

GOVERNMENT OPERATIONS, PERSONNEL, HOUSING

AND

CONSUMER PROTECTION COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

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 June 13, 2013.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

Legislator Wayne Horsley, Fourteenth Legislative District
George Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel to the Legislature
Renee Ortiz, Chief Deputy Clerk
Benny Pernice, Budget Review Office
Robert Doering, Budget Review Office
Tom Vaughn, County Executive'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
Charles Gardner, National Electric Contractors Association
Ellen Dougherty, Department of Social Services
And all other interested parties

TAKEN BY:

Lucia Braaten, Court Reporter

(The Meeting Was Called to Order at 12:36 p.m.)

CHAIRMAN CALARCO:

All right. We're going to get started with the Government Operations, Personnel, Housing and Consumer Protection Committee. If everyone could rise for the Pledge of Allegiance, led by Legislator Spencer.

*(*Salutation*)*

Thank you. We're going to get started here. We're going to go right into the Public Portion. I have a couple of cards here. The first speaker is Ellen Dougherty. Ellen, you want to come up?

MS. DOUGHERTY:

Good afternoon, Ladies and Gentlemen. I'm back again. I'm sure you're sick of looking at my face and I understand that. But I think all of you have been here in the past, so you're aware of the problems with the Medical Services Bureau and our step increases that still have not happened. I'd like to bring you up to date on what I know of that situation.

A number of you have intervened, and I certainly appreciate that. I know the Chair, Legislator Cilmi, and a number of others have made calls on this to Jennifer McNamara, who is the Director of Labor Relations. Jennifer McNamara and Michael Finland met this past Wednesday, which was -- I'll get my glasses -- the 5th, I believe, okay? Tom Vaughn helped implement that meeting. Tom, thank you, I appreciate that. Unfortunately, I -- you know we're kind of back to square one, from at least my point of view.

I heard from Michael Finland this morning, who said that he thought that Jennifer's attitude was positive, but that she was now going back to DSS. In his words, "Is going back to DSS. She had reached out to people from DSS for her own further edification on this subject. She still conveyed support for and was in accord with what you and the others are seeking, but she did not give any timetable."

My concern now is, you know, you people who, you know, have -- are in charge of personnel or oversee personnel, you know, you've been very good about reaching out and trying to help. It was my understanding from our last meeting that it was up to Jennifer McNamara and Michael Finland, the two of them, to get together and sign a Memorandum of Agreement to move forward with this, that was the step. Maybe I misunderstood, but it almost appears from the position I'm in right now that we're just going to keep going to different people until we find somebody that says no, because nobody yet has said no, yet for three years this has not been done. You know, I find myself in a very, very frustrating, you know, position, even with this Committee's help, And I do fully appreciate it. You know, I feel bad how much time it's wasted on your part for something to me that should be very simple.

So, once again, I'm enlisting your support. Is there anything else we can do, should do, or do you have the final say? I was under the impression Jennifer McNamara had the final say, but now I'm guessing maybe that's not so. Can somebody educate me?

CHAIRMAN CALARCO:

Mr. Vaughn?

MR. VAUGHN:

Yes.

LEG. CILMI:

What are we doing, Mr. Vaughn? Where's the Administration on this? It sounds like there was a meeting. Are we moving forward with anything?

MR. VAUGHN:

So, as I committed at the last -- I'm forgetting what committee I'm at now. I was just about to say Public Safety. I apologize, we're at Gov Ops now. As I committed to at the last Gov Ops meeting, we did make sure that we were able to facilitate that meeting. And what I think I said quite clearly at that last meeting was that this was a matter that needed to be worked out between AME and our representative from Labor Relations, and then would go through whatever the process is to be signed off on after that happens. My understanding is that the first step is that the Union and Labor Relations meet. If they come to some accord, that accord is then sent up for final approval by the County Executive.

I understand Ms. Dougherty's frustration with the matter, but I do -- but there's no chance that I would ever jump in to have our -- or to ask our representative to not do what they feel is their due diligence. So I do understand the frustration on Ms. Dougherty's part about feeling like she's back at square one, but I think that we are a little bit past square one.

CHAIRMAN CALARCO:

Well, I guess square one was the meeting. But now, is there going to be follow-up coming from that meeting? Are you aware of the meeting that was had between the -- AME and Labor Relations?

MR. VAUGHN:

Yes, sir. So --

CHAIRMAN CALARCO:

What's the outcome of that meeting, I guess is what we're all asking.

