

**HEALTH & HUMAN SERVICES COMMITTEE**

**of the**

**Suffolk County Legislature**

**Minutes**

A regular meeting of the Health & Human Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York, on April 19, 2007.

**Members Present:**

Legislator Eli Mystal - Chairman  
Legislator Wayne Horsley - Vice-Chair  
Legislator Jack Eddington  
Legislator Lynne Nowick  
Legislator John Kennedy

**Also in Attendance:**

Ian Barry - Assistant Counsel to the Legislature  
Renee Ortiz - Chief Deputy Clerk/Suffolk County Legislature  
John Ortiz - Budget Review Office  
Diane Dono - Budget Review Office  
Paul Perillie - Aide to Majority Caucus  
Linda Bay - Aide to Minority Caucus  
Greg Moran - Aide to Legislator Nowick  
Ben Zwirn - Assistant Deputy County Executive  
James Dahroug - County Executive's Office  
Janet Demarzo - Commissioner/Department of Social Services  
Ed Hernandez - Deputy Commissioner/Department of Social Services  
Linda O'Donohoe - Assistant to the Commissioner/Dept of Social Services  
Debra Alloncius - AME  
Kathy Liguori - Tutor Time/Medford  
Anita Fleishman - Pederson-Krag Center  
Bruce Forsythe - Kiddie Academy of Brightwaters  
Bruno LaSpina - HHB  
Sandy Oliva - HHB  
Nicole DeMonaco - Options for Community Living  
Sara Anne Romano - Options for Community Living  
Desiree Millett - Options for Community Living  
Meridith Gabrielle - Options for Community Living  
Jamie Lauro - Options for Community Living  
Jessica Brandi - Options for Community Living  
Charlyne Wong - Options for Community Living  
Susan Stancampiano - Options for Community Living  
Kerry Ann Richards - Options for Community Living  
Lindsay Meyer - TSLI  
Linda Walsh - TSLI  
Steve Driscoll - TSLI  
Kelly Nawrath - TSLI  
Angela Klyvert - TSLI  
Alicia Marks  
**Minutes Taken By:**  
Lucia Braaten - Court Stenographer

***THE MEETING WAS CALLED TO ORDER AT 2:02 P.M.]***

**CHAIRMAN MYSTAL:**

Please rise for the Pledge of Allegiance, led by Legislator Horsley.

***(Salutation)***

Good afternoon. Be seated. Good afternoon to all. This is the meeting, April meeting, of the Health and Human Services Committee. I am not feeling well, so I'm going to try to keep this short. We have one presentation from an agency. We're going to do the presentation, then we're going to do -- we're going to do the public portion. You all can sit. I want to tell everybody, bear with me. I'm going to speak somewhat with a lower voice, because I've had some -- I have a virus, so I'm going to try to keep this meeting very short.

Our first presenter, and only presenter for the day, is Mr. Bruno LaSpina. Would you please take -- and make your presentation.

Mr. LaSpina, you have five minutes. You can sit over here.

**MR. LASPINA:**

Sit here? Okay.

**CHAIRMAN MYSTAL:**

I'm giving a wide berth, because I'm sick, so everybody's sitting far away from me.

**MR. LASPINA:**

Okay. Should distribute masks. Okay. Thank you very much, Mr. Chairman, for this opportunity to appear before your committee, and my appreciation to the other members of your committee who are here in attendance today.

You know, I'm here to testify not only as a provider of housing for the homeless here in Suffolk, but also as the Chair of the Shelter Providers Association and the Treasurer of the Executive Political Action Committee. That's a PAC which, among other endeavors, promotes the interest of shelter providers in the political arena.

The Shelter providers have been told by the Department of Social Services that the Department is in the process of the development of a 40-family Tier 2 congregate shelter for homeless families here in Suffolk County. Understand, Ladies and Gentlemen, that this means a shelter housing at a maximum of 160 individuals, adults and children, in one location. This shelter, as presently promoted, I would suggest to you, is a design that is programmatically, socially and fiscally unsound. What you have here, in effect, is an urban model in housing the homeless being exported to a suburban setting. This is a New York City warehouse model.

