

**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 November 21, 2014.

MEMBERS PRESENT:

Leg. Robert Calarco, Chairperson
Leg. William J. Lindsay, III, Vice Chair (excused absence)
Leg. Jay Schneiderman, Deputy Presiding Officer
Leg. Thomas Cilmi
Leg. Kara Hahn
Leg. Kevin J. McCaffrey

ALSO IN ATTENDANCE:

Leg. Kate M. Browning, Third Legislative District
George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel to the Legislature
Jason Richberg, Chief Deputy Clerk of the Legislature
Laura Halloran, Budget Review Office
Benny Pernice, Budget Review Office
Tom Vaughn, County Executive's Office
Jill Rosen-Nikoloff, Director/Economic Development
Charles Gardner, Director/Government Affairs for the LI Chapter of the National Electrical Contractors Association
Ed Heilig, District Attorney's Office
Christopher Nicolino, District Attorney's Office
Michael Pitcher, Aide to PO
William Shilling, Aide to Leg. Calarco
Alyssa Turano, Aide to Leg. Hahn
Sean Rogan, Aide to Leg. McCaffrey
Peter Florey
Richard O'Kane
Peter Elkowitz
Keith Gordon
Mario Mattera
Charles Gardner
Raymond Dean, Jr.
Paul J. Leo
Chris Nicolino, District Attorney's Office
Commissioner Gil Anderson, Commissioner/Department of Public Works
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 10:08 PM

CHAIRPERSON CALARCO:

Could I have all Legislators to the horseshoe for the Government Operations Committee.

Good morning and welcome to the Government Operations, Personnel, Housing and Consumer Protection Committee. We are going to get started now. If we could all please rise for the Pledge of Allegiance led by Legislator McCaffrey.

SALUTATION

PUBLIC PORTION

Okay. I do have a number of cards here this morning so we're going to get right into our Public Portion. We have our first speakers, Peter Florey. Peter?

MR. FLOREY:

Good morning. My name is Peter Florey. I am a principal with D & F Development and I'm here to speak about the Highland Green project in Melville. As you know, or may know, it is the culmination and hopefully the final chapter in what has been a 15-year long effort to develop a 117 units of affordable, multifamily housing on Ruland Road in Melville.

The breakthrough for this project, which has taken so long to get to this point, came when there was a settlement between the NAACP and the Town of Huntington, the Long Island Housing Partnership and ourselves helped bring that together. And that was agreed to in this past February. And what it called for was a number of things: Number one, it was going to be built as a limited equity co-op. It was to have a unit mix of -- combination of affordability between 60 and 80% of the area median income. And there was a unit mix of 72 one-bedrooms, 39 two-bedrooms and 6 three-bedrooms. That was one of -- those were big sticking points in the -- in getting to that settlement.

So we are in the middle right now of putting all the final pieces together on this project. We expect to close in -- on December 12th next month. And it's a \$33 million project. We're hoping to get a million 750 from the County, which we greatly appreciate. It is critical funding in order to make the project a success. We are working closely, of course, also with the Town and with the State that are also providing funding on this project. And we are, you know, looking forward to hopefully putting a shovel in the ground towards the end of December.

I'll be happy to take any questions if there are any. But thank you very much. We really appreciate the funding from the County.

CHAIRPERSON CALARCO:

Great. Thank you, Mr. Florey. Does anybody have questions for Mr. Florey? Seeing none, thank you very much for coming today.

MR. FLOREY:

Thank you.

CHAIRPERSON CALARCO:

I suppose you might want to stick around when we debate the bill in case we have any further questions at that time.

Our next speaker is Richard O'Kane. Dick, I think you had a presentation you wanted to do, right? So we'll hold you to the end and then we'll let you do your presentation after the speakers. Okay?

MR. O'KANE:

Thank you very much.

CHAIRPERSON CALARCO:

All right. Our next speaker is Peter Elkowitz.

MR. ELKOWITZ:

Thank you, Mr. Chairman and members of the Committee. I'm Peter Elkowitz. I'm the President and CEO of the Long Island Housing Partnership. I've been at the partnership for about 26 years now creating workforce housing for Suffolk County residents.

I want to say that we support wholeheartedly the 117 workforce housing units. It is a homeownership structured to a limited equity co-op unit. We are actually the grantee requesting funds from New York State for about 2.1 million from the Affordable Housing Corporation. And we are putting in a million dollars to New York State Help Program as well to make this affordable. Again, we are involved in this as a co-managing partner. We will be working with the residents to understand their co-op responsibilities. And I'm here to take any questions if anyone has any questions about the development.

CHAIRPERSON CALARCO:

Okay. Does anyone have any questions for Peter? Seeing none, thank you very much, Peter, for being here. Our next speaker is Keith Gordon.

MR. GORDON:

Yeah, hi. My name is Keith Gordon. I'm the Apprenticeship Training Coordinator for Plumbers Local Union 200. I'm here to speak about resolution 1866 and my support of it.

This resolution deals with apprentices being utilized in the workforce. These apprentices that work with us, they are mandated for five years of schooling through State and Federal-approved programs. They have to accumulate 1800 hours a year approximately in my trade of on-the-job training as well as 246 hours of classroom training every year. This is definitely needed. There are so many contractors out there who do not utilize the youth of our County. And this -- this is definitely needed. This provides an avenue for our young people to learn a trade and have a successful career. You know, and this is our County money that's paying, you know -- in the long run, paying these guys to do the work.

So I'm just here in support. You know, these guys -- you know, the schooling is real for us. You know, I'm a third generation plumber. My grandfather, my father, myself have all gone through this program. This training has, you know, provided three generations with a successful career. All right. It works. It's proven to work. Any avenue by which we can help our young people needs to be developed; needs to be pushed forward. And this will would definitely help us do that. We need to get these young people working and not just in jobs, but in successful careers. This can push that forward. It definitely helps.

There is -- you know, no fooling around, there are too many programs out there who misuse the legislation that's currently in place to -- claim to have apprentices, yet never have an apprentice that progresses forward in their program or graduates from their program. We have a proven track record in the building trades that do. All right. We can show graduating apprentices. We can show hours that they've worked. We can show hours that -- that have been in classroom training. This is all, you know, public knowledge through the Department of Labor. We are inspected a minimum of twice a year where they come and they speak with our apprentices.

So the only way we can maintain this program is by doing the right thing. And these young people need an opportunity to go to work. And they need an opportunity to work here in our counties. So I'm here in support of resolution 1866. Thank you.

(APPLAUSE)

CHAIRPERSON CALARCO:

Thank you very much, Keith. Does anybody have any questions for Mr. Gordon? Okay, seeing none, thank you very much. My next speaker is Mario Mattera. Mario, come on up.

MR. MATTERA:

Good morning, Mr. Chairperson and all Legislators. My name is Mario Mattera. I'm the business agent with Plumers Local 200. You know, listening to this -- Mr. Gordon, you know, the coordinator for our apprenticeship program, you know, Keith is very thorough what he does with 150 -- approximately 150 apprentices. You know, it's a five-year program; New York State indentured program. It's a real program. It's not a bogus program.

