

12/12/13 Gov Ops Committee meeting

**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 December 12, 2013.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

Presiding Officer Wayne Horsley, 14th Legislative District
George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel to the Legislature
Renee Ortiz, Chief Deputy Clerk of the Legislature
Robert Lipp, Director/Budget Review Office
Benny Pernice, Budget Review Office
Tom Vaughn, County Executive's Office
Chris DeLuca, Aide to Leg. Cilmi
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
Jennifer McNamara, Labor Relations Director
Bill Plant, SDA
Connie Corso, Budget Office
Don Dailey, AME
Peter Elkowitz, LI Housing Partnership
Michael Butler, Managing member/Woolworth Revitalization
Stephen Latham, Esq.
Jill Rosen-Nikoloff, Director/Affordable Housing
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

MINUTES TRANSCRIBED BY:

Diana Flesher, Court Stenographer
Denise Weaver, Legislative Aide

THE MEETING WAS CALLED TO ORDER AT 2:36 PM

CHAIRMAN CALARCO:

Can we have all the Legislators to the horseshoe for the Government Operations Committee.

Okay, we're going to get started with the Government Operations, Personnel, Housing and Consumer Protection Committee. If we can all rise for the Pledge of Allegiance led by Legislator Spencer.

SALUTATION

Okay. Good afternoon and welcome to Government Operations Committee. We're going to go -- I have no correspondence so we're going to go into the Public Portion. I do have a couple of cards. If anybody else would like to address the Committee that hasn't filled out a card, they are available in the front office. My first speaker is Don Dailey.

PUBLIC PORTION

MR. DAILEY:

Good afternoon. I'm here today representing the Suffolk County Association of Municipal Employees. I'd just like to take a short moment to acknowledge the hard work and dedication of the Suffolk County Legislature and to wish each of you a happy, healthy and safe holiday season.

AME has worked in good faith with the Executive Administration of the County. AME has negotiated a collective bargaining agreement that shows our dedication to providing invaluable services to the County while respecting the needs of the County's -- excuse me, while respecting the needs of the County to address the budget crisis.

As all of you know, in the last year AME lost close to 500 members through layoffs and the closure of the John J. Foley Skilled Nursing Facility. Even in those most turbulent times, AME continued to work with the County Executive up to the last minute to avert those catastrophic loses. AME has worked in partnership with the County. And as a partner we feel we should be able to discuss better ways to address the needs of the County while respecting the rank and file membership of our union.

We are pleased that there is interest and willingness to provide additional assistance for the hard working people of the police emergency 911 unit. We are, however, against the proposal to hire part-time employees for this purpose. We don't feel that the best interest of the public or our members will be served by hiring part-time employees even on a short-term basis. AME remains willing to discuss this issue. We feel the best way to address the short-term staffing -- the best way to address the short-term staffing issue with the 911 operators is by creating new classes and hiring full-time employees.

This resolution will keep our public safe as well as improve the quality of life for our members who are dealing with mandated overtime issues that are sometimes a hardship. It is for these reasons that the leadership of AME remains against resolution number 2106. Thank you.

CHAIRMAN CALARCO:

Thank you, Don. Does anybody have any questions? Okay, seeing none, we'll move to our next speaker. Peter Elkowitz.

MR. ELKOWITZ:

Thank you, Mr. Chairman and all the Members of the Committee for allowing me to speak today. LIHP is here today to support IR 2092 for workforce housing at the old Woolworth building in Riverhead downtown. LIHP has been working in many areas across Suffolk County for the past 25

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years to increase workforce housing and economic development here in Suffolk County; specifically LIHP is involved in revitalizing the following downtown communities to mention just a few here in Suffolk County: Village of Patchogue, Bay Shore, Huntington Station, Wyandanch, Ronkonkoma, Riverhead. This specific development will create 19 new workforce rental units: Six studios, ten one-bedroom and three two-bedroom units. These units will assist persons earning under 50% of median income, 60% of median income and 80% of median income based upon their family size.

Also this development will have 25,000 square feet of commercial space. This development will bring back businesses to the downtown area and create new jobs while creating workforce housing. This is vital to the economic growth of this area. These new rental units, along with the commercial space, will help keep our most precious resource here to stay here in the County, our individuals and our families who are leaving.

LIHP supports Michael Butler and the Woolworth development project and asks for your support on IR 2092. I want to thank this Committee for their support, hopefully, and I also want to wish everyone a happy and healthy holiday. Thank you.

CHAIRMAN CALARCO:

Thank you, Peter, and Legislator Spencer has a question for you.

MR. ELKOWITZ:

Sure.

LEG. SPENCER:

Hi, Peter. How are you?

MR. ELKOWITZ:

Very well. How you doing?

LEG. SPENCER:

Very good. I had the privilege of working with Peter on a -- a project in Huntington Station where we served on the board together. So you know that that carries a lot of weight with me. You have just a stellar reputation for -- for doing fantastic work in the community and I definitely consider you a friend, but your work means a lot.

This particular project, I think we're going to hear more details shortly. Are you all involved -- LIHP, are you contracted in terms of helping to get it kind of off the ground and running the lottery in a similar sort of relationship as we -- we did with Millennium Hills?

MR. ELKOWITZ:

Absolutely. One of the most critical things is to qualify the families or the individuals going into these homes. Our staff at the partnership will be working to make sure they do qualify and meet the requirements established by -- by this Committee and the full Legislative body as well any -- if there are any issues, etcetera, we're there. We've been there for 25 years. We will continue to work with these families. And with rentals, different than home ownership, there's annual recertification.

LEG. SPENCER:

I know that your agency is a first-class operation. And I have a lot of comfort just knowing that you are involved in that, LIHP is involved. So, thank you.

MR. ELKOWITZ:

Thank you very much. I appreciate those kind comments.

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CHAIRMAN CALARCO:

Great. Thank you very much. We appreciate you being here.

MR. ELKOWITZ:

Thank you.

CHAIRMAN CALARCO:

I have no other other cards. Are there any other speakers in the audience who'd like to come and address the Committee? Seeing none we're going move right into the presentations.

PRESENTATIONS

And at this time we'd like to ask Michael Butler, the managing member of Woolworth Revitalization and Stephen Latham of Twomey, Latham, Shea, Kelly, Dubin and Quartararo to come up and -- and talk about the project. And certainly, Jill, if you'd like to join them if you had anything that you'd like to add from the Administration's end, we'd appreciate it. Yeah, sit down, please. Please, sit right down and I think that you just have to push the button.

MR. LATHAM:

I think I've accomplished that. Thank you, Chairman Calarco.

My name is Stephen Latham of Twomey, Latham, Shea, Kelly, Dubin and Quartararo. And before I introduce Michael Butler I'd like maybe on a personal note just to express my gratitude for the -- this Committee's consideration of -- of the support for this project.

My firm has been in Riverhead for four years. We started out above {Hover's} Appliance store on the second floor on Main Street. We're about 200 yards from this project. In 1973 there were only two of us then. We now have 57 employees and attorneys. We moved one block away but we're still in the central business district so we've seen a lot of things happen. In fact, I was telling Michael earlier today that I used to shop in Woolworth's when it was operating. But that's -- it's been -- it's been lying fallow for a great many years.

So Riverhead has been through some very difficult times, as most of you probably know, certainly with the development on Route 58 the downtown essentially become deserted. But I'm very happy to say that it is coming back and it's coming back rapidly. And I think a lot of reason for that is due to the support of this Committee, certainly, and the County government. It's due to the support of the Town of Riverhead to see the downtown area revitalized.

There aren't many people around like Michael Butler who will come in and take a chance on a downtown area like Riverhead. But I'm very pleased that Michael stepped forward. He's got a couple of million dollars of his own money in this project. At this point it is well underway. You heard a reference earlier from Mr. Elkowitz to the fact that there is a lot of commercial space on the first floor, most of which is leased out already. But what really is essential to the revitalization of a downtown like Riverhead is the support for housing. You've already exhibited -- the County's already exhibited that support through its efforts on behalf of the Summerwind Project, which is on the western end of the downtown area. This project is down near the aquarium close to, on the eastern end essentially of the central business district. And the influx of people that will come to this site will -- will be a great support and a great stimulus for the revitalization of the downtown.

So, I'd like to thank certainly the Suffolk County Department, the Division of Community Development and Jill Rosen-Nikoloff who has been working closely with us on these agreements and for her support and also the Office of the County Executive. We look forward to working with LIHP on the recruitment of tenants for this -- for these units. And I hope we can count on the support of this Committee and the Legislature as well.

So, thank you for your time and I'd like to introduce Michael Butler.

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MR. BUTLER:

Thank you very much. I'd like to thank the Committee for allowing us to come here.

CHAIRMAN CALARCO:

If you could just speak into either -- share the mic or pull it closer.

MR. BUTLER:

Thank you.

CHAIRMAN CALARCO:

Thank you.

MR. BUTLER:

Thank you. I'd like to thank the Committee for giving us the opportunity to come talk about this project. And I'd also like to thank the Executive Bellone who came down to look at the project and Jill Rosen-Nikoloff has been working with us on this project.

I think, overall, what we're talking about is really a downtown project, which is a very interesting project and we're talking about bringing people back to downtowns in Suffolk County. And I can -- **(Indicating)** -- if you look over here at the board, you'll see that is what the project will look like.

When we started this project, the Woolworth business had been out for a very, very long time. Probably we're talking about close to 20 years. The building was vacant, in very bad shape. There had been some marginal tenants on the eastern side of the building over the years. And we're turning this into retail, 25,000 square foot. And this project is really right in the middle of this commercial strip in Riverhead and so it's a real important project to make this a working area. And on the second floor we're going to put 19 affordable apartments. And those will be available to people ranging from 50 to 80% of the median income for Suffolk County.

I think this project would not really be able to be done without the County's support. I mean, this project, these costs are very high for doing the renovations on an old building. And another benefit of this project is that this building was going to be knocked down at some point. The former property owner of this really had no plans to keep this building. They were going to try to do a much larger project and it never happened. We took it over. The building was in pretty bad condition with rain coming in. And now we're basically taking it from something that the community looked at it as a day of the past to something that is really going to be a foundation for revitalizing the commercial strip.