MR. VAUGHN:

I don't think it's appropriate for me to discuss the outcome of a meeting between Labor Relations and the Union. I do know that they were originally scheduled to meet on a Tuesday. That meeting was rescheduled to a Wednesday. If it has been conveyed to Mr. Finland that they -- that Labor Relations feels the need to speak to the Department, and I actually just think that that's due diligence. I think it would be kind of irresponsible for Labor Relations to sign off on something without having a conversation with the Department of Social Services. It just sounds to me like due diligence is being made.

And the one thing that I avoided at the last meeting, and I'm going to avoid it now, is I don't want to make promises that I can't keep. So at the last meeting I was very specific in promising that we would do everything that we could to facilitate a meeting and that did happen. As to the outcome of that meeting, it is -- it would be really inappropriate for me to make any sort of promises beyond facilitating the meeting.

CHAIRMAN CALARCO:

Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chair, only to say that we all feel -- I know I personally feel your frustration Ellen and the frustration of all of your coworkers who are in this position.

In as much as Jennifer McNamara is fairly new to what she's doing, and certainly new to this issue, and knowing that the wheels of government turn very, very slowly, you know, I would say let's just give it a little more time. I mean, the Administration understands, I think, how important this is, not only to you all, but to us as well. And, certainly, if there's anything that needs to be done from a budgetary point of view, that information needs to come to us, you know, in short order.

So I would take Tom at his word, that -- you know, that the Administration is working on this.

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Jennifer has not been -- Jennifer McNamara has not been evasive at all with me in terms of getting back to me at least, which is more than we can say in many other cases, you know. So --

MS. MC NAMARA:

How sad.

LEG. CILMI:

I believe she is working on it. And it's unfortunate that it's taken this long, not since your most recent overture to us, but in totality, to get to where we are now. And I think it's wise of you to continue to come here and just kind of keep yourself on the radar with us and update us as the situation progresses. And I'll certainly continue to keep you in the loop as I speak with Ms. McNamara and the Administration on this going forward.

So hang in there. And I think there is some level of due diligence. As Mr. Vaughn says, that is required, and, hopefully, that ends in a positive outcome. And if it doesn't, then we're all going to have to question why, so -- and, I mean, that's got to happen, I would say, within weeks and not months.

MS. DOUGHERTY:

I appreciate what you're saying, I certainly appreciate it. And I know you have reached out on a number of occasions to try to move this along. I guess, then, what I'm asking is, since it's been three years and we've been to this exact same point before, what is a reasonable time frame? I know this committee doesn't meet again until the end of July, which is like six weeks away. I mean --

LEG. CILMI:

Well, as I --

MS. MC NAMARA:

How long is reasonable?

LEG. CILMI:

In my mind, and what I am conveying by way of this testimony right now, is that weeks and not months is reasonable at this point in my mind. And you continue to have my word, that I -- as long as -- for as long as I'm here at this horseshoe, I will not let this go without having a hard answer one way or the other for you. So you have my promise as far as that goes.

MS. DOUGHERTY:

Well, my colleagues and I truly appreciate your efforts.

LEG. CILMI:

Sure.

MS. DOUGHERTY:

I know the Chair has reached out also, and, you know, the efforts are appreciated.

CHAIRMAN CALARCO:

And I had a conversation with Ms. McNamara, and I know her well, and I know that she's very thorough and will get the job done. I don't think she's the type of individual who's going to try to pass this on to anyone. She'll get it handled and I think she'll do it appropriately. So we've just got to give her a little bit of time. I know she's only really been on this for a little while, they've only had the one meeting, but we will continue to follow up on it for you. And it sounds like the Administration is committed to keeping on top of it until the answer is gotten.

MS. DOUGHERTY:

Thank you for your time and your continued efforts.

CHAIRMAN CALARCO:

Thank you. Okay. Our next card is Lance Reinheimer. Come on up, Lance.

MR. REINHEIMER:

Thank you. Good afternoon. I'm here to speak on I.R. 1469, which is an expansion of a previous resolution that was adopted by the County Legislature, 343 of 13. This is to recognize a major donation to the Museum, to the Planetarium, by the Reichert Family. We already approved the original gift of \$850,000. And, also, the Museum Board wished to have the Planetarium named after the Reicherts to honor them and to recognize this gift. I want to make it clear that this is not a corporate sponsorship, it's not an RFP. This is the desire of the Vanderbilt Board to recognize a major supporter, and to -- by recognition by naming the Planetarium.