The problem out there is we have contractors that have programs -- and just to give everybody a heads-up, there's more non-union programs than there are union programs with the apprenticeship program. The problem is nobody is graduating anybody. The only reason why they have these programs is so they can bid on work. They're not looking for the safety. They're not looking -- they're looking for themselves. We need a workforce for the future. Our young people, they want a training program so they learn and they move forward in the workplace.

Two nights a week that they have to spend of their own time, they do not get paid to go to school after working in our field, especially with the weather that we have coming up like last winter, they have to go to school two nights a week, four hours a night. And they have to go. They have to show time. They have to sign their blue book, which shows what they have done with the program, either classroom time or hands-on. They have to prove that they work. The problem is -- I just had a situation that I took three supposedly apprentices from a program, which I don't want to name the organization, I just took three of them away that have affidavits right now with New York State to prove, that in other words, they went to a program, that they played cards every night. And they falsified the blue book. Okay? So all this is in some of these programs are there for nothing. They're bogus just so people -- contractors could get in there and bid on work. We need to have a safe workplace.

The other thing is apprenticeship language saves the taxpayers money with prevailing wages. If you do not have a New York State indentured program and have apprentices, the -- our contractors can go and bid on a project and utilize that apprenticeship rate. And that's how they can be more competitive and save the taxpayers money. And that's why apprenticeship programs work.

Meaning that if you do not have an apprenticeship program, every worker on the job has to get paid the full rate. Even if you use a helper, he still has to get paid the full apprenticeship rate. That's why apprenticeship language works. 1866 is very, very important. We need to strengthen this bill because there's contractors still out there that are getting away with doing projects by having just the language, but not graduating anybody.

I commend Legislator Browning for bringing this forward. Because when Legislator Browning went and saw the workforce that was on top of the building, she was -- she was frightened. She couldn't believe what she saw, how -- in other words, obviously people weren't trained properly; that in other words, they were going to get hurt. This is called preventive maintenance, this strengthening of this bill. And I commend, you, Legislator Browning, for going out of your way to do this for today.

Please, we need this to get out today, to be passed today with this board and bring it to a full horseshoe and get it passed right away. I thank you very much for your time. Thank you.

APPLAUSE

CHAIRPERSON CALARCO:

Thank you, Mario. Does anybody have any questions for Mario? No. Seeing none, thank you very much, Mario, for being here.

I have no other cards. Is there anybody else who would like to address the Committee this morning? Sure, Charlie, come on up. Charlie, just put your name on the record for the --

MR. GARDNER:

Yes, thank you, Mr. Chairman. My name is Charlie Gardner. I'm the Director of Government Affairs for the Long Island Chapter of the National Electrical Contractors Association. We offer our full support to 1866. We thank Legislator Browning for introducing it. And as Mario mentioned, this really is strengthening the requirements. It was a kind of a -- you know, it was there prior. But with the passage of this legislation, we will take a huge step forward in making sure that an apprentice program is really an apprentice program and is really doing what the law intended to be doing: Get rid of these bogus places that really don't graduate anybody.

So, again, the Electrical Contractors of Long Island fully support it. Thank you very much.

CHAIRPERSON CALARCO:

All right. Thank you very much, Charlie.

APPLAUSE

Okay, is there anybody else? I do see the District Attorney's folks are here. Ed Heilig, do you guys want to add any comment at all at this time? Just push the button.

MR. HEILIG:

All right. We've been working with Legislator Browning for a while now with this bill. Mr. Spota is definitely in favor of this bill. Anything that would strengthen the apprenticeship training program requirements for contracts with the County would be a good thing.

I can't go into any details. I can tell you we have investigations underway right now that involve this issue. It does not involve County contracts. It involves a different municipal agency. Obviously this bill would not apply to that, but the issues are real. And that's the only point I want to get across. It's not something that's out there and that we think about. But the issues involved are real. And the apprenticeship training requirements actually strengthen -- help the taxpayers of Suffolk County by giving them qualified workers on County jobs who are qualified and trained in a way that other workers are not.

So just -- the only thing to take away from this is that Mr. Spota supports this bill and would ask that it be voted out of Committee and put before the full Legislature. Thank you.

CHAIRPERSON CALARCO:

Great. Thank you very much, Mr. Heilig. Oh, just one quick second here. Legislator Cilmi has a question for you.

LEG. CILMI:

How's it going? I'm just curious, why is the DA involved in this?

MR. HEILIG:

We are charged with prosecuting violations --

LEG. CILMI:

Got you.

MR. HEILIG:

-- of labor laws, prevailing wage, any other violations of Labor Law; failure to pay wages. This comes under that bailiwick. I'm here with Chris Nicolino, who is in charge of our Labor Unit. And over the last 12 years with Mr. Spota, 13 years we're coming up on, we've done a number of prosecutions that have returned wages to workers in this County; therefore, you know, making -- giving those people the wages to buy things and increase the sales tax revenue in Suffolk County. So that's the bailiwick that --

LEG. CILMI:

I just didn't understand the connection. Thanks very much.

MR. HEILIG:

Thanks.

CHAIRPERSON CALARCO:

Great. Thank you very much, Ed. Okay, I have no other cards. Anybody else? Any other speakers? Yep, come on up.

MR. DEAN:

I'm a business agent for Steamfitters Local 638; also a trustee and I've joined the Apprenticeship Committee, which is a committee between the contractors and the union. My union's part of the same international as Mario and Keith's.

I'd like to bring up a couple points in the building trades. Some of the few programs right now, I employ 15 helmets to hardhats apprentices. Our international union also has what we call a VIP, Veterans in Piping. Our Veterans in Piping takes some of our veterans as they're discharged from the service, they go into a 16-week training program. After that 16th-week training program, depending on where they live throughout the country, they're brought to a local and they start their apprenticeship program. Sometimes they are allowed to advance a year or so. Very important.

Like Keith, I'm a third generation steamfitter. My sons are fourth generation steamfitters. My grandsons are fifth generation steamfitter. My grandson and one of my sons are still apprentices. It's a career. It's not -- you know, it's not just your own one job. We take our people, you know, if they're working in Suffolk County and they're getting trained, and they're going to school, and on the County projects they're finished up, these people have training where they can move forward. Maybe they'll go to work in Nassau County. Maybe they'll go to work in New York City.

In 1990/91 when things were very slow in New York because my apprenticeship training, my welding certifications, there was no work in New York. It was dead. I was able to travel Upstate to Albany. I was able to work in New Jersey. I was able to work in Ohio. I was able to feed my family.

Our programs -- our apprentices attend school one day every two weeks. 1800 hours on the job a year, 250 hours in the classroom training. You know, it's -- they're good programs. They're not bogus. We come under the State with the ATR where they do come in a couple times a year and check the records and -- check the kids' work records, and what they're doing, what phase they're in. And we really need this bill. And that's about it. I'd just like to wish you's all a nice Thanksgiving.

CHAIRPERSON CALARCO:

Thank you, Ray. Thank you very much. And you have a nice Thanksgiving as well.

APPLAUSE

Okay. Anybody else would like to speak on the issue or any other issue for that matter? Up, come

on up. Please just put your name on the record.