If anyone has any questions? But we're really looking at -- right now we already started work on the commercial end of it. And we're going to try to break ground on the residential as soon as possible in January, if possible, and constructing. And so hopefully by July we would have 19 units ranging from 50 to 80% of the median income for people to -- to live in. And I think it's a project that the community itself, the Town of Riverhead supports. And I look forward to completing the project and working with the County on this.

CHAIRMAN CALARCO:

Thank you, Mr. Butler. Perhaps it might be useful if you could just quickly tell us what the investment is you're looking from the County and what those funds are being utilized for.

MR. BUTLER:

Okay. The budget is for \$250,000 of infrastructure funds to be used for things like gas lines. This is a building we're bringing all new infrastructure to the building: Gas lines, electric lines. We're building new drainage so that the drainage goes into the back of the building not towards the river. So it's really considered infrastructure funds.

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CHAIRMAN CALARCO:

Okay. Great, thank you. Legislator Spencer has a question.

LEG. SPENCER:

Hi, and good afternoon. Thank you. I appreciate the project. I have several questions I'd like to just go through.

MR. BUTLER:

Sure.

LEG. SPENCER:

We're looking at 19 units. This will be for -- for purchase?

MR. BUTLER:

No, no.

LEG. SPENCER:

No.

MR. BUTLER:

These are all rental units:

LEG. SPENCER:

Rental units. Is this a -- would it be project based Section 8? Or --

MR. BUTLER:

This is not -- I just wanted to show that's the layout of the apartments up there. **(Indicating)** There are 19 rental apartments. That's a good point. I didn't point that out. So all of these will be in the rental stock, which is a real important problem on Suffolk County and all of Long Island that we have very few rental units; and, therefore, the people who aren't prepared to have home ownership, you know, particularly we're thinking that it might attract a lot of younger people who want to live in a downtown location where they can basically walk out their door, go out to restaurants, nightlife. There's a yoga studio. And we're putting in -- we've already rented 20,000 square feet to a real beautiful health club, which is going to be probably one of the nicest clubs on Long Island. And, but to answer your question, it's 19 rental units.

LEG. SPENCER:

And are all of them affordable?

MR. BUTLER:

Yes. We will have 11 for people with income between 50 and 60% of the median income and another eight for people 80%.

LEG. SPENCER:

What will the size of the units be, one bedroom, two bedroom, what's the breakdown?

MR. BUTLER:

The breakdown is ten -- we have ten studio -- let me just correct this because I have it -- I have it more by income.

DIRECTOR ROSEN-NIKOLOFF:

I have a -- I'll tell you. It's six studios, ten one-bedrooms and three two-bedrooms.

LEG. SPENCER:

And with regards to the two-bedroom units, do you -- have you had any feedback from the School District with regards to like, number of children being an issue? Have you had any interaction with

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civics in the area that are expressing concerns?

MR. BUTLER:

Well, we've gone before some -- we've had just very positive feedback. I mean, primarily we only have three -- three two-bedrooms out of 19 so it's really not being viewed as -- as more of a residence that's going -- it's available to anyone. We're not exactly sure of the makeup but we kind of geared it towards people with studios and one bedrooms, which would really more than likely attract people without children in those apartments.

MR. LATHAM:

Legislator Spencer, if I may add one thing, the -- the Riverhead Industrial Development Agency is also partnered with -- with Woolworth Revitalization on this project to lend its support. And in that connection there have been several public appearances and public hearings in the Town of Riverhead and we've had nothing but -- but support for the project.

LEG. SPENCER:

What is the current zoning of the area? It's -- it's commercial zoned but is it -- is it mixed-use zoning?

MR. BUTLER:

Yes, it's mixed use. I mean, that's one of the nice things about the project. We're -- we're not -- we don't have to have any zoning changes. We've already had site plan approval. And it's part of the Town's vision and master plan to encourage more residential units downtown.

The first project, I'm sure your familiar with, is the Summerwind project, which the County helped fund for 52 units. And so, you know, I think really from my perspective -- and yesterday I was at a meeting with some members of the Town and other people in the development community talking about Riverhead. And everyone pretty much agreed that without bringing more residential units downtown, all the hard work that everyone's trying to do with the business improvement districts and attracting people to the downtown for activities and shopping, you really need housing. You need people to come there, live there. And I think Riverhead really is the base -- it's a great place to have, you know, a 24-hour community with people living there, people working there and people shopping there. And, you know, the Town and -- is -- changed the zoning several years ago to encourage the development of housing. And we're one of the first projects to be built.

LEG. SPENCER:

Is it currently sewered that area? Or is it -- it's on --

MR. BUTLER:

Yes.

LEG. SPENCER:

It is sewered? And is there an issue with regards to the increase flow into the -- into the system? There's -- there hasn't -- there's no concern there?

MR. BUTLER:

No, they've -- they're taken into account. And that was, you know, part of the -- the review by the Planning Board in the Town.

LEG. SPENCER:

And as far as the units with regards to parking, I know, there's certain -- do you require, although you're within zoning, do you require any variances with -- for the units to -- a certain number of parking spaces? What -- so we're looking at -- what's the area, the building as -- as we look at the density? Is there a -- are you within the current density of that or do you need a variance for density?

MR. BUTLER:

We do not. We're taking existing 40,000 square foot building and we're not adding onto at all. The housing is being -- the ground floor was always commercial with a Woolworth's store being about 10,000 square feet. And the other side of the building had about 10,000 square feet of various stores and businesses and things over the years, but it's been vacant for a long time. And we're -- everything's done in the complete -- in the same foot -- you know, same footprint of the building.

LEG. SPENCER:

And with -- in that area it's on on Main Street in Riverhead -- we were out there, I think, the same day that you had your event when Mr. Bellone was out there. Traffic, do you anticipate the residents to be using public transportation primarily with these 19 units? You know, usually there's a certain calculation for a certain number of cars that will be on -- on premises. And then traffic going in and out to how that affected during school hours or during rush hours? You know, these are -- these are all things -- because I'm looking at it from just allocating County resources as we look at this relationship from an economic development point of view. And I'm sorry to ask so many detailed questions, but these are some of things that I've had to deal with personally that -- that kind of come up later on. And so I don't know if you could respond to that.

MR. LATHAM:

Legislator Spencer, if I may add something by way of background, I participated on behalf of the Town of Riverhead in a very comprehensive generic environmental impact statement that was done in 2008 and 2009 addressing the redevelopment of the downtown area. And at that time, for example, the County took into -- the Town, rather, took into account the potential for as many as 500 housing units in this particular district. The traffic issues were assessed; water, sewer and all of the -- the issues that you are so correctly raising were -- was part of the Town's effort.

And so what Mr. Butler is -- is doing in his project is utilizing some of that capacity, which the Town was hoping would be brought to the downtown area through the housing and also through the redevelopment of the commercial space. So there -- there has been a very extensive examination of a lot of these impacts as you are identifying.

LEG. SPENCER:

Oh, great. That's -- that's good. That's exactly what I was looking for. From the standpoint of looking at this as being affordable, is it -- has to be that way in perpetuity, is there a contract? Is it ten years? Is it 30 years? As we look at market forces that change -- where is this? Is this in the development plan in terms of making sure that this -- you know, once everything is done and paid for and you have the residents in and you start to get, I guess, some turnover, will it continue to be affordable by statute, by -- by the offering memo? And how is that assured?

DIRECTOR ROSEN-NIKOLOFF:

I'll answer that, please, Legislator. There's a 20-year affordability period on this development. And we -- we ensure that by filing covenants and restrictions against the property, which run with the land. And then there's annual certifications that the developers require to deliver to the department. And that is also set forth in the contract.

LEG. SPENCER:

And on the -- so since it is affordable and you're not making, I guess, market rate rent, is there a pilot on this or are you paying taxes on each of these units that are at -- at current levels or is there a payment in lieu of taxes on the whole project?

MR. BUTLER:

There is a pilot. We have an agreement with the Riverhead Industrial Development Agency. And so that we have a pilot program to -- in lieu of taxes. But I want to say one thing about that. It was also based on our performance so it was based on us completing -- it was a unique agreement that they didn't want, let's say us purchasing the building and having a tax deductions and then

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sitting on it. And we purchased this building in February and we -- we started the infrastructure and some of the work right away in terms of fixing the roof, getting the commercials ready, starting the work with the utility companies and so we've -- they were very happy. And I just went to the board last week to -- and have them do a tour of the building. And so they're, you know, everything is going fine with the -- the pilot program. But it's based on: (A), this part is based on doing the commercial; and (B), completing the housing.

LEG. SPENCER:

The County investment is a -- it's a grant or would this be a -- a loan that would be repaid in the future? And is there any, I guess, would this legislation, if the project doesn't stay affordable, can this money be retrieved for the taxpayers?

DIRECTOR ROSEN-NIKOLOFF:

Yes. If they've reached the covenants and restrictions then they are required to pay that money back.

LEG. SPENCER:

I have a lot of questions but I think that -- I appreciate your responses. And I'm satisfied for now. And my questions are really along the lines of supporting projects like this and also getting answers that will look at helping us do other things around Long Island so I appreciate what you're doing. Thank you. Thanks. I'll yield.

CHAIRMAN CALARCO:

Thank you, Legislator. Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chairman. Legislator Spencer touched on a couple of the questions that I had, primarily the relationship with the -- or the structure of the deal with the Riverhead IDA. If you could just expand on exactly what the nature of that deal is as it relates specifically to property tax revenue that the County might receive were it not for that deal. And sales tax revenue for that matter if that's a -- if that's at all a consideration here.

MR. LATHAM:

I can say as to the -- with regard -- I don't have actual numbers for you, the -- but the -- as to the sales tax revenue there is a, of course, a break that the developer is given with regard to a certain portion of the core cost. But a tremendous percentage of the cost that will be invested will not be subject to those tax savings. So there is some savings there. There's savings on -- on the mortgage tax that the developer would otherwise have to pay. And the pilots were based upon the taxes that were currently being assessed on the property. And I think, as of this point, we've been able to, there will be a substitute of pilots for the taxes. What were the annual taxes, Michael? It was --

MR. BUTLER:

It was -- it began about -- the taxes when we purchased the building were 70,000.

MR. LATHAM:

About \$70,000. So that's -- it's not a big number that's -- that's involved. And certainly when you -- when you contrast that with the -- the employment and the other benefits that are being brought to the area.