You know, through the combined efforts of the Department of Social Services and our present shelter providers, the number of homeless families here in Suffolk County is at its lowest level since 2003. In fact, the bed fill levels of the present homeless shelters are at an historical low. This fact proves the point that if there was ever a time when additional shelter beds, especially in this form, were not needed, it is clearly now. If this project goes forward, the dramatically dire, unintended consequence will be the following: You will see a closure of a significant number of shelter programs, with the resulting reality that a future spike in the number of homeless families, and that's been the history of the homeless here in Suffolk County, will once again put Suffolk County in the motel business.

Clearly, Ladies and Gentlemen, congregating this significant number of socially and behaviorally challenged individuals and all those who orbit around them literally guarantees a location of social, community and law enforcement challenges, not dissimilar to those that exist at the only other Tier 2 shelter here in Suffolk County and that's at Bellport.

You know, one of the ironies at play here is that it is a national concern that large institutional type housing projects or programs have been shown to increase the social problems they intended to relieve, so much so that HUD, the sponsor of so many of these projects, is systematically blowing up and leveling these facilities and promoting the development of small, more personal and more manageable housing models. Ladies and Gentlemen, this is the wrong plan at the wrong time at the wrong place.

The shelter providers of Suffolk County have quietly and competently provided housing and support services throughout all of the districts of the County, and they've done so without notoriety or negative social or political impact. Unfortunately, however, the department plan ignores our historic success and turns a blind eye to the programmatic effectiveness of the present small, discreet shelter program model. This present program model, which is not broken, is being brought in for unnecessary repairs and devastating alteration.

Let me close by simply saying that if this project goes forward, the County will be trading a dysfunctional shelter model for the many smaller, more effective programs which have served the needs of the homeless and Suffolk County so well. I thank you very much.

**CHAIRMAN MYSTAL:**

Thank you very much, Mr. LaSpina. I have a couple of questions for you. Also, I hope that -- I know I saw some people from DSS here. Maybe they can answer some of the questions later on. Okay. How many providers are in the system right now, shelter providers?

**MR. LASPINA:**

We have at present approximately 29 or 30 shelter providers.

**CHAIRMAN MYSTAL:**

Is there a need at this point for more beds?

**MR. LASPINA:**

No. In fact --

**CHAIRMAN MYSTAL:**

What's --

**MR. LASPINA:**

In fact -- I'm sorry.

**CHAIRMAN MYSTAL:**

I'm trying to think, you know, how many people we have. Do we have a need to -- for more providers, or what's the current population that we are servicing now?

**MR. LASPINA:**

As I stated in my opening remarks, the census levels of homeless families in shelters today is at its lowest since 2003. So, if there was ever a time when additional shelter beds were not needed, this is -- this is it. And I think that the levels are, again, testimony to the working, the cooperative working relationship between the Department and the shelter providers.

**CHAIRMAN MYSTAL:**

So we could say that the reduction in shelters or the reduction in the population of people who need shelters has been in conjunction with the work that administration has been doing in placing them in permanent housing. And what you've been doing in, not just you, but shelter providers in keeping them off of motel and --

**MR. LASPINA:**

The effectiveness of placing the homeless into permanent housing falls primarily on the shoulders of the providers. But, however, that does not take away from the, again, what I believe has been a very, very fine working relationship overall between the Housing Department at Social Services and the shelter providers.

**CHAIRMAN MYSTAL:**

You say we have about 30 providers. What will happen if we were to open this, you say, 40-family Tier 2 shelter?

**MR. LASPINA:**

Yes, that's my understanding.

**CHAIRMAN MYSTAL:**

What would happen to the providers?

**MR. LASPINA:**

Well, I think it's really -- it's really a question of math, that the reality here is that with 40 families, the availability of housing for 40 additional families would mean that the number of providers who presently exist would probably be faced with the specter of having to close down.

**CHAIRMAN MYSTAL:**

But wouldn't that be more cost effective for the County?

**MR. LASPINA:**

I would suggest to you that the numbers that I've looked at do not reflect that fact.

**CHAIRMAN MYSTAL:**

Anybody? Legislator Eddington?

**LEG. EDDINGTON:**

I was going to ask you how you feel about HELP Suffolk, but I think you've kind of made that pretty clear. I happen to represent part of that area, and I have tiered it -- I've toured it on a number of occasions. I like the model. I like it because it provides health care on site, counseling, recreation, at some point day-care. People are helping each other, they don't feel isolated. And that's I think 100 families, and it's for, I think, nine to twelve months, and they help you relocate, or that's the goal.