MR. LEO:

Is that working? Yes. Paul Leo. I'm the council rep for the Northeast Regional Council of Carpenters, also President of Local 290 right here in Hauppauge.

We're here to support the bill that's before you. I just wanted to reiterate how important this bill is for the training of our future. All your leading economists and CEOs out there throughout the United States have continually said over the past several years with the baby boomer population retiring, we're into a huge vacuum that's going to be happening within the next five to ten years with an educated and trained workforce.

Without having apprenticeship program, we are going to be doing a great disservice to a great deal of potential construction workers coming up through the ranks through the high school at this particular time. Not every high school here on Long Island has a tremendous college rate going into colleges, two-year or four-year. And they need another avenue to go for a higher education. And they also need to know that this is not a job; it's a career. And that's what the apprenticeship program offers; is a career for them to be able to stay, pay taxes and live here and have the dream that all of you have as well. Thank you.

APPLAUSE

CHAIRPERSON CALARCO:

Great. Thank you very much. Now I think you actually mentioned something that's very -- very relevant and something that we should look towards trying to help accomplish is, you know, trying to find a way of feeding kids straight from high school into these apprenticeship programs so they understand that there are career options out there for them, especially if they're not somebody who's necessarily into school, wants to go to college. There is another option where they can find a good job where they can make a good living. And that's something that maybe we should work with our high schools to try to facilitate that transition, especially as BOCES has been phased out at so many schools. So thank you very much.

MR. LEO:

Thank you.

CHAIRPERSON CALARCO:

Okay. Any other -- any other speakers? Seeing none, okay, Dick, come on up. I think they have you set up at the table here. You can have a seat in front of the little computer there. And I know you had a presentation. And Jason will help you out.

VIDEO STARTED

CHAIRPERSON CALARCO:

Can you guys just maybe start it over and let us know what we're watching here? No, we can't. Usually they had a speaker for it. Okay, how about we do this: We'll get -- Jason, could you get the IT guys? And Mr. O'Kane, you can start and then we'll watch the video once they get here. If we can't here the video, it doesn't, you know.

MR. O'KANE:

I hear you, I hear you. Do you want me to stay here or do you want me to go to the podium?

CHAIRPERSON CALARCO:

You can stay right there. Just turn the mike around, make sure either the light is on or it stays on or you're going to have to hold the button.

MR. O'KANE:

Okay. First of all, I'm delighted to be able to speak in front of the Legislature and giving us the opportunity to do so. We have in front of us an opportunity to make this County and hopefully be an example for every other municipality on Long Island to get into and listen to what we have to say from today and moving forward.

I'd like to echo what Mr. Ray Dean just said about the veterans and the helmets to hardhats. We have 59,000 certified workforce men and women. And they're helmets to hardhats. They're returning veterans. They have an opportunity to get into every one of those programs. We have 34 different affiliates. And each one allows the veterans to apply and they get a break to move forward after they recover from coming home from war and getting a job that's going to take care of them and their families. So I just want that -- you know, the Legislature to be aware of that program that they have and that opportunity.

We need to maintain our workforce on Long Island. People are moving out. Last Year in 2013 we lost 1500 jobs on Long Island. And we can't be affording to do that. We have nothing but people coming here from Kansas, Arkansas, Texas, Mississippi, Georgia, North Carolina, Massachusetts, Pennsylvania, Connecticut and on and on and on taking our jobs and undermining our jobs. Having a viable program, an apprenticeship that -- will address a lot of these issues. We've been around for, you know, I guess we -- at least since 1950 with apprenticeship programs, training people and having a viable workforce on Long Island. These are the people who rose to the occasion on Hurricane Sandy, was out there volunteering and doing their work and doing their things that they have to do.

I'm in total support of 1866 because it strengthens the bill and gives us a level playing field. Mentioning the hurricane, we came out, you know, the next day and the people that got evicted -- not evicted but put out of their homes because of the storm, up and down Long Island they tried to get hotels and everything else. And they couldn't do that because of all the out-of-town contractors that were here from all over the country, all over the country.

So what we're looking to do is to get a level playing field here and have some, you know, criteria to measure for contractors to adhere to. There's nothing -- time after time after time contractors from out-of-state, they come here and we don't get paid, you know, they're undermining the conditions. And many, many, many times the work is shoddy. You don't get that with the Nassau Suffolk Building Trades.

We have a certificate, a licensed program where if you need it, whatever trade you're in, you have it. So -- and like was stated before, the program start and range from three years, four years to five years. And as the gentleman said, you know, it's not easy to go to school and work and go to sometimes on Saturdays away from your family. But the point is, is that this is a viable, you know, legitimate program. And I want to say that there are a lot of people out there that profess to have apprenticeship programs.

I would like to remind you about two years ago, there was a hundred apprenticeship programs suspended in New York State because they were all bogus. They all professed to train people. We put these places under surveillance and we noticed that nobody comes -- or nobody goes no matter what time of the year you're looking at them. So that has to stop. We need a little more fairness here. And it's, I think, very, very pertinent that this thing passes.

And, you know, I'm a product of an apprenticeship program 43 years ago. And I was a young guy and I was on my own. And I didn't know what the hell I was going to do. And I had -- tried a few jobs. And they were okay, but the American Dream wasn't coming. Now 43 years later, I achieved the American Dream as a result of being able to get into an apprenticeship program and raise a family, educate them. And I'm a happy guy.

So I have to say there that I don't see anybody getting these chances. When I was -- I was a business manager for the Iron Workers a couple years ago. And people used to knock on our door to be -- you know, to come in and say *I want to join the union*. So I would say to them, okay, *where were you, though, 15 years ago, 20 years ago? Certainly you had to know the wages, the benefits and the success of the unions. Why are you coming here now? You're forty something years old.* He said *I just realized that I have nothing. I have nothing. I have no health benefits, I have no pension credits, nothing.* You know, on top of everything that the union does besides wages, they provide them with healthcare. We've had healthcare for -- I'm going to say about 80 years now. As a result we're one of the first to do it. I guess if not the first. And we take care of our membership. We have scholarships, we have mortgages, we get them started. As the gentleman said earlier, we give careers, not just the job, when it comes to town and then they sit on the curb, what do we -- what now, coach? Where are we going?

They can work and have the opportunity to work up and down Long Island. A lot of times they have jurisdiction in New York City so there's usually an availability unless there's a recession going on. Sometimes they all suffer. And there's just too many people selling a bill of goods trying to undermine what we do. And we kind of don't like it. And when you see this film here, you might get a better idea because this goes on all over the country.

In 1933 Davis-Bacon was created. And the reason for the creation of it is for those who don't know, it was to keep people from coming to New York undermining wages. Just people coming all over the country because New York was big and they were growing and they were in the middle of a depression and they wound up coming to New York and undermining the wages. So two fellows Davis, Bacon got together. And, you know, wanted to put an end to that. And it's -- you know, it's going on today at a much more rapid pace. And if we don't keep our labor force here and keep our families here to sort of take them and provide them with jobs, nobody will be going to college, they'll just be hanging out and they'll be moving and your tax base, you think it's bad now, you know, it's -- you're going to -- it's going to be a rude awakening.

