions. We interviewed over 80 -- no, more than that -- 120 applicants this year. So there are people coming out of law school that want this job. It's a sense of justice. It's a sense of doing good for the community that drives them. And I have nothing but good things to say about the Assistant District Attorneys that work for Mr. Spota.

CHAIRMAN CALARCO:

Yeah, I have a list. Legislator Spencer.

LEG. SPENCER:

Hi. I understand the concerns. The questions that I have, the step system does provide a certain amount of -- of equity. And I definitely believe as an elected, the DA, you know, is someone that would be an equitable person. My concern would be having subjectivity enter into the process, which, you know -- and again it may not, but also just looking at the legislation in and of itself, does this give the DA the ability to pierce the top step or -- and to form -- it doesn't, as far as I understand.

MR. HEILIG:

It does not.

LEG. SPENCER:

So if -- does it -- would that give the DA the ability to grant someone three steps instead of one step or does it only allow the delay of people obtaining steps?

MR. HEILIG:

It's not a delay. It's, you know, some -- somebody may never get a step in the discretion of the District Attorney. But it does not allow, and I think it's specific within the legislation, does not allow the DA to hand out a double step increase to another ADA. It doesn't allow him to do anything else with the budgeted money for the step increases other than to give those who he decides should be get a step a step; and those who don't get a step that money is then returned either to the General Fund or -- or is considered turnover savings.

LEG. SPENCER:

And if there was a -- a difference of opinion or someone felt they had a -- a particular grievance in terms of a step that they were warranted and didn't receive, is there a process in place -- I understand that where on the one hand it can create fairness, but you introduce some subjectivity into the process, where when you talk about different employees and the politics of any office, where someone -- whether or not you look at concerns with regards to gender or race or other issues that then all of a sudden once you introduce the subjectivity into the program, how do you iron out the grievances that may occur if someone feels that they're not being treated fairly?

MR. HEILIG:

Well, I anticipate those ADAs who are not awarded step increases at the DA's discretion would be advised of that fact and would be advised of the reasons for it. After that point, that those ADAs could file a complaint with the office if they'd like and we would look into that complaint. And there would be a due process -- process, if you will, to handle any such complaint.

LEG. SPENCER:

Currently is there a grievance process in place now for looking at other items within the office? And, you know, who would make that -- is there -- is this procedure in place? If someone grieves, do they grieve to the person that's making the decision? And, you know, or would there be someone independent? I would kind of like to, to know, I could see this complaint coming. And I approve this legislation. Someone files a complaint, I would kind of like to know what mechanism is in place beforehand to address those concerns or discrepancies.

MR. HEILIG:

Currently the step increases are automatic so nobody's grieving, nobody's making a complaint. But we do have other processes within the office where if there's a complaint based on, any -- you know, any complaint, whether it's gender-based, discrimination-based, whatever it might be -- we do have a Sexual Harassment officer, we do have supervisors that ADAs can go to and make complaints. It has been done. We have dealt with them within the office. We have dismissed people where appropriate. So we do have that process. And I would anticipate if this legislation's passed, that there will be a process strictly involving this step increase denial.

LEG. SPENCER:

In the current process, who would -- adjudicates -- who decides the outcome of the complaint?

MR. HEILIG:

The ultimate decision is that of the District Attorney. We all serve at his pleasure. So, you know, any -- any decision that -- that would -- that would be made would be his. The complaint process would proceed to a certain level up to the Chief Assistant, through the Division Chief, to the chief Assistant and then whatever -- whatever decision is made at that point would be brought to the District Attorney for his final decision.

LEG. SPENCER:

So we would be putting a lot of confidence, which I have, in the District Attorney. Are these decisions with regards to 180 employees on the steps, will they be made by the DA or will that authority be delegated to someone that the -- you know, the Deputy or the manager? And would -- does he have to really approve and make these decisions?

MR. HEILIG:

The District Attorney would make those decisions.

LEG. SPENCER:

So the grievance process would ultimately come back to the District Attorney. I guess, he would hear their -- their arguments, but they wouldn't have a mechanism for relief in a neutral party, which -- and I'm not questioning, again, the District Attorney's ability to be able to do these things, but they would be just concerns that I think I should try to address.