Some of the things that I heard you say as the issues that were concerns, I haven't -- as I speak to the people at HELP Suffolk, that they don't -- they don't tell me about that, I don't see that. So I'm -- my concern is that it seems like I like the idea that Suffolk County would take responsibility, and I think we have a lot of other people that are needing housing that could be provided, whether it's disabled at some point or elderly. I don't think the providers now would go away, I think they may be utilized in a more efficient way or a cost effective way. But, I mean, you think it would be the demise of 29 to 30 providers?

**MR. LASPINA:**

Well, I don't know if my statement would reflect that extreme end, but I would suggest to you that the simple math here would clearly show that the need for the present -- the present constituency of providers would be reduced. I think, Mr. Eddington, I probably would ask you to focus perhaps a bit more on the fact that shelter -- the shelter system, as presently structured, allows for more of an interpersonal interaction with the clients, more of the ability on the part of the providers to know their clientele much better. We present in all of the districts surely a safer presence or a presence that allows for a safer community, and I'll give ourselves as an example. We have several of our shelters in Huntington Station in one area where it had the highest incidents of the crime prior to our presence there. It now enjoys the lowest incidents of crime. I think, again, when you look at --

and, again, I'm not here to denigrate HELP Suffolk, I'm not here -- that's not my job here today, but I would suggest to you that if you look at the present structure of the homeless shelter providers, it worked. What's the problem?

**LEG. EDDINGTON:**

Yeah, if I could just follow up.

**MR. LASPINA:**

And I'm not posing to you what's the problem, obviously.

**LEG. EDDINGTON:**

No, no, I understand. And actually, I mean, I have -- I represent Medford and there are a number of providers like you're talking about.

**MR. LASPINA:**

Yes.

**LEG. EDDINGTON:**

And I love the homes, because it provided an intimacy. It's almost like an extended family.

**MR. LASPINA:**

I thought it was a great model. However, I have met people who didn't want that, and HELP Suffolk provided a little bit of a, you know, individual families living in an area that can come together and that do have -- so I guess what I'm saying, I see both models being very effective. I'm into giving people choice, not saying, "This is how you're going to have it." I don't want anything that would take away the 29 or 30 providers, because there's a real need for people for that intimacy. But I also want to have the opportunity that if they want to be a little bit more individual and exclusive and try to step up, then I want that, too. So by no means do I want to tell you that I think one's better than the other. I think both are doing a tremendous job.

**MR. LASPINA:**

And -- I'm sorry. And I wouldn't disagree with you in terms of both, of both entities doing a terrific job.

**CHAIRMAN MYSTAL:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Good afternoon, Mr. LaSpina.

**MR. LASPINA:**

Good afternoon, Mr. Kennedy.

**LEG. KENNEDY:**

Thank you for coming. It's nice to see you again. I would like to talk a little bit about what you presented to us here, some of what your organization encounters in being able to go ahead and to provide this service, some of the nature of the contract and what your people face. But I'm going to ask you to indulge me for just a moment in a little bit of dialogue with BRO, because I want to frame the issue from a fiscal issue as well. So, can you tell us the Tier 2 project that's being contemplated? What's the associated cost with construction of that?

**MS. DONO:**

John, you have to forgive me. I just returned from the Grand Caymans. My head is not quite back in gear yet.

**LEG. KENNEDY:**

Yeah, Mon.

**MS. DONO:**

And we're just about to embark on the Capital Project process to check on the status of that project.

**LEG. KENNEDY:**

Well, is it safe to say, Diane, that, let me see, I would imagine we're talking about a structure that would house 40 families. That's got to be at 60 or 70 people. It's got to be something that's, I don't know, a two-story facility. It's got to be maybe a footprint of 150 by 100, or something like that, 25,000 square feet, 50,000. At a hundred bucks a square foot, we're probably looking at 5 million, 7 million, 10 million?

**MS. DONO:**

I believe the capital project includes nearly 20 million to --

**LEG. KENNEDY:**

Twenty million.

**MS. DONO:**

To construct.

**LEG. KENNEDY:**

Okay.

**MS. DONO:**

Most of this will be reimbursable after the facility is operational.

**LEG. KENNEDY:**

Reimbursable by whom?

**MS. DONO:**

By the State.