So with that I would like you to entertain this film. And just take it from here. And the reason why I show you this film is because this is what takes place and everybody complains about it all across the country.

CHAIRPERSON CALARCO:

Okay, thank you, Mr. O'Kane. Go ahead. Let's watch the video.

10 MINUTE VIDEO SHOWN

APPLAUSE

CHAIRPERSON CALARCO:

Okay. Thank you, Mr. O'Kane, for bringing that forward. And I know that we are all here to talk about the the apprenticeship programs. Does anybody have any questions for Mr. O'Kane about the resolution or about the apprenticeship programs in general? Oh, Legislator McCaffrey.

LEG. McCAFFREY:

Thank you. Dick, you know, a couple of months ago myself and Legislator Lindsay arranged for you to come to the Economic Development Committee and give you an opportunity to speak about the advantages of apprenticeship programs and their impact on our communities and our economic development projects. And I just want to say, you know, that I'm fully behind that. I think that the work that the apprenticeship programs do builds for a better workforce and gives us better value for our dollar when we spend our money -- our taxpayer money on these public works projects. So, thank you again for --

MR. O'KANE:

You're welcome. If you need it, I have a study conducted by the National Labor College going over the aspects of bogus apprenticeship programs and what goes on in the industry as well. It's 140 pages. You can get through it in about maybe a half hour.

LAUGHTER

CHAIRPERSON CALARCO:

That's all it takes, about a half hour? You're a faster reader than I, Dick.

MR. O'KANE:

But, you know, we are staunchly -- you know, we're just great advocates of, you know, the program. And like I said, I can attest to -- you know, and everybody behind me -- that they went to apprenticeship schools and they made a good life. And I believe everyone will tell you they achieved the American Dream. And the way we're going, you know, I don't see it as -- it's difficult. We need to restore the middle class. There was an assault on us since -- 2008. And we're making a come back. And we will be back bigger and stronger than ever. This is your constituents. And we feel that, you know, this is the way to go. And anything you can do towards that end with this bill, we would greatly appreciate it.

CHAIRPERSON CALARCO:

Okay, great.

MR. O'KANE:

Thank you for giving me the time. You know, it wasn't that long but sometimes when you're sitting up there, it seems long. But that's what goes on all over the country. I used that because it's California, and New York, so we're kind of on the same page in terms of size and population and what have you.

CHAIRPERSON CALARCO:

Great. Thank you very much, Mr. O'Kane. We appreciate you coming down and sharing that information with us.

MR. O'KANE:

I have a copy of this. If anybody wants the copy, I can give you one.

CHAIRPERSON CALARCO:

Okay. Thank you very much.

APPLAUSE

TABLED RESOLUTIONS

All right. Okay, we're going to move right into the agenda now. Table Resolutions, **IR 1866, Strengthening the apprenticeship training requirements. (Browning)** Legislator Browning, you would like this to move forward; correct?

LEG. BROWNING:

Yes, please, I would.

CHAIRPERSON CALARCO:

Okay. I'll make the motion to approve.

LEG. McCAFFREY:

Second.

CHAIRPERSON CALARCO:

Second by Legislator McCaffrey. On the motion.

Before we get into the agenda, I apologize, I left this out before, is Legislator Lindsay is not here with us today. He does have an excused absence. He was unable to attend this morning's meeting.

We will start with Legislator Schneiderman and then we'll go to Legislator Cilmi.

D.P.O. SCHNEIDERMAN:

Maybe if Legislator Browning could just go over the changes that were made to the bill because it was recently amended.

LEG. BROWNING:

Okay, there's quite a few changes. Maybe George -- hold on, let me see. Okay, George, maybe you can jump in any time you want and I may -- this is actually something that I -- when I saw the problem that was going on with the roofers' union, they did say that they reached out to the District Attorney's Office. And in turn I want to say thank you to Chris Nicolino from the District Attorney's Office for his help in drafting this bill.

I can start with, on the construction contract we eliminated -- there's a cap of \$3 million. We eliminated that. Where else are we -- qualified apprenticeship program that is registered with and approved by New York State Commissioner of Law in accordance with the requirements of Article 23 New York Labor Law and 12 NYCRR Part 600, which meets the apprenticeship graduation requirements set forth in the Chapter. There was a word added, "sponsor." George, do you want to kind of explain the "sponsor" better than me?

MR. NOLAN:

Let me just ask Legislator Schneiderman, do you want the most recent changes described?

LEG. BROWNING:

Oh, I thought you wanted what the changes were in the entirety --

D.P.O. SCHNEIDERMAN:

No, just the changes -- because I know the Administration had some --

MR. NOLAN:

Right.

D.P.O. SCHNEIDERMAN:

-- changes that they had wanted.

MR. NOLAN:

Right.

D.P.O. SCHNEIDERMAN:

To strengthen the bill.

MR. NOLAN:

Yeah. Well, there were some -- some of the changes that were suggested initially by the County Executive have not been put into this bill. But there was -- Legislator Browning had a meeting the other day that included the County Executive's Office and the County Attorney's Office and people from Department of Public Works. And I think the most current version satisfies everyone who was at that meeting, I believe.

But basically the changes that were made last night, one, was instead of -- in terms of what a contractor or subcontractor has to submit to show they, you know, have a valid apprenticeship program, instead of their program registration agreements, DPW requested that they instead submit certificates of completion which indicate that people have graduated from an apprenticeship program. So that was one of the changes made last night.

Also going forward, contractors and subcontractors have to submit proof documenting that they have graduated four employees from an apprenticeship program.

D.P.O. SCHNEIDERMAN:

Four over three?

MR. NOLAN:

Four in the preceding 48 months. The original version was one in the preceding 36 months. And then there was a lot of discussion about the right number and the right period of time. And it was agreed on four in 48 months.

And finally if a department other than the Department of Public Works is administering a construction contract, that department or agency is going to be required to contact DPW and advise them of that. And the Department of Public Works will assist that department or agency in complying with the apprenticeship requirements of this law. So those were the changes that were made last night.

D.P.O. SCHNEIDERMAN:

So it's four over a 4-year period.

MR. NOLAN:

Correct.

D.P.O. SCHNEIDERMAN:

So they've only had an apprenticeship program for the last three years, they will not qualify, then, to -- for County work, right?

MR. NOLAN:

That's right. For contracts over \$250,000.

D.P.O. SCHNEIDERMAN:

So they will have to have been -- had the apprenticeship program up and running for at least four years and have graduated an average of one per year. Is Gil -- can I ask Commissioner Anderson --

LEG. BROWNING:

And, Jay, just to let you know, most apprenticeship programs average, I believe, four and five years.

D.P.O. SCHNEIDERMAN:

That they've been up and running?

LEG. BROWNING:

Well, an apprenticeship program is four to five years, depending on which --

D.P.O. SCHNEIDERMAN:

Gil, you're involved with the awarding of these bids so -- I mean are there a number of contractors we'll have to pick from when we go out to bid or are we going to be disqualifying most of them by this requirement?