MR. BUTLER:

Yeah, I think -- I mean, we -- we met with the Riverhead IDA. And the purpose of that was to, you know, we -- we purchased the building and got started on the renovation right away. And they've been, like I said, they just were at the site and they were very supportive. And, you know, programs like this, for the infrastructure, this is an old building, there are a lot of costs to building housing. And really, I think, it kind of merges the two. Because out of the percentage of this

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project there really, you know, the percentage of funds from the County or from any kind of outside source is still highly over matched by the -- by private money from banks and investors. And so, I think, really this is what this project is supposed to achieve is. It's a vacant building that's been there for, you know, 15, 20 years since there was a Woolworth counter.

And we're going in there and now we're going to take a space on the second floor that just was pretty much used for storage and was underutilized. And now we're going to make 19 apartments out of it. So just on an economic development, it's -- to me it's a great project for downtown. And then when you add the -- that the units will be affordable units, I think that's really, you know, the way these projects are supposed to work. And, you know, I come from a background of also working in -- in urban planning. And I've worked in the other side, in government. And to me this is -- I'm thankful for the -- the -- you know, the support of the County. And it's great to see that, you know, projects like this and Summerwind are going to help revitalize downtown Riverhead.

LEG. CILMI:

So I'm not sure if this is a question for the two of you or for either Budget Review or Jill, but what is the -- what is the flow of the money that -- that comes in through the -- through the pilots? Where does it go exactly?

MR. LATHAM:

It goes to the -- it goes to the Town, is my understanding.

LEG. CILMI:

Okay. And then what -- so the Town gets all of it?

MR. LATHAM:

That I'd have to, I'm sorry, I'd have to check. I don't have the answer to that question.

LEG. CILMI:

Benny, do you have any -- and is it consistent with these or is it per each agreement?

MR. PERNICE:

Yeah, pilots are kind of -- it's not always done uniformly, but I assume it will be collected by the Treasurer. And then, you know, distributed to, you know, to the -- to the Towns, the School Districts, the County apportioned to their share.

LEG. CILMI:

Okay. So the County will get some money for the term that the pilots are arranged?

MR. PERNICE:

Right, but, you know, as with anything else it's, you know, once we make everyone else whole then we get what's leftover.

LEG. CILMI:

Right. And the extent of the infrastructure work that's -- that's proposed to be done here with -- with this, looks like roughly a quarter million dollars, you touched on a little bit of what that work consist of. It's -- is it all within the -- the geography of the property itself? Is any of this money being spent on actual public infrastructure? Or is it all subsidizing, you know, building construction, plumbing and things like that?

DIRECTOR ROSEN-NIKOLOFF:

No, it has to be related to -- to the building itself and the affordable units. And the developer has to document it to us before we'll -- we'll make any payment.

LEG. CILMI:

Jill, have we done any sort of analysis, comprehensive analysis, on the effectiveness of our

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investments in affordable housing over the last five years, let's say? And by effectiveness I mean the sustainability of that housing if the -- if the units that have been created through our investments have continued to be occupied and rented; and whether the communities that those developments are in have benefitted through the development of those -- of those units? Have we done anything that sort of looks at that whole picture throughout Suffolk County?

DIRECTOR ROSEN-NIKOLOFF:

We certainly track what's happening in our developments on an -- on an annual basis particularly with respect to rentals. So we do monitor that. And, as an example, you know, some is just, you can see it, I mean, if you -- if you look at Patchogue Village; however it's an excellent point and it's something that we've already started discussions on as to what exactly is the economic impact to these developments as a whole to the County.

LEG. CILMI:

Not only the economic impact but the impact to -- to life in those communities in general. Because you do one of these developments and if things go bad, not only is there an adverse economic impact, but there could be an adverse impact to the quality of life to those communities as well through crime, you know, variety of other things.

DIRECTOR ROSEN-NIKOLOFF:

No doubt. And if we -- when we study it, we would factor that in. Fortunately, you know, our developments have -- have been pretty successful. Another example would be downtown Bay Shore; and the third, we hope, would be with the support of this Committee and the Legislature to -- to do the same thing in downtown Riverhead.

LEG. CILMI:

I mean, anecdotally we could all point to successful examples of where -- where our investments have been put to good use. But I would like to see, as I said, a comprehensive review of all of the -- how much investment have we made over the past several years, exactly where have we made those investments and what the status of those developments is currently?

DIRECTOR ROSEN-NIKOLOFF:

I can tell you that very -- I mean, very quickly, I track that in detail on an ongoing basis. That I can tell you, sure. But -- but the, you know, the overall impact socially, communally, economically is a more in depth study. And I'm happy to send you that information, Legislator.

LEG. CILMI:

Okay. I think that's all the questions I have for the time being. Thank you very much.

CHAIRMAN CALARCO:

Okay, very good. Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. Good afternoon, gentlemen, and thank you for being here. You've shared a lot of information with us so let me see if I can just, for my perspective, try to take a little bit of a -- a global ask if I can with the project. Some of them for you, Mr. Butler and, I guess, some of them for you, Counselor. When did you acquire title to the building? And where are we at in the process? Give me a sense of the timeline.

MR. BUTLER:

Sure. We had a long period of due diligence on the property and then we formally purchased it in February.

LEG. KENNEDY:

So, I think --

CHAIRMAN CALARCO:

Can you talk into the microphone.

LEG. KENNEDY:

Yeah, it makes it difficult for the stenographer and I'm having a little bit of difficulty hearing.

MR. BUTLER:

I apologize. We purchased the property in February.

LEG. KENNEDY:

Of this year? You've been in title since February.

MR. BUTLER:

Correct.

LEG. KENNEDY:

Okay. Not that it makes much difference or whatever, I mean, did it come out of the Woolworth Corporation? My recollection was Woolworth went through chapter 13s and all kinds of nonsense. There was so many intermediaries, somebody was holding it.

MR. BUTLER:

This property was purchased from {Area} Partners who's a large Manhattan based development firm and --

LEG. KENNEDY:

Okay.

MR. BUTLER:

-- they really had a more master plan type to not only develop this property but to knock it down and to develop it within a lot of different properties on the street.

LEG. KENNEDY:

There are been so many iterations for downtown Riverhead. I worked out there for nine years and I recall many different plans and suggestions and things like that. So it's nice to see you come forward, you know, with something that looks like it may be a viable project.

So we have 250,000 that's in play before us for the affordable aspect. What's the overall budget that you have for this project? It's 40 -- what did I say? It's 41,000 square feet you're building out. So all things being equal, what -- what's your --

MR. BUTLER:

Approximately 7 million; a little above that.

LEG. KENNEDY:

About 7 million for the build out to take you from where you're out until the point where you've let it and it's actually going commercial property.

MR. BUTLER:

Commercial and --

LEG. KENNEDY:

Commercial and residential, yes, sir, and rental property. Timeline. What's your timeline? What are we looking at as far as the timeline goes?

MR. BUTLER:

Well, we're already -- we're already moving on this project.

LEG. KENNEDY:

So you have a GC who's gutting it? They've been inside and they're doing interior work?

MR. BUTLER:

Yes, we're working with actually a Suffolk County based construction management firm North Bridge from Huntington. And we've been doing everything from removing asbestos that -- environmental issues like that that we're taking care of. We also basically started making all the contacts with the utility companies to -- to get that process started. And we've been renovating the ground floor. But, again, this building needed a lot of tender care, as they say, and so, we really started the process right from the beginning of this and we'll continue on it.

LEG. KENNEDY:

Okay.

MR. LATHAM:

If I may, Legislator, the -- specifically on the timeline, the -- about 90% of the ground floor is leased. The tenants are -- the landlord required improvements, have been for the most part made. A lot of the landlord improvements in order to support the residential on the second floor have been made so that the commercial tenants can take occupancy while the residential portion is being let out.

LEG. KENNEDY:

And who's paying the balance of that build out? Is that you or is that the tenants that are going to finish out? Like the health club.

MR. LATHAM:

The tenants are now making -- under the leases, they're making some tenant improvements in order to finish off the space.

LEG. KENNEDY:

Okay.

MR. BUTLER:

Each tenant has a little bit different story but right now we have two tenants that are -- signed leases, a health club called Maximum -- Maximus and then we have a Goldberg's Bagels.

LEG. KENNEDY:

But your systems work, in other words, your electrical, your plumbing and all your rough, is it all in there already?

MR. BUTLER:

No, it's all in process, it really, you know, depends on each area of -- of the project but, you know, considering that we purchased the building in February, I think we're moving along. And then with the residential, the plan is as soon we finish this process, and we're really looking at the begin -- in the beginning of next year. And to be doing that through, let's say, the summer.

So if all goes well and we can move forward, we can have residents living in the building by, you know, July. Again, with construction you never can tell, it's an older building, what you'll find. But we've been at this for a while. And I think that's -- that's really what the project estimate is to finish up with the ground floor in the early part of next year and then to move onto the residential.

LEG. KENNEDY:

Okay, thank you. I've not heard of North Bridge before. I've got to ask the question, and you folks know usually one of my concerns, that they use union labor.

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MR. BUTLER:

Yes.

LEG. KENNEDY:

They do?

MR. BUTLER:

Not exclusively but even on the -- on the ground floor we have several union shops working now.

LEG. KENNEDY:

You got 25 electricians in there? Local two -- 200 plumbers?

MR. BUTLER:

We are working with Seaford Plumbing. And they are -- they are working with the union.

LEG. KENNEDY:

Who's doing the electrical?

MR. BUTLER:

The electrical? I'm not positive.

LEG. KENNEDY:

Okay, that's fine. Just curious, you know, for whatever reason I have a penchant for that.

MR. BUTLER:

But we will -- we will give the opportunity. We're -- we're going to be to be meeting with --

LEG. KENNEDY:

Well, I ask that the contractor here -- particularly when you're coming for municipal funds that you give contractors an opportunity to be equally -- an equal and level playing field so that union mechanics can go to work. Have you done a project like this before, sir? Or is this -- is this your first venture into this?

MR. BUTLER:

No, I've done other projects. I've been involved in projects -- redeveloping a warehouse in -- down in Manhattan, in the Soho district. I revitalized a building in the Bronx. And I've also worked through there -- on economic development projects, on community-based development corporations and for government entities.