MR. HEILIG:

And I understand that, but -- but it's also important to remember that every Assistant District Attorney serves at the pleasure. So it's -- -- still the ultimate decision is always in his -- in his hands.

LEG. SPENCER:

Okay. Thank you.

CHAIRMAN CALARCO:

Thank you. Legislator Kennedy.

LEG. KENNEDY:

I went back to the original reso back in 2005, Eddie, and I just wanted to make sure that this was going to be limited only to specific titles. And I see we named that group of titles under your office from the 2005 as to who were eligible for the steps in this first instance.

So, this ability to go ahead and withhold it is going to be limited just to that category, I guess, ADAs. But I also see in there there's Assistant Bureau Chiefs, Bureau Chiefs, actually it -- it seems like it spans across the whole gamut of the professional titles.

MR. HEILIG:

It does. However, I would point out that the majority of our Deputy Bureau Chiefs and our Bureau Chiefs, save one who was just made a Bureau Chief and is at a ten A step, are all at top step.

LEG. KENNEDY:

They're all at top step anyhow. And what about the DIs? The DIs are covered under this or no?

MR. HEILIG:

No. DIs -- DIs have a contract.

LEG. KENNEDY:

That's a separate bargaining unit. Okay. I -- I, you know, I was not a big fan of this in the first instance so I don't have a problem with the DA motivating attorneys to work. That's what they're supposed to do. Thanks.

CHAIRMAN CALARCO:

Okay. Legislator Montano.

LEG. MONTANO:

Thank you. Hi, Ed, how are you? Just couple of questions. Under this bill, your office would be -- am I correct in saying that your office would be the only agency that this would apply to in the County?

MR. HEILIG:

I believe the way it's written, yes, that's correct.

LEG. MONTANO:

And just, I got to go back in time because it was 38 years ago when I was an ADA, somewhere else. What we had was like Assistant DA I, Assistant DA II, III, then we had Trial Assistant. So we had various categories within the DAs Office. And, like, let's say ADA I, the salary range, back then, gee, I think I started at \$16,000, and maybe it ranged from 16 to 20; and then you would get your step increase after your first year. But if you were really an aggressive DA or you were well liked, you know, the DA had the option to elevate you to an Assistant DA II. And then if you were, you know, you went to a III. I forget how many levels. And then if you were really, you know, top notch, they'd make you a trial assistant, which was basically doing the same job, except your title was higher, your pay was higher and your -- your salary increase would commence, you know, would move along with the -- the elevation to a higher position. Do you have that in your department?

MR. HEILIG:

We do not. I believe that we used to have that many years ago, I think under -- under Patrick Henry that that was the situation. I think for many years under Mr. Catterson that was situation. I think it changed sometime during Mr. Catterson's administration to where -- what it currently is. So right we are subject to the grade and step system. We cannot promote somebody -- I cannot promote an ADA from a -- an ADA to a senior ADA unless we have a senior ADA leave the office. I

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cannot promote somebody to a Principal ADA. There's only 4 positions. Just so the Committee knows, a Junior ADA is an ADA who starts with us, who has graduated law school but not yet been admitted. While upon admittance, by law, they're automatically promoted to an Assistant District Attorney. That's the Civil Service title. Then you have Senior ADA, Principal ADA and then it goes to Deputy Bureau Chief. And within that level, there are steps. They're each set at a certain grade and then you have the steps.

LEG. MONTANO:

So if you -- if you hire, for instance, 10 incoming ADAs this year, they all passed the bar, now they're all Assistant District Attorneys, but two of them are -- are performing at a -- a level that you'd like to make sure they continue, you couldn't elevate them to a, you know, Assistant DA level II and keep the others at I? They'd all the same pay no matter how well they performed?

MR. HEILIG:

Well, no. Basically what you're saying is right, but we couldn't promote until -- let's say we hired 10 assistant DAs and two of them are doing an outstanding job --

LEG. MONTANO:

Right.

MR. HEILIG:

-- you know, 8 are doing a good job. I cannot promote those two who are doing an outstanding job unless I have vacancies in the next higher title. We don't have --

LEG. MONTANO:

And how many -- how many -- how many ADAs do you have?

MR. HEILIG:

Right now, I -- we just had a number of --

LEG. MONTANO:

I mean --

MR. HEILIG:

-- one hundred and eighty-five.