COMMISSIONER ANDERSON:

By this -- this requirement is fair in our eyes. We feel that it gives anybody who has an ATP the ability to do what they should have been doing from the beginning. One of the problems and one of the reasons we thought this was a good bill was the fact that it starts to strengthen, just as in the DA needs to prosecute folks who aren't complying, we have to do on a daily basis, you know. And one of the issues that came up was with the roofer. The roofer who we've been using complies to law -- current law. So this gives us the ability to say, *okay, look, you don't have a program, you can't work for the County.* It's as simple as that. We're not -- we don't -- we'll get other contractors to do the work for us and we're comfortable with that. It'll just mean that the guys who are doing work for us comply with the letter of the law.

D.P.O. SCHNEIDERMAN:

Right. But there'll be some contractors who won't -- will now have to wait four -- even if they're willing to set up these valid programs, they'll have to wait four years.

COMMISSIONER ANDERSON:

Correct.

D.P.O. SCHNEIDERMAN:

Right? Before they can get County work.

COMMISSIONER ANDERSON:

Correct.

D.P.O. SCHNEIDERMAN:

Okay.

CHAIRPERSON CALARCO:

Okay, Legislator Cilmi.

LEG. CILMI:

Thank you. Not for you, Gil. So I have some questions. But before I ask -- before I ask questions, I have to say that I have always supported labor. And I have great respect for Dick O'Kane. I'm not sure what the video that was shown has to do with what we're debating today. It just totally impugned an organization. And I understand that we have freedom of speech and we have three minutes here to do -- to say what we want to say, but I think to do that without having that organization present to offer a contrary point of view, I just think is wrong. And, again, I say that with the utmost respect for Dick and for labor in general.

So let me get to this bill specifically. I came here this morning under the mistaken impression that this bill reduced the threshold -- the floor threshold by which we require apprenticeship programs to be in place for contracts from \$3 million to \$250,000, which I thought was a drastic and significant drop all at once. But I've come to learn that that's not the case at all; that the \$250,000 floor threshold was already in place and has been for sometime, if not forever.

The reason I was under that impression was because of the Fiscal Impact Statement that was issued and authored by our Budget Review Office. I know Legislator Browning, the bill sponsor, has just spoken with our Budget Review Office. And I just wanted Budget Review to put on the record that that is, in fact -- the statement in the original Fiscal Impact Statement is, in fact, untrue.

MR. PERNICE:

That's correct. It was interpreted incorrectly. It's since been refiled.

LEG. CILMI:

Okay, terrific. I appreciate that. This is going to be somewhat of an unusual request for the

Chairman, but is there anybody in the room who could describe to me what the apprenticeship program when not under union oversight entails? Like how -- if I was a, what they call, an open shop, how would I implement an apprenticeship program? What do I have to do? Is there somebody could answer that? Maybe Mario could answer that or --

CHAIRPERSON CALARCO:

Well, maybe -- Chris Nicolino is here, I think, from the DA's Office. Chris, maybe you could come up and tell us what we specifically look for? Because I think what Legislator Cilmi --

LEG. CILMI:

I know we look for -- forgive me for interrupting. I know we look for an apprenticeship program.

CHAIRPERSON CALARCO:

Well, I think this --

LEG. CILMI:

And I know this defines -- this more, I guess, specifically defines what an acceptable apprenticeship program is.

CHAIRPERSON CALARCO:

Correct.

LEG. CILMI:

But I want to know how somebody who's not a union shop would actually do an apprenticeship program properly. And I understand that -- the allegations here. And I have no reason to believe that they're untrue, is that a lot of these people are setting up these programs just as a way of sort of skirting the requirement, which I agree is wrong. And I see the benefit to apprenticeship programs, but I want to know if I'm not a union shop, how do I do it properly?

LEG. BROWNING:

Can I jump in real quick?

LEG. CILMI:

Sure.

LEG. BROWNING:

Given -- actually this is something I just received. It's New York State Department of Labor. This is a record, if you have an apprenticeship program, that you're required to fill this in, log all the training, whether you're union or non-union. And I guess --

CHAIRPERSON CALARCO:

I think -- I think -- you answered -- Chris, if you could please, Mr. Nicolino, tell us -- tell us what it is that by law you have to meet as an -- to be considered a qualified apprenticeship program. Because I think the standard is the standard, right? It doesn't matter whether you're a union shop or a non-union shop. The standards are the exact same standards; correct?

MR. NICOLINO:

That's exactly right, Mr. Legislator. Chris Nicolino, Suffolk County District Attorney's Office. The State Department of Labor certifies various apprenticeship programs. They require a certain number of hours as we've heard here today; certain training that's involved before they'll certify and authorize one. There are, to address Legislator Cilmi's questions, BOCES and other State Education Department run apprenticeship and training programs around the State that you can use to qualify, that you can join if you were a non-union shop, etcetera. There are non-union -- legitimate non-union apprenticeship training programs, but there are also ones that, you know, we've heard the term bogus used, etcetera, there are apprenticeship training programs

that never graduate a single apprentice, don't provide the necessary training and basically forge or submit fraudulent documents to the Department of Labor.

We in the District Attorney's Office, Mr. Spota, we've actually prosecuted some of those where there have been false filings offered to the state in relation to apprenticeship programs. We've had forged apprenticeship program certificates filed in connection with County contracts that we've prosecuted and other contracts within our jurisdiction.

So that's why we're here and that's why we're involved. I don't know if that directly addresses your question.

LEG. CILMI:

To some extent. But if I can ask the gentleman from the Plumbers to offer his remarks as well.

MR. GORDON:

Whether it's a union -- Keith Gordon from Plumbers Local 200 -- whether it's a union program or a non-union program, the regulations and the practices are exactly the same. All right. The requirements are exactly the same. You know, if you intend on, you know, signing up and creating an apprenticeship program, they have to go through the exact same procedures that we did when we did ours.

LEG. CILMI:

Which is what exactly?

MR. GORDON:

Well, you have to file for the program. You have to show that you have an avenue by which you can train these apprentices both in the field, which is easy. Anybody can do it in the field. That's a given. And the second part is the related theory. And I know they'll use BOCES, you know, outside training agencies. Some colleges offer courses. And as long as they can put a package together that shows that these students are going somewhere and getting the required related theory, that's it. You know, with the union we handle that. All right. With a non-union there are more than enough agencies outside through which they have avenues to train. I know BOCES -- you know, the adult education portion of BOCES is one of the biggest ones on Long Island. All right. They offer many courses in the construction trades so they can send them directly to there to meet the related theory requirements.

LEG. CILMI:

So if I own a -- if I own an ACME Plumbing and Heating --

MR. GORDON:

Sure; heard of them.

LEG. CILMI:

(Laughter) Dating back to my roadrunner days. And I employed, I don't know, two plumbers, let's say, and I wanted to bid on County or municipal work and an apprenticeship program was required, I could then send those employees to a BOCES or something like that to go through that apprenticeship program?

MR. GORDON:

Once you are registered with the State --

LEG. CILMI:

Right.

MR. GORDON:

And you're able to, you know, and you show them the avenue by which you train, that's it. Simple as that. It's there.

MR. NICOLINO:

If I could just interject for a second, your company would affiliate with whatever program. So -- and if that program is a legitimate program and it's graduating apprentices on a regular basis and is certified by the State, you would qualify.