**LEG. KENNEDY:**

So, in other words, the State would join with us in this cost to construct?

**MS. DONO:**

Yes.

**LEG. KENNEDY:**

And we would front the money, and then, ultimately, we would be --

**MS. DONO:**

Yes.

**LEG. KENNEDY:**

You know what, I guess I'm going to have to go ahead and probably defer to the Commissioner at some point as well, because I know she knows a few things about this.

**MS. DONO:**

Right.

**LEG. KENNEDY:**

But my point is, my point is that there is a cost to the County to move down this policy route or this decision in that we would, at the very least, have to front the cost to construct. And I doubt that we're going to be 100% reimbursed for all of the construction. And even if that's the case, then it's

not just the taxpayers of the County of Suffolk, but the State of New York that are absorbing the cost, of which we're one of 62 entities; that's a fair statement?

**MS. DONO:**

That's a fair statement. I'm going to defer the details to Commissioner Demarzo. She's here, certainly more acquainted with what's happening with that project and all the percentages of what's reimbursable.

**LEG. KENNEDY:**

That's enough where we're at. Now I need to go to Mr. LaSpina. Now, if you would, of the 30 providers that are involved in the organization, the shelter providers, has the County purchased or paid for any of the houses that your organization makes available?

**MR. LASPINA:**

Not that I know of.

**LEG. KENNEDY:**

Okay. So you have 30 providers who come with residences, dwellings or structures that will, in essence, fulfill most of the same objective that we would -- we would achieve through the Tier 2; is that correct?

**MR. LASPINA:**

The answer is yes.

**LEG. KENNEDY:**

Okay. No cost there, 20 million here; is that correct?

**MR. LASPINA:**

That's correct.

**LEG. KENNEDY:**

Okay. I'm getting challenged to go ahead and understand where we go for the balance of the discourse. But, in your -- in your -- well, I'll yield, I'll yield.

**CHAIRMAN MYSTAL:**

No, no, no. Just before you continue -- you can continue. I just want you to know that I intend to call Commissioner Demarzo after we finish with Mr. LaSpina --

**LEG. KENNEDY:**

Okay.

**CHAIRMAN MYSTAL:**

-- to ask some other questions. I just wanted you to know that.

**LEG. KENNEDY:**

She might tighten up some of the figures, which I appreciate, Mr. Chair, but I think the premise is there. Let's go to the process with which your providers engage in contract with the Department of Social Services to furnish service. What is the nature of the business relationship there?

**MR. LASPINA:**

We are -- we are designated as independent contractors.

**LEG. KENNEDY:**

Okay. And so you negotiate. How are you -- how do we pay you? How do we compensate you for the service you provide?

**MR. LASPINA:**

The manner in which that unfolds is as follows: The Department would -- will refer homeless individuals or families to a provider, a per diem rate is set, and it varies across the provider's spectrum, and we get reimbursed for each of the individuals at a certain rate for every day that they are in the shelter.

**LEG. KENNEDY:**

Okay. Do we compel you to have any particular type of arrangements with these houses? Do we dictate you have staff, or have cooking facilities, or meal opportunities, or anything like that?

**MR. LASPINA:**

Yes. I will make the following statement, that I think the requirements for what is -- what I would refer to as the Tier 1 shelters, those are the present providers, are not significantly different than those requirements faced by the only other -- the only Tier 2 shelter in the County, namely Project HELP or HELP Suffolk.

**LEG. KENNEDY:**

But, if you have a providers who's authorized to house, let's say, ten individuals -- let's talk about a hypothetical for just a second -- ten individuals, and I don't know what the range is.

**MR. LASPINA:**

Yes.

**LEG. KENNEDY:**

But let's just say ten individuals. I imagine that there's rules and regs that state that there has to be "X" number of staff that you have to maintain within that facility in order to go ahead and to be able to place ten homeless individuals, correct?

**MR. LASPINA:**

Yes, you are correct.

**LEG. KENNEDY:**

Okay. So you go about, and you engage, and you retain the staff and you put them in place. Now, when you have ten people, you get reimbursed at whatever the per diem is for ten people, correct?

**MR. LASPINA:**

Yes.

**LEG. KENNEDY:**

Okay. What happens when you have five people?