When I spoke to Mr. Reichert after the passage of that original resolution, I sent him a draft contract -- it's based on the same contract that we use for the ballpark -- to look it over just to get an idea what would be required to work with the County. When it came back to me, he had no problems with the contract, but he had the request -- he would like to have the option to extend his giving for an additional 10 years at 90,000 a year. The impact is 850,000 for 10 years, an additional \$900,000 for the second 10 years. That's a total donation of 1.7 million dollars.

Outside of the Vanderbilt Family, this is the largest private donation that we have had to the Museum, the only other major contributor to a museum in Suffolk County, so this is a really historic donation. This resolution would expand it to a 20 -- to provide for the 20 -- 10-year option.

The members of the Sitings of Memorials and Symbols and Naming of County Facilities, Parks and Roads Committee met the other day and they passed this out of their committee, unanimous vote. The Vanderbilt Board is also in support of this.

Excuse me. If you have any questions, I'll be happy to answer your questions on this matter.

CHAIRMAN CALARCO:

Legislator Spencer.

LEG. SPENCER:

We're just approving accepting the money, is the point of this resolution that we've put forward here, Reicherts?

MR. REINHEIMER:

A little bit more than that. We're allowing for the agreement to accept the funds, to honor him by naming the Planetarium, and giving the Reichert Foundation the option to continue their giving for an additional 10 years, and to recognize that giving by naming the Planetarium after him for -- after his family for the additional 10 years.

LEG. SPENCER:

Thanks a lot. No, that's my resolution that -- and I thank you for the courtesy of working with me and allowing me to put it forward, but I wanted it to come from -- you know, the words to come from you explaining it, so thank you.

MR. REINHEIMER:

Thank you.

CHAIRMAN CALARCO:

Thank you, Lance.

MR. REINHEIMER:

Thank you very much.

CHAIRMAN CALARCO:

Okay. I have no other cards. Is there anybody else who would like to address the committee? Seeing none, we're going to get right into the agenda, starting with Tabled Resolutions.

TABLED RESOLUTIONS

I.R. 1316 - A Charter Law to improve hiring opportunities for Suffolk County residents (Nowick). The Public Hearing is still open on this, so I will make a motion to table.

LEG. SPENCER:

Second.

CHAIRMAN CALARCO:

Second by Legislator Spencer. All those in favor? Opposed? Abstentions? I.R. 1316 is tabled. ***(Vote: Tabled 5-0-0-1/Not Present: Legislator Kennedy)***.

I've been informed that I.R. 1358 and I.R. 1359 were both approved at the last committee, so they shouldn't be on the agenda.

Moving on to Introductory Resolutions.

INTRODUCTORY RESOLUTIONS

I.R. 1469 - Approving an option for an additional ten years in the naming recognition of Vanderbilt Museum Planetarium (Spencer).

LEG. SPENCER:

Motion.

CHAIRMAN CALARCO:

Motion by Legislator Spencer.

LEG. BROWNING:

Second.

CHAIRMAN CALARCO:

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

LEG. CILMI:

Mr. Chairman.

CHAIRMAN CALARCO:

Sure, Legislator Cilmi.

LEG. CILMI:

Just a quick question to Legal Counsel on the verbiage of this, in terms of the differentiation between corporate sponsorship and this. Is the only difference basically that this is a personal gift, as opposed to a gift from a corporation, or is there some legal distinction between the two that causes something or another?

MR. NOLAN:

In the way that we treat them?

LEG. CILMI:

Yeah.

MR. NOLAN:

Well, the Vanderbilt is like a little bit different, I think, because they are almost like a quasi separate entity from the County; there is a separation. The Board has a right to make decisions regarding the operation of the Museum. But in terms of the naming, since it is owned by the County, they brought that to us to approve, since we have -- you know, under 215 of County Law, that's our responsibility, so --

LEG. CILMI:

That doesn't sound like there's really any distinction between --

MR. NOLAN:

Not --

LEG. CILMI:

Lance Reinheimer, maybe you -- it seems to me that we seem to want to make it clear that this is not a corporate sponsorship. Is it just the donor's wishes to -- that it be known that this is a personal contribution and not a contribution from the corporation that he owns?

MR. REINHEIMER:

No. This is more of a distinction that the Vanderbilt wasn't going out soliciting corporate sponsorship of their buildings and corporate sponsorship of their building names.

LEG. CILMI:

Okay.