LEG. CILMI:

And BOCES is one of those affiliated programs?

MR. NICOLINO:

Yes.

LEG. CILMI:

Is there a tremendous cost associated with that or --

MR. GORDON:

That I couldn't tell you. I know what we spend on training, you know, but we go -- you know, above and beyond, you know.

LEG. CILMI:

Which I think is admirable and appropriate.

MR. GORDON:

For us it's, you know -- you know, it's a matter of protecting our future in the industry. All right. And you can say, well, training's not necessary, they can get it in the field. I will tell you right now they do not get enough in the field.

LEG. CILMI:

Right.

MR. GORDON:

You know, working with -- you know, having been there myself.

LEG. CILMI:

Right.

MR. GORDON:

Having worked with apprentices and having -- you know, being an apprentice working with a journeyman, there's only so much you can learn. All right. You can learn how to work with your hands. You cannot learn the principles -- principle behind what makes any of these systems work.

LEG. CILMI:

Right.

MR. GORDON:

So the related theory is mandatory. You have to have it.

LEG. CILMI:

Right, right. That makes sense.

MR. GORDON:

But, basically, they have to do the same thing we do. You know, push comes to shove, they meet

the same requirements, there is no difference. But how easy is it to say, well, you know -- you know, we all know that the original intent was to protect the premises and put them to work. The bill doesn't do that. Because it's too easy for me to go in there and sign up and say I have an apprenticeship program, get approved by the State, put one guy on for a week, lay him off and I still have an apprenticeship program.

LEG. CILMI:

Right.

MR. GORDON:

Right?

LEG. CILMI:

I understand.

MR. GORDON:

Right. As long as that continues to go on, this bill will never work. And this an attempt to strengthen that bill to make sure that these people who are saying they have apprentices actually are.

LEG. CILMI:

Okay. Thank you. Dick, did you want to --

MR. O'KANE:

Dick O'Kane, the Nassau Suffolk Building Trades. I believe the gentleman, Mr. Gordon, said earlier that there's more non-union apprenticeship programs than union. And in reference to the cost, the cost is 35,000 to \$50,000 per person for a certificate. And it's a cost to nobody. But the trades, they'll provide it. And that should be understood. Look at these unfortunate accidents all over the place, that's -- most -- most of them, you know, is because of lack of training.

LEG. CILMI:

Right.

MR. O'KANE:

And it's just as simple as that. You know, cheap is expensive. And we have first rate programs. Right now we've had our apprenticeship program, you know, my other office. And we had it since the '50s. It's certified. Now the Department of Labor's coming by and every five years you gotta get recertified. You have to meet the test. And you gotta, you know, show that you're still producing. And I can tell you that the affiliates out of 30 Fordham, most of them all have apprenticeship programs and they're all state of the art. You'd be really impressed.

And when you walk into that -- any one of those -- I'd invite anybody that wants to go to anybody's -- any organization's apprenticeship program to check it out, and you are going to be amazingly surprised.

I had a contractor come in there one time, you know, and he was always fighting with us and this and that and back and forth. When he was done, he wanted to know if we could train his people that same day. He didn't even wait to call me the next day. So that's -- I just want to clarify.

LEG. CILMI:

I appreciate that.

MR. O'KANE:

It does not come cheap. \$35,000 per student. And we all graduate -- some of these affiliates graduated over a hundred over the last three years.

LEG. CILMI:

Dick, do you know -- while that's the investment that you make, which again, I have to underscore, I think it's great, the programs that somebody who's not a union contractor could sign up for like the BOCES program, as an example, it's the only one, is that similarly expensive or no? Or do you know?

MR. O'KANE:

Probably a dollar ninety-nine. All right. It doesn't --

LEG. CILMI:

But that's important.

MR. O'KANE:

It doesn't even come close.

LEG. CILMI:

But that's -- it's important that you say that. And maybe -- I see Mario standing up, I'll ask if I can bring him up as well but --

CHAIRPERSON CALARCO:

Ray raised his hand, too, from Steamfitters, but -- I mean, we can do this through each and every single trade, but I think -- what I'm hearing anyways from folks here and from our District Attorney's Office, is that nobody's actually questioning the validity of the alternative program when they allow their people to actually go through those programs.

LEG. CILMI:

Right.

CHAIRPERSON CALARCO:

Utilize them and go to BOCES and actually do it and graduate. The problem is, is that nobody's actually doing that. And so what Legislator Browning's trying to accomplish with this resolution, if I'm not mistaken, and, no, I don't mean to speak for Legislator Browning, she does it well for herself --

LEG. CILMI:

I understand.

CHAIRPERSON CALARCO:

-- is that we want to make sure there's a graduation rate there so we can assure ourselves that people are actually getting this education.

LEG. CILMI:

Which I totally -- totally understand and appreciate. Maybe what I'll do is, I would love to hear from Mario and I'd love to hear from Ray, but maybe it's more appropriate that we do that after -- after the meeting and not spend the Committee's time. If the Chairman -- listen -- if the Chairman will allow it, I would love to hear from Mario and I'd love to hear from Ray. So it's to you, Mr. Chairman.

CHAIRPERSON CALARCO:

If you have specific questions for each one of those gentlemen, we'll do that. But otherwise I think that we -- I think we all kind of get the point here. And I think I know what direction we're moving in.

LEG. CILMI:

If they have something to add, though, I'd like to hear it so -- -

CHAIRPERSON CALARCO:

Okay.

MR. O'KANE:

The qualified apprentice program is listed in your agenda. You know, briefly, but -- the codes and all of that, which they fall under. And --

LEG. CILMI:

Thanks. Thank you.

MR. O'KANE:

Thank you.

LEG. CILMI:

Thank you very much.

CHAIRPERSON CALARCO:

Okay, we'll bring you gentlemen up. Go ahead, Mario, briefly.

LEG. CILMI:

And I want to be clear. The reason I'm asking these questions is because I really want to support this bill, but I'm a bit concerned that there may have been a limited input, if any input, from non-union shops in the drafting of this resolution. And I don't know that to be the case, but that's why I'm asking the questions. I want to just understand how it works.

MR. MATTERA:

Legislator Cilmi, I just want to give you a heads-up. This isn't about union, non-union, Grand Unions --

LEG. CILMI:

I understand that.

MR. MATTERA:

This is about everybody. Because there are good non -- you know, open shops as I'll say it -- programs. We're here to say that people are cheating. That's the problem.

LEG. CILMI:

I get it. I get that.

MR. MATTERA:

It's bogus programs. There's programs that people have that are in their shops at nighttime. Nobody's going; nobody's graduating.

LEG. CILMI:

Right.

MR. MATTERA:

We're trying to prove, in other words, they're only using this as a tool so they can bid on work.

LEG. CILMI:

I understand.

MR. MATTERA:

We have an apprenticeship program here for a lot of reasons with this County: To save taxpayers, get people to go to work and educate, educate, educate. I'm just going to say this quick:

Everybody up there's very educated, went to school, graduated, got your diploma. You went to college? Some people went to college, some people didn't, whatever you did. Like I went to an apprenticeship program. When you went there, when you got your degree, it was one of your special days of your life. Was it one of your special days of your life? Okay. When our graduate -- when our apprentices -- now I'm going to say Mario Plumbers Local 200, we have a little -- a little affair that we have for them when they graduate and they come there, one of the happiest days of their lives, when they graduate. Because guess what? They got a training program. That's all I have to say.