**MR. LASPINA:**

We are reimbursed for five people, which, as surely suggests, the strain that that would put on the operation sense. You cannot be firing and hiring people, you know, on a daily basis. So, in many instances, and it surely is the case today, many of the providers are running in the red.

I would point out, Mr. Kennedy, the following, that the regulations that apply to the Tier 2 shelters have a provision within them that allows the County to pay for unfilled beds. That is not the case with the present providers.

**LEG. KENNEDY:**

Okay. I'm not sure I understand that. In other words, the Department of Social Services is giving a set reimbursement to HELP Suffolk regardless of the total number of individuals in there?

**MR. LASPINA:**

By way of regulation, they are allowed to do that. Whether they're doing that or not, I cannot

respond to.

**LEG. KENNEDY:**

Which -- okay. And nor should I -- that's an unfair question for me to ask you.

**MR. LASPINA:**

Yeah.

**LEG. KENNEDY:**

But you do know that your agencies in your category by definition can't have that.

**MR. LASPINA:**

That is not the case, we do not get that. If the bed's empty, you do not get paid.

**LEG. KENNEDY:**

So, nevertheless, even though you have to suffer the vagaries, you're still attempting to furnish the service, or still doing it and meeting our need.

**MR. LASPINA:**

Without a doubt.

**LEG. KENNEDY:**

All right. I'm going to yield, Mr. Chair, because I don't know where else to go to figure some wisdom here. It's escaped me and I've lost it. I'll yield.

**LEG. HORSLEY:**

Elie, you want me to take it? All right.

**CHAIRMAN MYSTAL:**

I'm sorry.

**LEG. HORSLEY:**

I think I'm his Vice, so --

**CHAIRMAN MYSTAL:**

Oh, go ahead. I was trying to get my cell phone to work. It's still not working. Go ahead, sir.

**LEG. HORSLEY:**

All right. Good afternoon, Mr. LaSpina.

**MR. LASPINA:**

Good afternoon, Mr. Horsley.

**LEG. HORSLEY:**

I've got a question concerning -- you mentioned before that there have been -- there are less homeless peoples today in Suffolk County than there have been in several years; is that pretty much what you just said?

**MR. LASPINA:**

Yes, sir, that I did say.

**LEG. HORSLEY:**

Now do you feel that, one, that the homeless families that are out there in the community, that they are -- that they are participating in the program and we actually to -- we've gone out and we found the homeless families? Do you think there's a number of peoples that are still out there at this point in time or --

**MR. LASPINA:**

Yeah. My answer to that would be yes. I mean, the number, I don't -- I don't have that number before me, but there are many people who are homeless who will simply not enter the system --

**LEG. HORSLEY:**

Right.

**MR. LASPINA:**

-- regardless of what the program design is, they just won't.

**LEG. HORSLEY:**

Okay. So there's, for no fault of anybody at this point in time, that there's not a -- there's not a group of peoples out there that could take -- would take advantage of your services, and just simply have not been brought in at this point?

**MR. LASPINA:**

That is correct.

**LEG. HORSLEY:**

Okay. Now, let's project into the future, and I'm sure your business, like most businesses, project of what the -- what the future will bring. I'm interested in knowing that, in view of the crisis with the number of foreclosures that Suffolk County has seen and across the northeast in the last six months due to mislending for whatever -- however you want to put it, that that's not going to increase the numbers of homeless peoples? Have you projected any growth in your business, I don't know how else to put it, in the very near future that because of the problems of the financial community involving people that may lose their homes, are you looking that there's going to be more homeless families out there very shortly?

**MR. LASPINA:**

Well, I would suggest that based on the reality of the subprime market, and I think that's what you're referring to --

**LEG. HORSLEY:**

Yep, that's what I'm referring to, yep.

**MR. LASPINA:**

-- I would imagine that there will be a significant number of families displaced. And if such is the case, then the need for our programs surely will increase. In order for individuals to enter our programs, they first have to go to the Department of Social Services and present themselves to the department and say, "I don't have anywhere to live."

**LEG. HORSLEY:**

Right.

**MR. LASPINA:**

Okay? "I don't have anywhere to live, I have no resources, I have no options." The department then refers that family --

**LEG. HORSLEY:**

To you.

**MR. LASPINA:**

-- to a geographically, if they can, place, shelter, and then that's how it unfolds.