LEG. KENNEDY:

Okay. And you've been able to complete them all and they've been able to be brought in basically on time, on budget, fairly satisfactory?

MR. BUTLER:

Yes.

LEG. KENNEDY:

Okay. Jill, you concur he's got a good track record?

DIRECTOR ROSEN-NIKOLOFF:

I concur, yes.

LEG. KENNEDY:

Okay. All right. Good luck, then, sir. I'm happy to support it based on that. Thank you.

MR. BUTLER:

Thank you.

CHAIRMAN CALARCO:

Legislator Montano.

LEG. MONTANO:

Good afternoon. Couple of quick questions. You said the project overall cost was -- investment is about 7 million? Am I correct in that?

MR. BUTLER:

Correct.

LEG. MONTANO:

Okay. And in this resolution you're asking for \$250,000 of -- of assistance for infrastructure; correct?

MR. BUTLER:

Correct.

LEG. MONTANO:

All right. Is there -- maybe to Jill, will there be any requests for any additional funds from government in this particular project?

DIRECTOR ROSEN-NIKOLOFF:

He requested. We wouldn't support any --

LEG. MONTANO:

Well, do you have any idea now as to how much investment you're looking from government in this project?

DIRECTOR ROSEN-NIKOLOFF:

No, but we -- and we don't anticipate putting any more infrastructure funds into it. However, we will be putting some federal dollars into it as well through HUD.

LEG. MONTANO:

Do you know how much?

DIRECTOR ROSEN-NIKOLOFF:

Which is why the County infrastructure portion is lower, 250,000.

LEG. MONTANO:

And how much money are we talking there, do you know?

DIRECTOR ROSEN-NIKOLOFF:

Five hundred and fifty thousand.

LEG. MONTANO:

So it'd be 250 plus another 550.

DIRECTOR ROSEN-NIKOLOFF:

Correct.

LEG. MONTANO:

And that would be the extent of it? Or do you anticipate anything else or any other programs that are available?

DIRECTOR ROSEN-NIKOLOFF:

Nothing further from -- through the County.

LEG. MONTANO:

Okay. And this portion of the money that you would be getting from the County, is that what makes the apartments affordable?

MR. BUTLER:

Correct, that's what makes the project feasible.

LEG. MONTANO:

When you say the project, do you mean the apartment aspect of it or the entire project?

MR. BUTLER:

Yes. I think there -- I mean, there would have been really no way to build housing with -- the cost of building the housing without these programs.

LEG. MONTANO:

Okay. So if these monies that we're talking about were not granted, hypothetically, then you're saying that you would not be in a position to construct the, what is it, 19 units?

MR. BUTLER:

Certain -- and certainly I would say yes -- I would say yes if they were to be construed to -- constructed they certainly then would not be able to be at this level of rents. I mean our rents are looking at a range from -- there are going to be studios available for under \$900. And so I think it's a -- it's a great opportunity for, you know, people to come on a -- on a limited budget and live in downtown.

LEG. MONTANO:

So your studios will start at 900 is what you're saying?

MR. BUTLER:

Correct.

LEG. MONTANO:

And the two bedrooms, do you have a price range on those?

MR. BUTLER:

The two bedrooms are the -- they're in the 80% level so they will be in the range of 1500, a little below. One bedroom's around 1200. Every -- it's a little different since we have 50%, 60% and 80%. So it's actually -- it works out nicely because we have a nice blend of incomes. And, you know, I think these -- this is really the kind of people that you want coming to live in the downtown area whether -- you know, everyone's been talking when the -- when County Executive Bellone was there the other day, we really talked about maybe we would get, you know, the idea is hopefully some younger people who are living in their uncle's basement or, you know, instead of going to the City if they have a place to live with, you know, maybe they'll share it with a friend that -- let's try to keep some of the younger people. And I see Riverhead as that because, like I said, like Patchogue has become a place for younger people to go and be able to enjoy things. It's the same thing with Riverhead, it's really starting to become a -- kind of a nice mixed-use community.

LEG. MONTANO:

And the last question, I think, your tenant selection, how is that going to be handled?

MR. BUTLER:

That's going to be handled through the -- the Long Island --

LEG. MONTANO:

Housing Partnership.

MR. BUTLER:

Yes, the Long Housing Partnership. And, you know, but the guidelines are fairly set on what you -- what you -- what the rents will be.

LEG. MONTANO:

Okay, thank you.

CHAIRMAN CALARCO:

Okay. Thank you very much. Do we have any other questions from the Committee? All right. Thank you very much, Mr. Butler, Mr. Latham for being here.

What I'd like to do, just because we are here and we have another item that's on the agenda that's going to take a little bit of time is I'd like to make a motion to take this resolution out of order. **IR 2092, Authorizing funding of infrastructure improvements and oversight of real property under the Suffolk County Affordable Housing Opportunities Program (Woolworth Building-Riverhead). (Presiding Officer on behalf of the County Executive)**

LEG. SPENCER:

Second.

CHAIRMAN CALARCO:

I have a second by Legislator Spencer. The motion's now before us. I'll make a motion to approve; second by Legislator Browning. All those in favor? Opposed? Abstentions? **IR 2092 is approved. (VOTE: 7-0-0-0)** Congratulations, gentlemen. And I don't think we would need you next week. Thank you very much.

MR. BUTLER:

Thank you.

MR. LATHAM:

Thank you.

CHAIRMAN CALARCO:

Okay. So what I'd like to do now is, is I do see that we have Jen McNamara here from -- our Labor Relations Director as well as Mr. Bill Plant, President of the Detectives Association. If the two of you would like to come forward. And I know we have on our agenda coming up is the contract agreement for the Detectives Association. And maybe you can give us a quick rundown of what that agreement provides for, what we would be agreeing to under the terms of this contract just for our information.

LEG. CILMI:

Mr. Chairman, while they're getting set, is there somebody here from the County Executive's Budget Office?

MR. VAUGHN:

Yes.

CHAIRMAN CALARCO:

Sure, you can have them come on up, too, as well. Yep, anybody who -- who could speak to the agreement and -- and any of the terms and conditions. If you could, please.

Jen, you could get started and when the Labor Relations -- when your budget person comes in we'll -- they'll just join you at the table.

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MS. McNAMARA:

Thank you very much, Mr. Chairman. Thank you for having me here today. I'd also like to thank SDA President, Bill Plant, and the SDA who works so cooperatively with us on this contract. I'll give you some of the highlights. It is an eight-year contract. It runs from 2011 through 2018. It is a negotiated contract. It is not subject to arbitration and it follows the pattern of the recently negotiated PBA contract, which I might add, was overwhelmingly approved by this body. The savings in this contract are the same as the per capita savings in the PBA contract.

Because of pattern bargaining it does follow the same raise structure as the PBA. It sets a new salary scale with more steps required to get to top pay, which provides for a significant savings. It also lowers the percentages of increases also contributing to significant savings. It provides flexibility with the possibility of deferrals in 2012 -- I'm sorry, 2014, '15 and '16 and moreover there are no retroactive payments in this contract.

I don't know if Mr. Plant would like to say anything, but I would, of course, be more than willing to take any of the Committee's questions.

CHAIRMAN CALARCO:

Mr. Plant.

MR. PLANT:

Yes, first of all, thank you, thank you for having me here. As you know, this is the first negotiated contract by the Detectives Organization in the history of Suffolk County so it is a landmark decision, landmark in getting this contract done.

And I would like to take the opportunity to thank the County for giving us the opportunity actually to negotiate a contract. I said, I've quoted -- I've been quoted a couple of times of saying you don't get anything done without communication. And, although the process was long and arduous, it took us over a year to get this done, I'm quite confident that everybody would agree that this is fair and equitable to both labor and management.

CHAIRMAN CALARCO:

Great. Thank you very much. Do we have any questions from -- from the Committee? Okay, Legislator Cilmi.

LEG. CILMI:

No, I have to. It's in my nature. First of all, I wanted to congratulate, you, Bill, and the organization and the County Executive's Office for negotiating a contract and not -- not sort of, just kind of running away from that responsibility and letting somebody else decide. I think there's -- there's a lot to be said for that on both sides so I appreciate that.

I think similar to the PBA contract, I think that the settlement to me seems fair. There's a fair amount of givebacks from the union in terms of the length of time to top step and I think there's a fair amount of benefits to the -- to your members as well.

The biggest concern that I have is really a concern for the Budget Office. We've at this point negotiated an agreement with -- with the PBA and we've negotiated an agreement with -- with now the Detectives and I'm sure not to long from now we'll have agreements with the Superior Officers and all of the other unions. We have an AME agreement as well. And while -- while these agreements may ultimately save us money in the long run, and that's something that I want to get into a little bit here, specific to this contract, they also cost us some money. And the question that I have for the Budget Office is can we afford it? And if so how?

CHAIRMAN CALARCO:

Are you looking for the County Executive's Budget Office to answer that or BRO?

LEG. CILMI:

No, the County Executive's Budget Office.

CHAIRMAN CALARCO:

Okay, Miss Corso.

LEG. CILMI:

If I could, through the Chair, ask that they --

CHAIRMAN CALARCO:

Come forward and maybe give us a quick rundown of your Fiscal Impact Statement and -- and what you think the costs are and the savings are.

MS. CORSO:

Okay. So because obviously there was negotiated there are perceived savings because some of the other contracts that we've done in the past have been very costly to the County when we have to -- when we have to go out to arbitration. So in this particular case, because we're not going to be paying any retro in 2013 there is a savings. There was a small amount of money budgeted in 2014 for these contracts. 2014 is a net. The rest of the years, as the raises go in, it really is the same as it would be if you didn't have the contract because you still have to give the steps, and so on. So this contract does represent some savings for the County. Plus there are things in there that we can do that will save the County money should we need to, you know, do some of these things like these deferrals.

LEG. CILMI:

So, I think I -- I think what I heard you say is that compared to the alternative, that being maybe an arbitrated contract or just not entering into a contract at all, this is a better alternative.

MS. CORSO:

Yes.

LEG. CILMI:

Okay. But you really didn't answer my question.

MS. CORSO:

The savings come about because I won't have to pay a retro.

LEG. CILMI:

I understand that.

MS. CORSO:

If it had been arbitration I would have had to pay that retro. So in the first year, the Fiscal Impact Statement's a negative -- 2014 is a savings of \$1.8 million.