LEG. CILMI:

You're always a gentleman, Mario.

CHAIRPERSON CALARCO:

Thank you, Mario. All right, Ray, come on up.

MR. DEAN:

Just on the point, our program is five years. With overhead and all costs associated, we spend approximately \$20,000 a year on each person in that program, completely funded by the membership and the contractor. No taxpayer money, no government grants, no state grants, city grants. It's all -- it's all basically membership money. The non-union, I do know some of them go to BOCES. I have interviewed some of them. Some of them have to pay their tuition themselves. Some of them go to --

LEG. CILMI:

Any idea how much that is, Ray?

MR. DEAN:

You know what? I don't know. You know, it's public knowledge. You could probably look it right up on -- some of them go to Suffolk Community College, their HVAC tech program, which I think is -- if they go full time, it's 2500 a semester or whatever the cost is a credit. Most of them are taking it out of their own pocket.

LEG. CILMI:

Right. But certainly that's not an unachievable expense. It's not an expense that puts --

MR. DEAN:

If they're paying it themselves, it could be unachievable.

LEG. CILMI:

Right.

MR. DEAN:

Because don't forget, if they're an apprentice and if they're working -- now apprentices work at a lower rate. If they're paying it themselves -- I mean if my son was, say, a non-union apprentice and working up 40% of a journeyman's rate, and he had to pay for it, he wouldn't be able to be an apprentice.

LEG. CILMI:

Right. But what I'm trying to get at here, Ray, is that I totally appreciate the benefit that somebody gets by joining a union. They get the benefit of extensive training, very valuable and -- but I want to make sure that if somebody -- if somebody chooses not to do that, that they have access to a program that they can do and be qualified. And it sounds like based on what you're saying, based on what the others have said, that they do have access to those programs.

MR. DEAN:

Yes, they do.

LEG. CILMI:

If they choose to do it. And if they don't choose to do it and, you know, they're just sort of saying they have an apprenticeship program just to get -- just to have access to -- I mean the law is the law for a reason. We want contractors to have apprenticeship programs in place at certain levels for a reason. We want those workers to be safe on the job. We want the job to be done in a way that's -- that's -- a certain level of quality that we expect and that the taxpayers deserve. So I get all that. And I appreciate your comments.

MR. DEAN:

Okay. Thank you.

LEG. CILMI:

Yep, thanks, Ray.

CHAIRPERSON CALARCO:

Is that it, Legislator Cilmi? I know we kind of went through a roundabout to get you --

LEG. CILMI:

If I could just through the Chair ask the sponsor about my question with respect to involvement of any non -- any open shop.

CHAIRPERSON CALARCO:

She was my next speaker so --

LEG. CILMI:

What's that?

CHAIRPERSON CALARCO:

Go ahead.

LEG. BROWNING:

Okay. I can give you the -- kind of the genesis of when this started was, I can tell you it was a couple of years ago when we were having a Public Safety meeting. And I came in. There was some guys on top of the roof, I don't know if you were here at the time, cutting off ice off the roof. As soon as I walked in, and I -- shocked when I saw what was going on. I said *who are these guys on the roof?* No harnesses, no hardhats. There was no cones, no tape, nothing. They're chipping ice off. The ice is falling off the roof. And I came inside. I brought it up. And Bill Lindsay was here at the time. And I said to Bill, "these guys are out side. Somebody's going to get hurt."

LEG. CILMI:

Is that an OSHA -- before you continue, isn't that an OSHA problem?

LEG. BROWNING:

Right. Let me finish. This roofing company was the company, I believe, that was doing that work. Because I came in, I said *who's in charge?* *Well, they're a contractor.* And so one of the County workers went out. And I said *I can't believe these guys are up here doing this work.*

Lo and behold, moving forward, I see another project going on on a roof. No hardhats, no protective gear, no harnesses. And I said *there's seriously something wrong here.* And that's when I reached out to the District Attorney's Office after speaking with the roofer's union, asking them, you know, *what's going on here?* And then they told me, *no, you see, they're not wearing hardhats, they're not wearing the harnesses.* And they said to me, *yeah, we're supposed to have*

an apprenticeship program. If these guys were in an apprenticeship program, they would be wearing all the right safety gear. And that's what apprenticeship programs teach, is health, how to protect yourself, how to make yourself safe. And, again, this was a company, in my opinion, is not playing by the rules.

LEG. CILMI:

Did you have an opportunity to speak at that time to speak with the principals of that company by now?

LEG. BROWNING:

I haven't spoken to them directly. I did contact the District Attorney's Office. And that's when my conversation started with Chris that, yes, he was looking into this company. And I believe there are some issues, that I don't know that we want to go into it anymore. But there are some issues with how they're working in Suffolk County. The taxpayers are paying for this.

And then I find out nobody has graduated from this apprenticeship program, this so-called apprenticeship program that they have in probably 10, 15, plus years, maybe longer. So, you know, this is not going to stop the non-union companies. We have prevailing wage. They have to be paid prevailing wage; even the non-union companies have to pay prevailing wage. That's not changing anything.

But what we're saying is -- and I think it puts us in jeopardy, to allow companies to come and work in County buildings. And, again, when I talk about electricians, you want to talk about the plumbers, if they're not properly trained in doing the job right -- God forbid you have a company, say, like an electrical company that doesn't have a legitimate apprenticeship program, and they have workers here and they claim, well, yeah, we train them, and we train them right, God forbid they don't do the right thing with the electrical work, we could have a fire. And guess what? Suffolk County taxpayers are going to have to pay for that.

LEG. CILMI:

So -- but you didn't answer my question.

LEG. BROWNING:

No, I haven't -- no, I didn't speak with them directly.

LEG. CILMI:

So the two years ago, whenever it was, that you saw these guys working on the roof --

LEG. BROWNING:

Mm-hm.

LEG. CILMI:

-- were sort of the genesis of this thought that you had for this.

LEG. BROWNING:

Well, back then I was told, yes, they're a contractor and, you know, at that time --

LEG. CILMI:

Right.

LEG. BROWNING:

-- the Presiding Officer being it was on this building took care of the issue and said, "what's these guys doing?"

LEG. CILMI:

Now --

LEG. BROWNING:

In the second time around, I see an issue a second time. And I said, *okay, there's something wrong here.*

LEG. CILMI:

Okay. So now more recently -- so you draft a bill. There was a meeting, I understand, at the County Executive's Office with a number of folks.

LEG. BROWNING:

It was right here. Actually --

LEG. CILMI:

Here? Okay.

LEG. BROWNING:

-- our final meeting was just on Tuesday. And --

LEG. CILMI:

Okay.