**LEG. HORSLEY:**

Right. So I'm just trying to figure out that -- you know, you said several of your members are running in the red, and so there are vacancies --

**MR. LASPINA:**

Yes.

**LEG. HORSLEY:**

-- where there's room for more homeless to come into these 40 shelters 30, 40 shelters. Do you feel that there is a need for this? Obviously, you don't, because you feel it is a threat, this Tier 2 housing shelter. Is it possible that we are looking into the future of the homeless in Suffolk County and looking for a cure before that, actually getting ahead of the curve?

**MR. LASPINA:**

You know, there's no question that I, along with the other shelter providers, have a vested interest in survival. I mean, there -- I'm not here --

**LEG. HORSLEY:**

You're a business, I understand.

**MR. LASPINA:**

I'm not here to deny that. But I do believe that when you're looking at this circumstance where you have vacancies, significant vacancies in your present shelter provider sector, one might suggest that that would be part of what your planning would consider in going forward with a project of this dimension that literally, as I said before, guarantees that providers, number of providers will be placed out of business. And I will sit here and make this one guarantee, that, ultimately, Suffolk County will find itself back in the motel business, because once you drive individuals out of business, it is very, very, very difficult to get them back in place. And this is really the first time in the history of homelessness and homeless programs in Suffolk County that a program is being proposed in the absence of a need.

**LEG. HORSLEY:**

I guess what I was questioning was maybe we're anticipating this need, but -- and maybe not.

**MR. LASPINA:**

Yeah.

**LEG. HORSLEY:**

I'm not sure what the motivation factor is. The homes that are now running in the red, have you found that they are lessening in quality?

**MR. LASPINA:**

I would say no. I think you have a very, very dedicated group of professionals who work probably at a great cost to themselves in these programs, and they make a commitment to this field and this endeavor, and I think they're willing to make sacrifices that I would suggest you don't find very much in the private sector.

**LEG. HORSLEY:**

At some point, will you anticipate that there's the tipping point where some of these may go out of business shortly, even with or without this Tier 2 facility?

**MR. LASPINA:**

Some already have. Some already have. And again, you know, this may be a product of our own success, you know, that the number of homeless showing up and coming into the programs are at such a low number. The number, I have a chart here, and if you would like, I could submit a copy of it for the committee, and you will see two things. The number of homeless families in shelters today are at its lowest levels in four years, and you will also see the empirical spiking of this population,

and you will also see that the providers who exist today have always been able to respond to that need. We are the ones who took the County out of the motel business.

**LEG. HORSLEY:**

Thank you very much.

**MR. LASPINA:**

Thank you.

**CHAIRMAN MYSTAL:**

Thank you very much. Anybody else? Thank you very much, Mr. LaSpina.

**MR. LASPINA:**

Thank you very much, Mr. Chairman, and thank you all, to all the committee members. I appreciate the opportunity.

**CHAIRMAN MYSTAL:**

I thought I saw the Commissioner. Thank you. Commissioner Demarzo, could you please join us? And with anybody else you want to bring with you.

**COMMISSIONER DEMARZO:**

I brought my pocketbook, I didn't mean to. You are a safe group, I can leave it at the table.

**CHAIRMAN MYSTAL:**

No, we're not that safe. Good afternoon, Commissioner?

**COMMISSIONER DEMARZO:**

Good afternoon.

**CHAIRMAN MYSTAL:**

Good afternoon, Deputy Commissioner.

**COMMISSIONER DEMARZO:**

Yes, Ed Hernandez.

**CHAIRMAN MYSTAL:**

Just by way of edification for the other members of the committee, I know some of them are thinking that the Tier 2 project is something brand new. It's been floating around for ages. It started, you know, when we were at our peak in terms of homelessness in Suffolk County. And, basically --

**LEG. HORSLEY:**

Andrew Cuomo, right?

**CHAIRMAN MYSTAL:**

Well, no, no. See, Andrew Cuomo came later on. The Tier 2 project, in terms of us building a Tier 2 project, was something that we've been talking about for the past 10, 15 years. Commissioner Demarzo has been, you know, part of that process ever since it started, so I'm sure, you know, she can elucidate most people around the committee in terms of where we are. The only question I have for you, Commissioner, is the question I've been asking for the past 10 years.

**COMMISSIONER DEMARZO:**

I don't know. I know the question.

**CHAIRMAN MYSTAL:**

I know, you know the question.