LEG. CILMI:

I understand that and I'm not debating that. My question is, in the context of our fiscal situation, today, and in the context of what we expect and hopefully we've done sort of a -- a projection into the future over the next several years, this is an agreement that lasts eight years so hopefully we've done some sort of revenue projections in terms of taxes, etcetera, and we've done some projections, we've put this within the context of all the other labor costs that we have here in the County and other costs that we have in the County, can we afford this within the context of all of those other things?

MS. CORSO:

We could not not afford to do this.

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LEG. CILMI:

So, yes. The answer is yes.

MS. CORSO:

The answer is yes. If we went to arbitration you'd be looking at greater raises. So any time we put -- we have a -- obviously we have a budget model moving forward. The budget model moving forward had larger increases and no deferrals.

LEG. CILMI:

Okay. Okay, but you're telling us today that given the probability that we'll negotiate some other contracts over the next coming months, and given all the other fiscal considerations, I want to make it clear that you're suggesting to us that the -- that your Budget Office is confident that you'll be able to deliver a balanced budget in the years to come given all of those factors.

MS. CORSO:

Every budget is a planning document in which you estimate --

LEG. CILMI:

It's was a simple yes or no question.

MS. CORSO:

(Inaudible) It's not a simple yes or no question. We cannot afford not to negotiate these contracts. As we seen in the past, when we go to arbitrations they're extremely costly to this County.

LEG. CILMI:

I agree.

MS. CORSO:

What I have right now is budget certainty and I couldn't really ask for anything more than that.

LEG. CILMI:

Okay. So I agree with what you just said. But I want to know that we have a plan in place to deal with these escalating expenses. Even though they may be escalating at a lesser rate, I want to make sure that we're prepared. That's not too much to ask.

MS. CORSO:

We would have had the -- we would have had the escalation had we not had this agreement --

LEG. CILMI:

Are we prepared to deal with that escalation, Connie? That's my only question. Are we prepared to deal with the escalation?

MS. CORSO:

As we have done in the past we all worked together, Legislature and Executive, to maintain balanced operations for this County and we will continue to do that.

LEG. CILMI:

And you believe that working together we can continue to balance the budget given all of those fiscal considerations?

MS. CORSO:

Considering that this is the best contract we've had with this union in some time, yes.

LEG. CILMI:

Great. That's all I wanted to know. Thank you very much.

CHAIRMAN CALARCO:

Thank you. Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. Two aspects that I want to ask you to speak a little bit about this. The first one should be very simple. And then Benny I want to go over a conversation you and I had about the new hires. But first the health insurance: Is this -- does this mirror the PBA contract in that new hires will be contributory for health insurance?

MS. McNAMARA:

Yes.

LEG. KENNEDY:

It does. And refresh my recollection again, what it is new hires are going to pay, what is it 15, 20%? I forget what we settled on.

MR. PLANT:

Just so you are aware, the new hires for the Police Department will be new hires PDs-- PBA members and they would be making contributions. Anybody hired after the ratification of PBA's agreement would be paying 15%.

LEG. KENNEDY:

So by definition, in other words, as they're coming into you because in order to be a detective, you first must have been a police officer.

MR. PLANT:

That's correct.

LEG. KENNEDY:

Okay. Good, all right. So that's one that's answered. Then let's go to the other one. And I thought I understood it at the time, but as I sit here and think about it now, I don't know that I fully grasped it. We talked about the S step or the stretching out of the salary schedule in that new hires going forward will start at a salary level lower than where we're at right now. Is that because of that same definition that in order to be a detective you must be a police officer? Or is there two type of a -- a bifurcated tier process there?

MR. PLANT:

Actually there's two savings there because the -- the new hires are going to be coming in at a fixed rate as per the PBA's contract.

LEG. KENNEDY:

Uh-huh.

MR. PLANT:

And then any person that's made a detective subsequent to the ratification of the PBA's contract in 2012 who is currently a police officer would come in at a ten step program so there's a savings there. Then subsequently if there's a person who's not hired -- or actually there's, I think, there's a few people in the academy currently who were hired subsequent to the PBA's ratification, if they made detective tomorrow, they would be coming into the 12 step program, which again is an additional savings.

LEG. KENNEDY:

Okay. So then, Connie, let me go to you for a second. Just based on what Bill and Jen had to say and to a certain extent what Legislator Cilmi was just talking about, if you trended out the expense for detectives over the next three, four or five years, all things being equal with the do-nothing-position, you'd have a line; right? Because we'd have to continue to pay for detectives,

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and they would move in whatever Triborough was and they'd have that line of benefits. What does this agreement do to that line?

MS. CORSO:

It lowers it.

LEG. KENNEDY:

It lowers it. Okay. So then based on this negotiated agreement being less than what that do-nothing position was, will we be in a better position to afford it?

MS. CORSO:

Yeah. I tried to say that.

LEG. KENNEDY:

Okay, good. Thank you.

MS. CORSO:

Thank you.

LEG. KENNEDY:

All right.

CHAIRMAN CALARCO:

Thank you, Legislator Kennedy. Legislator Cilmi has another follow up question.

LEG. CILMI:

This one -- this one for Bill or for Jennifer. With respect to -- I was trying to understand the language in the contract as it relates to the deferrals. Could you just go into that a little bit for me?

MR. PLANT:

There are several deferrals within the contract. Which ones are you referring to?

LEG. CILMI:

I think that was part of the problem. Maybe you could sort of go through them with me and explain what they mean.

MR. PLANT:

Okay. In the beginning of the contract they talk about deferrals, which are consistent with what PBA did in deferrals on a number of hours per year, which are deferred out. What I think you may be referring to is the deferrals for the -- specific to the Detectives Association, which is an overtime deferral. Every year detectives earn up to 150 hours of accruals in overtime. The first 100 hours of that, should they reach the 150 mark, will be deferred in '14, '15 and '16 if the -- if the County has the need for it at that point. That's as simply as I can state it. If you have a further question, be my guest.

LEG. CILMI:

So, when you say detectives accrue, you said 150?

MR. PLANT:

They may accrue up to 150 hours.

LEG. CILMI:

They may accrue.

MR. PLANT:

Yeah.

LEG. CILMI:

And explain exactly what that means in practical terms.

MR. PLANT:

Think of it as a -- as a bank.

LEG. CILMI:

Okay.

MR. PLANT:

As they earn overtime, the overtime goes into a bank. At the end of the year, they get paid for that overtime.

LEG. CILMI:

Gotcha. Okay, so they're working the overtime hours, it goes into a bank. And what this basically allows for is if the County is in a -- a position that we cannot afford to pay for that -- those accruals at the end of the year, this allows us to defer them into future years?

MR. PLANT:

No, I think you're mistaken there. It's not whether the County can afford to pay the overtime; it's whether the County has a need at that point for the deferral. In other words, they put this money into the bank. If the County demonstrates a need, for whatever reason, and there -- and it's detailed in the contract, they determine a need, they can defer that money out to the detective's retirement date, but take -- it's basically a cash flow issue for the County. Should the County need the money, they'll have the availability. It's almost like a term of a loan from the Detectives to the County.

LEG. CILMI:

So we can use the money that's accrued in that -- in that deferral bank, if you will, if we need it for other purposes and --

MR. PLANT:

Yes.

LEG. CILMI:

And what would be -- I'm not sure if this is a question for you, Bill, or for Connie, what would -- or for Jennifer. What would be those -- is it open-ended? Are there specific purposes described in the contract?

MS. CORSO:

I think it's still, like I said, if we -- if we unanticipated expenditures or unrecognized revenue we could pull the trigger on that.

LEG. CILMI:

Okay. Does there have to be some sort of a declaration on the part of the County Executive in terms of fiscal emergency or something? And similarly when that happens, does the Legislature have to vote on the activation of that clause, if you will?

MS. McNAMARA:

No, they wouldn't have to vote on the activation of the clause. By adoption of the contract, should that happen, that would automatically adopt a deferral clause as well and there would not have to be any further action by this body.

LEG. CILMI:

Okay, thanks very much. Thank you, Bill.

CHAIRMAN CALARCO:

Okay. Do I have any other questions from the Committee? All right. Seeing none, just a quick statement to Budget Review. I know that you're working on trying to get us your report on the contract. If you could please try to have that to us before next week so we can have your review of that before we take the vote on Tuesday.

MR. LIPP:

You will definitely get it before the General Meeting.

CHAIRMAN CALARCO:

We appreciate it. Thank you.

Okay, in that case then what I'd like to do is make a motion to take IR 2102 out of order, second by Legislator Cilmi. It is -- all those in favor? Opposed? Abstentions? It is now before us.

We have **IR 2102, Authorizing the County Executive to execute an agreement with the Suffolk County Detectives Association covering the terms and conditions of employment for the period January 1, 2011 through December 31, 2018. (Presiding Officer on behalf of the County Executive)** I'll make the motion to approve; second by Legislator Spencer. All those in favor? Opposed? Abstentions? **It is approved (VOTE: 7-0-0-0)** Congratulations and I'm sure we'll see you on Tuesday.

TABLED RESOLUTIONS

Okay, we're going to go back to the beginning of the agenda. We left off with the presentations portion so we're going to Table Resolutions. **IR 2063, Adopting Local Law No. -2013 A Charter Law to expand Suffolk County Employment Residency Requirements. (Presiding Officer on behalf of the County Executive)** Do I have a motion? Motion to table by Legislator Cilmi.

LEG. KENNEDY:

Second.

CHAIRMAN CALARCO:

Second by Legislator Kennedy.

LEG. SPENCER:

Motion to discharge.

CHAIRMAN CALARCO:

I have a motion to discharge without recommendation by Legislator Spencer.

P.O. HORSLEY:

I'll second.

CHAIRMAN CALARCO:

Seconded by the Presiding Officer, Legislator Horsley.

LEG. KENNEDY:

On the motion, Mr. Chair.

CHAIRMAN CALARCO:

On the motion, Legislator Kennedy.

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LEG. KENNEDY:

Yeah, let me just ask Counsel again, if I can, to refresh my recollection on this resolution. Can you just give it to me again, George, the sum and substance here?