LEG. BROWNING:

-- basically, like I said, the credit -- the credit does have to go to the DA's Office. And based on experience and, again, maybe you need to have a private conversation --

LEG. CILMI:

I just need to ask the question, though, why -- why was no effort made to reach out to anybody other than unions? Because, look --

LEG. BROWNING:

Well, I know the unions have legitimate apprentice programs. They're the ones who are playing by the rules, who are spending a lot of money on apprenticeship programs. And I think that -- you know, I don't know any company that doesn't have, you know, any non-union company that has an apprenticeship program. And, again, working with the DA's Office, I think they certainly have a lot of experience between the union and non-union. So, you know --

LEG. CILMI:

Well --

LEG. BROWNING:

-- I am taking -- taking --

LEG. CILMI:

In the past couple of days, I've received a number of e-mails from concerned folks.

LEG. BROWNING:

As did I.

LEG. CILMI:

I'm sure everybody did. And -- I mean, they raise some, what I think, are valid concerns. (A question was asked off the record) Well, that's a good question. I don't know why they're not here.

LEG. BROWNING:

I was going to say the same thing.

LEG. CILMI:

But my point is that you all were reached out to in an effort to draft a bill that was effective and appropriate. And it doesn't sound like anybody from that side was reached out to.

LEG. BROWNING:

They did call my office. And I think you know Josh --

LEG. CILMI:

Did you speak with them?

LEG. BROWNING:

I didn't speak with them because my Aide told me that someone reached out. The information's available to them to be here. They're not here.

LEG. CILMI:

When did they reach out?

LEG. BROWNING:

Maybe they'll come on Tuesday.

LEG. CILMI:

When did they reach out?

LEG. BROWNING:

I think he spoke with them yesterday. I would have to confirm that with Josh.

LEG. CILMI:

So, again, you've been working on this for sometime. I don't know when the bill was filed, but I just -- it would have been nice to reach out to somebody else -- I'm sure there are companies out there that have successfully sent employees or had employees go through an apprenticeship program that is not associated with the union.

LEG. BROWNING:

And I think that the --

LEG. CILMI:

If the programs exist, then there must be people actually using them.

LEG. BROWNING:

And those e-mails, Chris Nicolino, I sent him a copy of the e-mails because basically they all said the same thing. And I know that Chris responded to some of those comments, which I believe you've received a copy of it. And, again, talking to the DA's Office and their experience and knowledge of what the problem is that's going on with these apprenticeship programs, you know, I took a lot of guidance from them on this. This is -- this is why I'm doing this. It's based on, you know, my personal experience of what I've seen and taking the guidance from the DA's Office and how they're handling the situation. And I would think that you should talk to the District Attorney's Office after this meeting and get some more information from him. Like, again, they could be here, too. They chose not to be here. Maybe they'll come on Tuesday. I don't know.

LEG. CILMI:

Well, hopefully if there are -- if there continue to be opposing points of view, hopefully they will be here on Tuesday. But these folks are all here because they worked with you in terms of drafting this bill. I mean not all of them. I'm sure all of them didn't work with you.

LEG. BROWNING:

Not all of them.

LEG. CILMI:

But I can't -- Mario, we can't. I just -- okay. So what I'd like to do is, listen, I am disappointed that -- that there wasn't a greater outreach to other folks. I am going to very hesitantly support this today. And because to me just conceptually it doesn't sound unreasonable to have an apprenticeship program that graduates four apprentices in the course of a four-year period. Admittedly, though, I don't profess to know whether or not that's reasonable. I don't know the other point of view. And I hope in the next of couple days to get that other point of view. And I'll bring that point of view with me to the meeting on Tuesday and then decide how to vote again on Tuesday at that point. But to me -- to me this sounds reasonable so I'll support it today.

LEG. BROWNING:

Okay. Thank you.

CHAIRPERSON CALARCO:

Okay. Anybody else? Legislator McCaffrey.

LEG. McCAFFREY:

Thank you. We heard there's no question about the value of the apprenticeship programs here. And the current law actually requires that they have apprenticeship programs if they want to be able to participate in County bids over a certain amount. But the fact of the matter here is that they've got the programs -- the State programs, but they are not graduating anybody from these programs. And it goes to a lot of things. And it makes you wonder if they're cutting corners on the apprenticeship program, which they must be if they're not graduating anybody. In some case 10 to 15 years this has gone on. They must be cutting corners on prevailing wages. They must be cutting corners on safety. And they're probably cutting corners on the kind of -- the quality of the work that they're doing, providing to the County.

So if these people want to be here -- they knew about this. They sent us e-mails saying that they should have been here. We shouldn't support this. They should be here. I hope they're here on Tuesday and I hope they answer the question why they've had apprenticeship programs in place and they have never, ever graduated anybody. So I'll be happy to support this bill.

APPLAUSE

CHAIRPERSON CALARCO:

Okay, thank you very much, Legislator McCaffrey. Does anybody else want to speak on the issue? Okay, seeing none I have a motion and a second. All those in favor? Opposed? Abstentions? **IR 1866 is approved. (VOTE: 5-0-0-1. LEG. LINDSAY EXCUSED ABSENCE)**

APPLAUSE

INTRODUCTORY RESOLUTIONS

Moving onto Introductory Resolutions, **IR 2073, Amending the temporary Classification and Salary Plan to add the new title of Storm Response Equipment Operator. (Co. Exec.)** I'll make a motion to approve.

LEG. McCAFFREY:

Second.

CHAIRPERSON CALARCO:

Second by Legislator McCaffrey. Could we just have a quick explanation from Counsel or --

MR. NOLAN:

It adds a Storm Response Equipment Operator to the temporary classification salary plan at a rate of pay \$26 an hour. And the WHEREAS CLAUSES indicate that the Department of Public Works has to hire these type of people during storms. And they've had problems attracting workers at the rates currently available in the classification salary plan. So \$26 an hour for these people.

CHAIRPERSON CALARCO:

Is this a part-time position?

MR. NOLAN:

It indicates it's a part-time position, yes.

CHAIRPERSON CALARCO:

Okay. So is this for, like, instances after Sandy where we had a massive amount of cleanup and we needed to bring more people on to help with that assistance.

MR. NOLAN:

I would assume. You might defer to the Department of Public Works.

CHAIRPERSON CALARCO:

I see the Commissioner nodding his head yes. So we'll take that as an affirmative that my question is on target. So I'm okay with this if everybody else is all right. Any other issues? We have a motion and a second? All those in favor? Opposed? Abstentions? **IR 2073 is approved. (VOTE: 5-0-0-1. LEG. LINDSAY EXCUSED ABSENCE)**

IR 2074, Authorizing funding of land acquisition and oversight of real property under the Suffolk County Affordable Housing Opportunities Program and execution of agreements (Highland Green Residence-Melville). (Co. Exec.) I'll make a motion to approve.

LEG. McCAFFREY:

Second.

CHAIRPERSON CALARCO:

Second by Legislator McCaffrey. Anybody on the issue? Seeing none, all those in favor? Opposed? Abstentions? **IR 2074 is approved. (VOTE: 5-0-0-1. LEG. LINDSAY EXCUSED ABSENCE)**

I have no other items on my agenda today. I will make a motion to adjourn; second by Legislator McCaffrey. We are adjourned. Thank you everyone.

**THE MEETING CONCLUDED AT 11:28 PM
{ } DENOTES SPELLED PHONETICALLY**