**COMMISSIONER DEMARZO:**

We're in mind meld.

**CHAIRMAN MYSTAL:**

The question has always been where are we going to put it, because nobody, at least none of the Legislators that I know of since I've been around here, have ever wanted it in their district, and that includes me. And basically, you're talking about a 40-family structure, which is basically a hotel. Forty-family with parking and attendant services, it's a huge structure. Now, if Smithtown would gladly take it, we'll give it to you in Smithtown.

**LEG. KENNEDY:**

Put it under water, yeah, we'll be fine. No problem.

**CHAIRMAN MYSTAL:**

So, have we made any -- we had -- at one point, I know we had put together a panel to take it out of the political realm. The panel was supposed to come back with some accommodation as to where we could put it. Did we -- did we ever get any kind of recommendation from the panel as to where we could put this, if we ever built it?

**COMMISSIONER DEMARZO:**

If I could start with just a little background and then --

**CHAIRMAN MYSTAL:**

Go ahead, you've got the floor.

**COMMISSIONER DEMARZO:**

-- lead to your response. The first Tier 2 was the HELP facility, which Andrew Cuomo, when he was with the HELP facility, did bring in. It was back in 1980 --

**CHAIRMAN MYSTAL:**

Eighty-nine.

**LEG. EDDINGTON:**

Eighty-nine.

**COMMISSIONER DEMARZO:**

Under County Executive Halpin.

**CHAIRMAN MYSTAL:**

Eighty-nine.

**COMMISSIONER DEMARZO:**

Eighty-nine. And it was built. And the Legislature recently extended the use of that facility for another 10 years. That was our first 2 -- Tier 2 effort. It has been very successful. And, actually, I would say it's more like a garden apartment than it is like a motel. It is distinct from the other types of shelters that we use, which are -- which have a different model. Each person does not have their own cooking and bathroom facilities, they're shared.

We believe that both shelters have pros and cons, and we did -- when we were at the height of our homelessness back in the early 2000, there were -- there were some -- actually, Elie was the only Legislator I think at that -- or Legislator Alden, who's sitting there, who remembers the amount of time this committee spend on the individuals that we had in motels throughout the County, especially out east, because it was a wintertime phenomena.

Deputy Commissioner and I were just saying, was it 550 people we -- families we had in motels, or was it 590? We don't have the number here right now, but it was well into the five hundreds. Today it was reported at our staff meeting that it's 250 families that we are now providing services to? Two hundred and fifty-three, was it? Two-fifty-three, so the number is very down.

We came to the Legislature with their proposal to build a Tier 2, because we think the model really works. We have done an analysis that on the financial merits of it, it is less expensive to the County, and leaves us with an asset when we're done paying off the building cost. So, financially, we think it's best for the County to have a Tier 2 shelter.

So we came back in 2003. Since that time, the Legislature, or maybe it was 2002, the Legislature has approved the money for the planning, for the site identification, and for the acquisition of land. In this year's budget is the money, 17 1/2 million dollars, for the construction of the Tier 2 shelter. Since the onset of this, or since the start of this, the numbers have dropped significantly. But when you look back over the history of homelessness in Suffolk County, it peaks and valleys. The 500 wasn't the first time we hit 500, and it might not be the -- you know, hopefully it is the last time. But we came to you when we looked at the Bellport facility and we -- in the budget, that money is not for a 40-family unit. I don't know where that number came from. The number in the budget and the writeup in the Capital Budget for the last several years has been for a facility of up to 100, 100 units. We're looking at between 75 and 99. As the State says, that's the area of most cost effectiveness. So it is a larger structure. It does have secondary issues that need to be looked at.

I mean, there's fiscal, there's community, there's political, there's quality of services issue, which are all wrapped up in this. So, you know, I have often said that this is a public policy decision, and I can lay out the various options to use and the pros and cons, and I can tell you what -- that I think a Tier 2 provides cost efficiencies and enhanced services to individuals, but the final decision rests in this cooperative -- in this democratic process of the County Legislature and Executive.

**CHAIRMAN MYSTAL:**

Back to my question.

**COMMISSIONER DEMARZO:**

So we are still looking -- we have whittled our list down. We have not revealed the sites that we have gotten our list down to. And we know that that will be a major consideration as we go forward this year, but no, I am not liberty --

**CHAIRMAN MYSTAL:**

And I have your word that it's not going to be in my district?