MR. NOLAN:

Well, it amends the County's residency law. If you recall a couple of years ago, we amended the law to allow the County Executive to hire people who reside in Nassau County. Before that it had just been Suffolk County for most positions. This law would expand the exemption to include people who reside in the City of New York. It makes one other change in that it would allow County Legislators to hire people from Nassau County and New York City. And that's a change as well.

LEG. KENNEDY:

Well, my understanding is that in the past, if we've had some specific individual that's been brought to us as being so unique and so necessary for the Administration, or for that matter, there may have been a Legislator who sought that accommodation, that was done individually; is that correct?

MR. NOLAN:

That's correct. But under the existing law those -- it's only for one year. And we've done that on a number of occasions. I should also add that there are certain positions that are exempted from the residency requirement, you know, positions that are considered hard-to-fill positions or exempted.

LEG. KENNEDY:

Our Medical Examiner, maybe medical people, but not Legislative Aides. Not folks in, you know -- Commissioners and stuff like that. All things being equal, we've usually been able to -- for like the last 40 years find qualified people from Suffolk County; right?

MR. NOLAN:

Up until a couple of years ago when we changed the law to allow residents in Nassau County to be hired.

LEG. KENNEDY:

Okay. Mr. Chair, I'm going to ask that this be introduced into the record. I'm going to share it with the Committee members. In November we had 48,600 unemployed Suffolk County residents. That's posted on our Suffolk County Department of Labor website. So I would say that I would find this resolution to be highly offensive to each and every one of them. And, quite frankly, I encourage each and every one of them to come and ask us why we wouldn't want to give them the opportunity to be considered over the eight million people in New York City. To me, it's just incredulous.

I make the motion to table based on the fact that this is the last committee. If it was any other committee meeting, I'd make it tabled subject to -- subject to banishment.

CHAIRMAN CALARCO:

Thank you, Legislator Kennedy. Legislator Spencer would like to speak; and then we'll get to you, Legislator Cilmi.

LEG. SPENCER:

I made a motion to discharge. I mean, I understand that there are constituents in Suffolk County who are unemployed. And I agree that we should be trying to do everything we can to employ them. I think that when you look at the complexities of what we do in this job, and if you look at -- we have over 10,000 County employees. And if we look at the number of people that this residency requirement has been an issue, it's five. And that's something like point 05 percent. It's really -- you know, it's really extremely low. And I agree. I think that we're not -- I'm not just saying that. I support this one way or the other, but when I look at something like this, I would love to hear more from the Administration as to their thoughts of why they feel that they need this. And coming back to the Legislature, it doesn't seem like it's a vantage situation where it has been

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abused.

And I think that when we look at all levels of government, that there are special circumstances. And when I look at the number five and I think of everything from the Health Department, Economic Development, environmental issues, Legislative Aides, that there are some special skill sets out there that will better our residents. And I do think that -- I think that if it was a matter of -- a situation where people should be insulted if we see that it was just being used to sort of skirt looking for -- looking for able body, Suffolk County residents to hire. But point 05 percent is an extremely low number. I don't think the Administration has tried to abuse this practice nor have any of the Legislators. And my motion to discharge is just based on, I think, it should get further consideration on the floor.

LEG. KENNEDY:

Well, Doc, listen, through the Chair, I admire your articulation of rationale. And as a matter of fact, you're a learned man. And quite frankly noble, I guess, to go ahead and, as they say, carry water for the Administration. But if you will, this number would be 48,595 had we continued to employ hiring requirements from Suffolk County.

So I'd say to you notwithstanding our dialogue, five more folks would walk through the door here and say "how come I don't have a job today?" It is one of those very stark and harsh elements of reality that we have to deal with. And quite frankly think about the time we just devoted just previously to affordable housing to keep our young people here in Suffolk County; and our willingness to commit to \$250,000 now and very possibly another half million for a meritorious project to help support, bolster and favor Suffolk County. And then to contemplate this? No matter how you try to, we can't square it. There's no consistency. If anything, it is absolutely disjoint and inconsistent. And quite frankly, as I said, I made the motion to table. It would be in the seat of table subject to call, but that's the amount of offense that I really find with this resolution.

CHAIRMAN CALARCO:

Legislator Cilmi.

LEG. CILMI:

Thank you, Mr. Chairman. You know, like Legislator Kennedy, I have similar feelings about this. I'm -- basically rather than calling it expanding employment residency requirements, what we should call it is eliminating residency requirements for Suffolk County employees. Now, I think there may be some common ground that we can find here, but it's not with this bill.

And let me just ask a question or two first before I make a suggestion. George, the law that we have in place presently, which originated, I'm not sure when, but was changed in 2012, I believe, to allow for Nassau County residents to escape the residency requirements, what scope of employees does that cover? Is it -- does it just deal with exempt employees? Is it non-exempt employees as well?

MR. NOLAN:

It's really geared towards the exempt non-competitive positions. That's where the exemption lies.

LEG. CILMI:

Okay. So it doesn't apply to any of our non-exempt employees?

MR. NOLAN:

Correct. Correct.

LEG. CILMI:

Okay. Maybe I could ask Mr. Vaughn, certainly I can understand that there may be some instances whereby an employee who comes to us for a given position may be uniquely qualified for that

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position and may not live here in Suffolk County. And prior, I suppose, to 2012 when we expanded the exemption for Nassau County residents, or we allowed the exemption of Nassau County residents from our requirement, if somebody wanted to come us from Nassau County and work for us, and they had those unique set of skills, the County Executive would come to us and say "we have this, you know, job opening and we've done an exhaustive search and we find that this particular person who lives in Nassau County is uniquely qualified to fill that position." And we would say "okay." I don't know that there's -- I'm not sure whether there's been a situation where we've denied that sort of request, but at least we get to talk to you about the efforts that you've made to hire somebody from Suffolk County.

Once that request is approved, correct me if I'm wrong, Counselor, but that individual would have to move to Suffolk County within a year's time; is that correct?

MR. NOLAN:

Yes, if he wanted to work beyond that one-year period for the County, he'd have to move in.

LEG. CILMI:

Right. Presently, however, as a result of passing the law that we passed, or the amendment that we passed in 2012, if somebody lives in Nassau County and comes to us for employment, the Administration does no -- no longer has to ask for a waiver from us; correct?

MR. NOLAN:

Correct.

LEG. CILMI:

And they don't have to --

MR. VAUGHN:

May I jump in on that for a moment? Because that's not entirely --

LEG. CILMI:

Okay, please.

MR. VAUGHN:

Because, for example, this body just a weeks ago by a vote of 17-0 approved a Nassau County resident to take over as our Commissioner of Social Services. Had this body wished to consider where Mr. O'Neill lived as a part of whether or not he was qualified for that job, it was well within your rights to do so. We came forward with a nomination to make him our DSS Commissioner.

MR. NOLAN:

But you didn't need a waiver.

MR. VAUGHN:

We didn't need a waiver because he was -- we had changed the law.

LEG. CILMI:

Right. Let me just finish. Tom, respectfully let me just finish my question here.

MR. VAUGHN:

I understand.

LEG. CILMI:

So, he didn't need a waiver at that point because we had already exempted Nassau County residents from that requirement. If he -- however, if he did require a waiver, he would come to us for that waiver and then he would be required to move to Suffolk County within a year after his employment here.

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So, I guess the question really becomes if we left that circumstance the way -- if we left the law the way it -- the way it was and the way it is referenced to New York City residents now, we would basically be saying to folks who work for Suffolk County, irrespective of whether or not they are uniquely qualified to perform that job, we would say to them that they must move to Suffolk County in order to continue their employment here. And I think therein lies where the potential compromise may be here.

So, in my view, I think, the Legislature rightly should hear from the the Administration when the Administration proposes to hire somebody outside Suffolk or Nassau Counties. Because the Administration believes that whoever that person may be, they're uniquely qualified to fill a position. I think we deserve a bite at that apple. But maybe it's not too much to ask to allow that person, whoever it may be, to continue to live for whatever reason in the community that they currently live in.

So, for example, if they live in Queens, and they are uniquely qualified, we approve that; but then they don't have to necessarily move here. Let's say they have young children. And those young children attend whatever school district they attend outside of Suffolk County and they're happy in that School District and they're, you know, learning in that School District, maybe it's too much to ask, to ask that individual to upend his family or her family and move to Suffolk County.

So I offered the motion to table on this resolution because -- because the way it's currently drawn and the way the law currently reads, I don't agree with this proposition; but I would offer that as a potential compromise for the future.

CHAIRMAN CALARCO:

Go ahead, Mr. Vaughn.

MR. VAUGHN:

Thank you very much. I think that the word Legislator Kennedy used before "meritorious" is a good one. Because I think that based on merit and based on the job that he has been done over at the Department of Social Services, I think that John O'Neill has clearly demonstrated why sometimes it's good to allow the flexibility that the first version of this law, the 2012 version of this law provided.

I also understand and hear your comments, Legislator Cilmi, and would maintain that, again, as I rudely interrupted before, and I do apologize for that, but Mr. O'Neill's living situation was certainly something that this body could have debated when they decided whether or not to appoint him.

LEG. CILMI:

Forgive me the interruption that --

MR. VAUGHN:

Turnabout's fair play.

LEG. CILMI:

Yes. So this is not about Mr. O'Neill.

MR. VAUGHN:

No, but --

LEG. CILMI:

This is just not about Mr. O'Neill. I don't know why we're using him as an example --

MR. VAUGHN:

Because he's an outstanding example of why --

CHAIRMAN CALARCO:

Let Mr. Vaughn finish his statement.

LEG. CILMI:

Okay.

CHAIRMAN CALARCO:

We asked for it; and now we're going to let him finish it.

MR. VAUGHN:

I use Mr. O'Neill because I think that he provides an excellent example as to why we don't think that it's unreasonable to consider changing the residency requirements. And I would also use Mr. O'Neill, because he's also a perfect example of perhaps the compromise that you just suggested, sir. Mr. O'Neill did sit before this body to be appointed as DSS Commissioner. So I think that he's -- that's why I think that he's an excellent -- that he's an excellent example of what we're talking about here. Mr. O'Neill had the opportunity. He did appear before this body. This body had the opportunity to decide whatever choice they wanted to make regarding Mr. O'Neill's appointment as DSS Commissioner.