LEG. MONTANO:

No, no. But that's the total. Right? Because everyone's an ADA. But what I'm talking about is that entry level ADA, how many do you have right now?

MR. HEILIG:

We have -- well, there are probably 5 who are junior ADAs who are awaiting admission to the bar. We probably have about 60 ADA or -- what a minute, hold on, I have it right here.

LEG. MONTANO:

Yeah. Because I'm trying to -- maybe I'm not understanding this or asking the question properly. I'm trying to distinguish between an ADA and a senior. What's the ratio if there is a ratio?

MR. HEILIG:

Actually I don't - I don't have the total numbers. I have those who are at top step. I don't have the total numbers. But we -- the ratio is, well, it's -- it changes because there are times that we will -- we will ask for a position to be earmarked down so that we can hire more at the -- at the entry level. So it's, you know, we probably have -- most of our assistants are at the ADA level. Then we have a good number who are at the Senior Assistant District Attorney level and then a

lesser amount at the Principal Assistant District Attorney level. And then within each of those levels the ADAs are at different steps.

LEG. MONTANO:

Right, but we don't have the -- we don't have the ratios. Like in other words -- but that's all right. I understand --

MR. HEILIG:

It's hard -- the reason it's hard to get the ratios is because it's all contingent on when people leave the office so -- so the ratios change.

LEG. MONTANO:

Okay.

MR. HEILIG:

Depending on -- because if a Principal ADA leaves the office, you know, what we do then is we promote somebody from a Senior to a Principal, then from an ADA to a Senior; then that's how we get down to that entry level position.

LEG. MONTANO:

Right. But when you promote them, they're not necessarily doing supervisory work at that point, are they? They're just promoted in title.

MR. HEILIG:

No, the only supervisors are Deputy Bureau Chiefs and above.

LEG. MONTANO:

And you mentioned earlier that we're going to have discussion on classification.

MR. HEILIG:

I think what the District Attorney is interested in doing is, is changing the entire classification and salary plan as it pertains to Assistant District Attorneys just to keep it on a par with the other law enforcement unions that are -- are getting salaries that, as I said before, are at times two or three times that of the Assistant District Attorney that's prosecuting the case they're either a witness on or, you know, they're performing an investigation for, whatever it might be.

LEG. MONTANO:

So basically that would tailor then the -- the Police Department salaries is what you're saying.

MR. HEILIG:

I don't know if it would tailor exactly, but what the DA would be looking for is some kind of equity, some kind of equity in the salaries of his professional staff who are lawyers who have gone to law school, who -- I cannot tell you the amount of student loan, the numbers, that we see when we interview.

LEG. MONTANO:

I know, my niece just graduated.

MR. HEILIG:

It's -- it's crazy, but, you know, it's to -- it's to get some kind of an equitable balance between the two law enforcement agencies between the professional attorney that's prosecuting the case and the professional investigator, detective, whatever it might be who is investigating and arresting.

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LEG. MONTANO:

Do you know, what your top ADA salary is? Not the Senior, not the Principal, but a straight line ADA, do you know what the top salary is when they reach all of their step increases?

MR. HEILIG:

For an ADA level?

LEG. MONTANO:

If you know.

MR. HEILIG:

I don't think I have the numbers here, but an -- I think the top step for an ADA is -- is like 75,000 for -- at that level before they're promoted to a senior.

LEG. MONTANO:

Okay.

MR. HEILIG:

It could be less. It could be 68, but I think it might go up now to 72, 74, something like that.

LEG. MONTANO:

All right, thanks.

CHAIRMAN CALARCO:

Good? Okay. Any other questions? All right. Thank you for coming, Mr. Heilig. I do have a motion and a second. Okay. All those in favor? Opposed? Abstentions? **IR 1424 is approved. (VOTE: 6-0-0-1 - PO LINDSAY INCLUDED IN VOTE - LEG. CILMI ABSENT)**

I have nothing else on the agenda. I'm making a motion to recess.

LEG. SPENCER:

Second.

CHAIRMAN CALARCO:

Second by Legislator Spencer. Adjourned.

**THE MEETING CONCLUDED AT 1:35 PM
{ } DENOTES SPELLED PHONETICALLY**