MR. REINHEIMER:

This is more of a recognition like we did for the theater auditorium; we named that after Bill and Mollie Rogers. That was to recognize their gift. So, you know, I know that there was a question whether this was corporate or private. And we didn't go out to solicit corporate sponsorship, because, first of all, I don't know if that's consistent with our mission as a Museum and Planetarium. This is more to recognize an individual that is supporting our missions and programs, and it came from my discussions with Mr. Reichert. He's really -- he's done well in life. He wants to establish a foundation to support local organizations that he believes in. Besides us, he's done a major contribution to Huntington Hospital. And what he said to me is, "I want my grandchildren to see what their grandparents are doing. This is a legacy. I want the money to stay in the community. I believe in what you're doing." He believes in the education of the children coming through the Planetarium, where we have -- 60,000 children will be coming through there. We're a major educational institution. So it didn't come from him that he wants it known that it's his, it more came from us to say that we're not going out naming buildings after the highest bidder.

LEG. CILMI:

Okay. Fair enough. Thanks.

MR. NOLAN:

I would just add, Legislator Cilmi, that for our -- for our purposes, the only distinction is whether the County is receiving consideration for naming or not. There's different criteria, different things we look at in making the approval or not.

LEG. CILMI:

Okay.

CHAIRMAN CALARCO:

Okay. We have a motion and a second. All those in favor? Opposed? Abstentions? I.R. 1469 is approved. *(Vote: Approved 5-0-0-1/Not Present: Leg. Kennedy).*

I.R. 1471 - A Local Law to strengthen the regulation of precious metal and gem exchanges (Calarco). This needs to go to a Public Hearing. I'll make a motion to table.

LEG. CILMI:

Second.

CHAIRMAN CALARCO:

Second by Legislator Cilmi. All those in favor? Opposed? Abstentions? I.R. 1451 is tabled. *(Vote: Tabled 5-0-0-1/Not Present: Leg. Kennedy).*

I.R. 1479 - To approve the lease of two (2) replacement fifteen (15) passenger vans in the Suffolk County Department of Labor, Licensing and Consumer Affairs in compliance with Local Law No. 20-2003 (Presiding Officer on the Request of the County Executive). I'll make a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN CALARCO:

Second by Legislator Browning. Is there anybody here from Department of Labor --

MS. KILLORAN:

Sure.

CHAIRMAN CALARCO:

-- who could speak to this quickly?

MS. KILLORAN:

Good afternoon. I'm Pam Killoran, Deputy Commissioner for Department of Labor.

CHAIRMAN CALARCO:

Hi, Pam. Thanks for being here. Could you just quickly give us a synopsis of why we need to get more -- the new vans? I thought maybe we purchased a couple of new ones not too long ago.

MS. KILLORAN:

No. Actually, these vans are for the Suffolk Works Employment Program. They are specific to -- you know, we assign crews to go out to various work sites throughout Suffolk County. The contract -- the lease that we had currently had expired, so we're currently doing a month-to-month lease. Now we are trying to get another three-year lease. And the reason that we do lease is because the funding changes. A few years ago we had five crews, five vans. We're currently down to two, because we did have to lay off labor crew leaders, so it allows us that flexibility.

CHAIRMAN CALARCO:

Okay. Thank you very much. We have a motion and a second. All those in favor? Opposed? Abstentions? I.R. 1479 is approved. *(Vote: Approved 5-0-0-1/Not Present: Leg. Kennedy).*

I.R. 1485 - Accepting and appropriating Health Profession Opportunity Grant (HPOG) impact study funds (Presiding Officer on the request of the County Executive). I will make

a motion to approve.

LEG. SPENCER:

Second.

CHAIRMAN CALARCO:

And placed on the Consent Calendar. Seconded by Legislator Spencer. Could anybody tell me what a Health Profession Opportunity Grant is?

MS. KILLORAN:

Sure. Suffolk County Department of Labor is very proud of this. Four years ago we applied for and received a five million dollar grant to assist low income public assistance workers in finding vocational training in the health care field. This new money that's coming in, this 176,000, is for a consultant that the U.S. Department of Health and Human Services hired to determine if, in fact, there is a greater impact in the case management that we provide under the grant. So this is an additional 176,000 that we're receiving.

CHAIRMAN CALARCO:

Okay, great. Thank you very much.

MS. KILLORAN:

You're welcome.

CHAIRMAN CALARCO:

We have a motion and a second. All those favor? Opposed? Abstentions? I.R. 1485 is approved and placed on the Consent Calendar. **(Vote: Approved 5-0-0-1/Not Present: Leg. Kennedy)**

I have no other items on the agenda. Seeing nothing else, I'll make the motion to adjourn.

LEG. BROWNING:

Second.

CHAIRMAN CALARCO:

We are adjourned.

(THE MEETING WAS ADJOURNED AT 12:58 P.M.)