Beyond that, and there are a certain number of titles which Mr. Nolan could explain what exactly those titles are far better than I could, but they are appointed titles -- beyond that, you know -- there are a batch of titles that do sit before you, sir. And those people would be the people that you -- that you have the opportunity to decide whether or not you think it's fair that they live in New York City or don't live in New York City or Nassau County or any other place that they live, or any other requirement.

Beyond that the other group of employees are people that are subject to the appointment of either the Legislator, in this case, for example, Legislator Barraga had an individual who was not living in Suffolk County at the time we did a residency waiver for that.

So that would go to the direct operations of the Legislator's office. I have -- I don't think that how the Legislator chooses to run their district offices is the purview of the County Executive; and nor do I think that the appointments of the County Executive makes is the purview of the Legislature. So I would say that your compromise, to a large degree, exists in this bill as it's currently drafted.

LEG. CILMI:

So thank you -- thank you for that, Tom. Let me address a couple of the things that you talked about there. First of all, how many exempt employees do we have here in Suffolk County roughly?

MR. VAUGHN:

I have no idea.

LEG. CILMI:

Does anyone -- can anyone give me an idea roughly how many exempt employees we have here in Suffolk County. Ben?

MR. PERNICE:

Just give me like 45 seconds, I'll calculate it.

LEG. CILMI:

Can you rough a guess? Hundreds?

MR. PERNICE:

If I had to guess, I'd say a few hundred.

LEG. CILMI:

A few hundred. Okay. How many commissioners do we have? Ten?

MR. PERNICE:

Ten -- you know, dozens; not hundreds.

LEG. CILMI:

Right. So the only ones that the Legislature has an opportunity to vet and come to a conclusion whether or not, you know, they need to live here in Suffolk County is 10 or 15, whatever the number may be. And there are potentially hundreds of other employees that we would not have an opportunity to vet as far as their residence and come to the conclusion whether or not, you know, that we've done, you know, a full assessment of options here in Suffolk County before we went outside Suffolk County. So -- and I agree with you that the Legislature should be on equal footing as the County Executive in terms of the option to include employees who are -- who may live outside of Suffolk County.

In the case of Mr. O'Neill, had we -- had the residency requirement in place that we eliminated last year for Nassau County residents, and, therefore, he would have had to come to us for a waiver, had we extended that waiver to him and been able to do so without requiring him to move to Suffolk County, then that would take care of the situation that you just described. And not only that, but it would take care of the -- it would take care of that situation for the hundreds of exempt employees that we have here in Suffolk County.

Certainly we are not going to ask you to come to us for every -- you know, we don't have the opportunity to weigh in on every single exempt employee. But when there are -- when there's a proposal to hire somebody from outside Suffolk County who -- or Nassau County, who you believe is uniquely qualified or that the Legislature or a Legislator believes is uniquely qualified to fill a position that's open, then let's require that we make that case before this full body. And if the case is made, let's not force that person to move into Suffolk County. I mean, I think, that's a fair compromise.

Do you agree with that, Mr. Vaughn?

MR. VAUGHN:

No, I kind of like the way the bill is written right now.

LEG. CILMI:

Naturally.

CHAIRMAN CALARCO:

There you go.

MR. VAUGHN:

Naturally. But I would -- you know, I would also -- I would also add that there are -- there are a whole -- what I do -- I do think that you and I have common ground on the fact that we believe that the -- an individual Legislator should have the right to choose the individual Legislator's staff; and that the County Executive should have the right to choose the County Executive staff. I think that that's something that we agree on.

I would say that I don't think that it is -- the same way that there are numerous appointments that this body gets to make without the County Executive's say so on it, for example, appointments to the College, I view that these exempts/employees are similar to those type of appointments. So there is a division. And what we are saying is that we would like the opportunity, when in a special circumstance, we believe that somebody is uniquely qualified to be able to expand that horizon out to New York City.

Now, I personally feel that this -- that the best example of this is Mr. O'Neill. Because he has

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clearly shown -- when someone from Medford shows up to talk about how -- the wonderful job that he is doing as DSS Commissioner, for a man who's from Nassau County --

CHAIRMAN CALARCO:

They were from Gordon Heights.

MR. VAUGHN:

Pardon me, sir. I do apologize. But when the community shows up, I think, that it proves that you don't have to live in Suffolk County to be able to serve Suffolk County well.

LEG. CILMI:

I don't disagree with you. And in the case of Commissioner O'Neill, I supported in Committee and then at our General Meeting his appointment. What I'm saying, however, is that especially if you're looking to hire somebody from New York City -- and how many times can that possibly happen? You know how many times? If you don't have to come to us for approval, it can happen hundreds of times. But if you do have to come to us for approval, then I imagine it wouldn't happen all too often.

MR. VAUGHN:

We didn't have to come to you for approval and it happened twice.

LEG. CILMI:

Good. Okay, so we shouldn't expect, then, that it would happen often for folks that you would want to hire, or that we would want to hire for that matter, from New York City. So I suggest to you let's continue to bring those proposals to the Legislature for a waiver; let's change the waiver requirement so it doesn't force people to upend their families and move to Suffolk County; and let's move forward. And then this way the Legislature, at least, can control to some degree the number of employees that are working here from places other than Suffolk County. That's my position. If we continue to disagree, then we continue to disagree.

MR. VAUGHN:

I believe that honorable people can continue to disagree.

LEG. CILMI:

I agree.

CHAIRMAN CALARCO:

Okay, very good. Legislator Browning was next on the list.

LEG. BROWNING:

Okay. You know, I did support to allow the waiver. And it bothers me that you keep bringing up Mr. O'Neill because that was -- that's a person, a name and a job title. This does not have a name or a job title. And so unless you have a name or a job title, let's get away from talking about Mr. O'Neill. And the other thing is, is these exempt employees fall under -- have all the rights and privileges of an AME employee; correct? As far as their pay scale, health insurance; correct?

MR. VAUGHN:

Well, the Legislature just established a pay scale, which was consistent with AME's. I don't -- I would not --

LEG. BROWNING:

Right.

MR. VAUGHN:

-- concur that that is consistent --

LEG. BROWNING:

-- but as far as step increases, health insurance, all of that, we go by the AME contract; correct?

MR. VAUGHN:

There are similarities, correct.

LEG. BROWNING:

Okay. And I know with members of law enforcement, they are exempt from the residency requirement. So let me ask you, because if we're going to make this even more broad, to bring in people to work either at the Legislature, over at the County Executive's Office, and if it's people who do not have special skill that we can't find in Suffolk County, okay -- we did this so that the people we're going to hire from outside of Suffolk County have a specific skill that no one else in Suffolk County can do. So my question for you is, is will you consider now to look into -- we have residency requirements for AME members. I mean, do you or do you not have to be a Suffolk resident if you are a Civil Service employee in Suffolk County? Blue collar, white collar? Can somebody answer that?

MR. NOLAN:

It applies to everybody who is not exempted in our statute. So it applied to most -- most County employees. A lot of them, the union -- the union --

LEG. BROWNING:

Yeah, I believe -- I believe the police are exempt from it, also. So, you know, I'm trying to be fair, you know, that we -- we have to -- you know, our exempt employees, all of mine are residents in Suffolk County. They're all residents in my district. And that's the way I like it. I believe in all of our Legislative Districts we are required to -- if that employee comes to work for us, if they do come from out of Suffolk County within one year, they have to be a resident. And we we enjoy -- they enjoy the privileges of an AME contract.

So what I'm worried is that we're going too broad. I'm not opposed to -- you know what, you got a name and you got a job title and you can't find somebody in Suffolk County and you had to go to New York City, then I would say, you know what, bring that resolution with that person's name and whatever that job title is and I'll consider that vote. But I'm a little concerned about us going too broad. And now, you know, everybody and their brother could have somebody come in. Hey, I could bring in all the Working Family's party people from Brooklyn (laughter) which would be so much fun.

Do you get what I'm saying? It's just -- it's opening a can of worms and I'm very concerned about the can of worms being opened. And I really think we should reconsider this. I'm not really happy with going forward with this now. I think we need more conversation about this. And, again, if it's a special skill set, if it's a, you know, an exceptional person like our ME or somebody that you're going to tell me, "this is a person we're going to hire who -- we can't find that person anywhere here in Suffolk County", I'll vote yes.

CHAIRMAN CALARCO:

Legislator Kennedy.

LEG. KENNEDY:

You know, look, I think that we kind of beat this dead horse more than it deserves. We're not going to get a whine, a whinny or anything out it. Notwithstanding compelling arguments on your part, Mr. Vaughn, on behalf of the Administration, I don't know if they rise to noble as I suggested to the Doctor, but I'll have to tell you, there is just no good rationale to come forward with this. As Legislator Browning mentioned, if there is some specific individual that the County Executive has in mind, let him bring forward a name. We have outstanding academic institutions here in Suffolk County. I will not jump on the John O'Neill train, and I supported him. And as a matter of fact, come Monday he couldn't even articulate a number for homeless children in the Hauppauge School

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District.

MR. VAUGHN:

That's not true. He actually did articulate a number quite --

LEG. KENNEDY:

He articulated a wrong number, as a matter of fact, and I'll share it with you as per the Hauppauge School Superintendent. But as to this issue, this issue is wrong hearted. The County Executive is going to have to go ahead re-find a way to either find people here who are Suffolk County residents or get those uniquely qualified individuals and put the hardship on them to live somewhere in the 90 miles of Long Island. I don't think that's such a challenge. We don't -- our residents pay a commuter tax going into the City; yet it seems like we're willing to go ahead and put aside every financial measure in order to accommodate 8 million people. We should vote it. I put it up for a table. I think it should be tabled and I think it should die at the end of the year.

CHAIRMAN CALARCO:

Okay. Thank you very much, Mr. Kennedy. Although I don't believe the commuter tax is in existence anymore.

LEG. BROWNING:

Yes, there is.

CHAIRMAN CALARCO:

They reinstated the commuter tax? All right. New York City income tax. There used to be a commuter tax as well. Apples and oranges, I guess.

LEG. BROWNING:

Yes, John -- John, my husband -- my husband pays that City tax.

CHAIRMAN CALARCO:

Income tax.

LEG. KENNEDY:

There you go.

P.O. HORSLEY:

That's different than City tax.

CHAIRMAN CALARCO:

Okay. Seeing that there's no more comments from the Committee, we do have two motions on the table: The first is a motion to table. All those in favor? Opposed? Abstentions? I abstain. I have a tabling motion. All those in favor? Opposed? Please raise your hands if you're opposed to tabling. We're asking for a roll call. Roll call vote, please. For the tabling motion.

(ROLL CALL BY THE CHIEF DEPUTY CLERK, RENEE ORTIZ)

LEG. KENNEDY:

Yes.

LEG. CILMI:

Yes.

CHAIRMAN CALARCO:

Abstain.

LEG. SPENCER:

No to table.

LEG. BROWNING:

Yes.

LEG. MONTANO:

Yes.

MS. ORTIZ:

That's four. I'm sorry, Legislator Horsley?

P.O. HORSLEY:

No.

CHAIRMAN CALARCO:

As I expected first. Motion is tabled. **(4-2-1-0)**

INTRODUCTORY RESOLUTIONS

Introductory Resolutions, **IR 2089, Authorizing the disbursement of funds from the Suffolk County Living Wage Contingency Fund for Lazy Cow, Inc. Dba Kiddie Care Early Learning Center, The Community Programs Center of Long Island, Inc. - Ronkonkoma, Colonial Youth and Family Services, Inc. And Brightwaters Child Care and Development Center, Inc. Dba Kiddie Academy of Brightwaters Day Care Providers under contract with the Department of Social Services. (Presiding Officer on behalf of the County Executive)** I have a motion to approve by Legislator Browning. I will second the motion.

LEG. CILMI:

On the motion.

CHAIRMAN CALARCO:

On the motion, Legislator Cilmi.

LEG. CILMI:

If Mr. Vaughn, perhaps, or Budget Review, perhaps, could talk to the issue of -- I know in one of our budgets we talked about at least the gradual elimination of this reimbursement. Where are we with that?

MR. VAUGHN:

This is the last of the -- this is the last of the fund.

LEG. CILMI:

Okay.

MR. VAUGHN:

So after this, there is no more funding.

LEG. CILMI:

Okay. Thank you.

CHAIRMAN CALARCO:

Okay. No other questions. We have a motion and a second. All those in favor? Opposed? Abstentions? **IR 2089 is approved. (VOTE: 7-0-0-0)**

IR 2101, Amending the hourly rate for temporary positions in the Suffolk County Classification and Salary Plan. (Presiding Officer on behalf of the County Executive) Mr. Vaughn?

MR. VAUGHN:

There were a number of job titles that were -- that are going to be below the new minimal wage. This is raising those titles up to minimum wage.

CHAIRMAN CALARCO:

I'm glad we pay the minimum wage here in Suffolk County.

LEG. SPENCER:

Motion to approve.

CHAIRMAN CALARCO:

Are these part-timers, Mr. Vaughn?

MR. VAUGHN:

Pardon me while I take a look at the list.

CHAIRMAN CALARCO:

Do you know, George?

LEG. BROWNING:

You got a motion.

MR. NOLAN:

It's temporary part-timers.

CHAIRMAN CALARCO:

Okay, temporary part-timers. Thank you.

LEG. BROWNING:

There was a motion. I second.

CHAIRMAN CALARCO:

I have a motion? Motion by Legislator Spencer; second by Legislator Browning. All those in favor? Opposed? Abstentions? **IR 2101 is approved. (VOTE: 6-0-0-0)**

IR 2106, Amending the Temporary Classification and Salary Plan to add the Emergency Complaint Operator and Emergency Complaint Operator (Spanish Speaking) Titles. (Hahn)

LEG. BROWNING:

Motion to table.

CHAIRMAN CALARCO:

I have a motion to table by Legislator Browning.

LEG. SPENCER:

Second.

CHAIRMAN CALARCO:

Second by Legislator Spencer.

LEG. BROWNING:

On the motion.

CHAIRMAN CALARCO:

On the motion, Legislator Browning.

LEG. CILMI:

I had a question.

CHAIRMAN CALARCO:

Okay, we could quickly go back to the previous motion -- previous resolution.

LEG. BROWNING:

Go back.

CHAIRMAN CALARCO:

Legislator Cilmi, what was your question on that?

LEG. CILMI:

For Budget Review, so is there a -- I didn't see the Fiscal Impact Statement on this. Is there a fiscal impact to this?

MR. PERNICE:

Well, it's a County Executive resolution so they did the Fiscal, but we did -- we did a comment ourselves. As you describe, it's raising wages that ranged from about six something to seven something to the new eight dollar minimum wage. So -- I mean -- it depends -- the fiscal impact depends on how many of these employees we hire. It depends on how long we hire them for. These are temporary -- these tend to be seasonal or part-time employees. These aren't permanent employees. But as an example, if you were making 7.25 an additional 75 cents in a normal work week would be about \$26 a week. If you were working full-time, \$113 per month and about \$1300 a year, if you were working full-time. But everybody's working usually somewhat less than that, per person.

LEG. CILMI:

Okay, but at this point we've adopted a 2013 budget. We've adopted a 2014 budget. My question is have we properly accounted for that increase in minimum wage in those budgets to the extent that it impacts our 2013 or 2014?

MR. PERNICE:

Yeah, the appropriations are what they are so if it's going to increase the cost, you're going to have to either hire less or hire them for less time.

CHAIRMAN CALARCO:

These are part-time positions that we haven't actually filled so there's flexibility on the administrator of adding to -- reduce hours or not fill positions --

LEG. CILMI:

-- right.

CHAIRMAN CALARCO:

-- according to appropriations that are available.

LEG. CILMI:

Okay. Thank you.

CHAIRMAN CALARCO:

Okay. Anybody else?

LEG. KENNEDY:

What are the motions on this reso, Mr. Chair?

CHAIRMAN CALARCO:

We already approved that resolution.

LEG. KENNEDY:

Right. We're on 2106, right?

CHAIRMAN CALARCO:

We are on 2106. And I do have a motion and a second to table.

LEG. KENNEDY:

Excellent. Thank you.

CHAIRMAN CALARCO:

But I did have a couple people on that issue. Legislator Browning.

LEG. BROWNING:

Yeah, I have -- a few questions I had. I know -- I believe, Tom, I made a request of Mr. Schneider from the County Executive's Office that they have a conversation with AME with regards to this, because -- I actually happened to have a conversation with a labor attorney asking if this was a change in terms and conditions of the employment for AME members. I believe -- that's what I believe it to be. So, therefore, it would require conversation with the Union. So my question is since -- I believe I spoke with you's on Friday, have you had any conversation with AME since Friday?

MR. VAUGHN:

I did have a conversation with AME today. As a matter of fact, I spoke with Mr. Finland at -- I spoke with Mr. Finland at 11:09 this afternoon -- or this morning, pardon me.

LEG. BROWNING:

I know, he's got a flip phone.

MR. VAUGHN:

I love my flip phone.

LEG. BROWNING:

(Laughter) So -- okay. Have you -- have you had an opportunity to --

MR. VAUGHN:

He said that he'd support tabling this.

LEG. BROWNING:

Okay. So as far as the conversation is concerned --

MR. VAUGHN:

The conversation ended with that statement.

LEG. BROWNING:

Okay. So you haven't had a conversation with him to sit down and --

MR. VAUGHN:

Well, he also told me that -- the situation over -- over in the (inaudible) --

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CHAIRMAN CALARCO:

For what it's worth, I do believe it's the sponsor's intention, and this is Legislator Hahn's bill, to have it tabled.

LEG. BROWNING:

Oh, she wants it tabled, too. Okay. That makes life easier. So then we got the motion and the second, right? So let's move.

CHAIRMAN CALARCO:

Okay.

MR. VAUGHN:

We also talked about Christmas.

CHAIRMAN CALARCO:

That's a nice topic, yeah.

MR. VAUGHN:

I asked him to let Santa Claus know that I wanted the residency thing waived and --

CHAIRMAN CALARCO:

Okay. I do have a question by Legislator Spencer.

LEG. BROWNING:

I think you're getting coal, Tom.

LEG. SPENCER:

I'm sorry, I'm still stuck on the minimum wage question. To Counsel, how were we able to have positions that we could pay below state minimum wage?

MR. NOLAN:

I think the minimal wage is being raised at the end of the year.

MR. VAUGHN:

So this is to be consistent with that.

MR. NOLAN:

So we're trying to comply with the law.

LEG. SPENCER:

We're good?

MR. NOLAN:

We're good right now, yeah.

LEG. SPENCER:

Okay. Thank you.

CHAIRMAN CALARCO:

Okay. Getting back to 2106, I do have a motion and a second. If there's no other conversations or questions, we will call the vote. All those in favor? Opposed? Abstentions? IR 2106 is tabled. I think there's a similar item on the floor for next week, Mr. Vaughn? That's the County Executive's resolution?

MR. VAUGHN:

Yes, there is.

CHAIRMAN CALARCO:

Okay. So I would encourage you to have some conversations with the union before we get there, if you could. Unless you're not looking to move your version either. Okay. We're going to move on.

HOME RULE MESSAGES

Home Rule Message number 9, Requesting the State of New York to enact legislation authorizing the County of Suffolk to establish a County-wide Master Electrician Licensing Program (Senate Bill No. S.5132 and Assembly Bill No. A.7298). (Cilmi) Legislator Cilmi, motion to table. I'll second that. All those in favor? Opposed? Abstentions? **Home Rule Message 9 is tabled. (VOTE: 7-0-0-0)**

I have no other items on the agenda -- I hope Mr. Vaughn is raising his hand one last one last -- one last push for the residency bill.

MR. VAUGHN:

Yes, absolutely. We'll be speaking to everybody and seeing if they want to sign discharge petitions later on. But in all seriousness, the one thing that I would just say on both our version of the 2106 and 2106 itself right now is I do believe that additional conversations should take place. AME indicated to me during the conversation that I had with them, that they did not think that this was necessary at this time. And I would just suggest that conversations should happen to see if the local law that -- that put the requirement, that this bill be adopted in place -- should perhaps be amended in the new year.

CHAIRMAN CALARCO:

Okay. Thank you very much. We appreciate it.

I have no other items on the agenda. I do want to thank the members of the Committee. We had some pretty good debates here in the past two years. And I appreciate your efforts and attention.

Seeing no other business, I make motion to adjourn.

**THE MEETING CONCLUDED AT 2:26 PM
{ } DENOTES SPELLED PHONETICALLY**

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