**LEG. HORSLEY:**

It's like, "The winner is".

**COMMISSIONER DEMARZO:**

I'm sorry. Today's not the day I can open "Curtain Number 3".

**CHAIRMAN MYSTAL:**

I know. I'm just saying that, you know, that I know for a fact that wherever this building is proposed, you are going to have an uproar and you are going to have -- because, like you said, it's a tremendous building. It can't be a small building, it's going to be, you know --

**COMMISSIONER DEMARZO:**

It's going to be a garden-apartment-like setting, just like the HELP facility is.

**CHAIRMAN MYSTAL:**

It's going to be tremendously, you know, big, and whoever the Legislator is in that district is not going to be happy.

**COMMISSIONER DEMARZO:**

And that's why the congregates work well, because they disperse the homeless over a lot of communities. It's smaller, it is more manageable. And that's why I say there's pros and cons. There's fiscal considerations, community considerations, service considerations. It's not, you know, clear which way to go. I like the Tier 2 and a mix of congregates. I don't think we'll put them -- you know, I think that congregates will continue to be a part of the structure, but, you know --

**CHAIRMAN MYSTAL:**

My last statement. This is the height of NIMBYism and you know it. You know, there's just -- there's no way around it. This is -- every one of us will acknowledge the problem. Every one of us will say, yes, we maybe need it, or maybe no, we don't need it. But when it comes to where you're going to put it, they'll say, "Yeah, we need it, but just don't put it in my" -- you know, "in my district." With that being said, I'm going to open it up to the main prosecutor in this panel, Mr. Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. And I did make a commitment to the Commissioner that in 2007, I would try to be the kinder, gentler Legislator.

**CHAIRMAN MYSTAL:**

When?

**LEG. KENNEDY:**

Well, yeah, yeah, yeah, I know, when. When pigs fly, right. Okay, Commissioner. The Chair asked you a question about where. And I guess the question that I would pose to you for the beginning of this dialogue is why?

**COMMISSIONER DEMARZO:**

Well, we have, and we can leave with you, an analysis that we did to compare the cost and services of a Tier 2 versus a congregate shelter model. The congregate shelters just -- it is a cost-based rate to a certain extent, with some caps on expenditure levels in certain categories. When we do an analysis -- when we did our analysis, which we could share with you, of the fiscal aspect of a Tier 2 versus a congregate, it becomes very clear that a Tier 2 is more cost effective. That's one consideration. The other one is that the use of an efficiency-type apartment provides the family with some -- you know, a smaller -- smaller home unit than the congregate shelter where there are shared bathrooms, shared kitchen facilities. And different families require different levels of involvement with other families, so we do want both facilities. But they have their own efficiency apartment, and we think that, you know, there were some enhanced services that can be provided when you have the number of individuals that a large Tier 2 puts together. So that's why -- you know, that's where we are, why we're looking at it. And we could share that with you, if you'd like to look at the analysis.

**LEG. KENNEDY:**

Yes, I would. As a matter of fact, you know, from the fiscal perspective, I would be very interested, based on the discussion I just had with Mr. LaSpina. And it's hypothetical, and we talked in generalities, and I know there may be specific dollar amounts where I was off on. But I think, as you properly identified, whether or not it is the County of Suffolk's long-term desire to acquire physical fixed assets through this process by funding a mechanism that compels us to let a bond in the first instance get the benefit of State-based reimbursement and go through this illusion that somehow we make out because we're state taxpayers as well as local taxpayers. We're going to pay, we're just eluding what the pool is and we're getting the benefit of this value of this asset. That clearly is a threshold decision as to whether we even need to or want to own some structure down the road by virtue of this process.

Part of what we need to be focused on, I guess, is not only just this mission or charge that we have,

but several of your families have a variety of different components associated with them. We have people here today from the Mental Health section. Many of your clients, as you know, have a mental health aspect associated with it, and I came out of for ten years a system that promoted large scale warehousing and institution. And the State 30 years ago did away with it, said it was not the way to go to go ahead and help people return to good health.

So what I would say to you is, is that I'd ask that you look at not only this fiscal perspective or management perspective, but that you also ask for mental health providers and the other folks that are out there to speak towards how to promote restoration of the wellness of individuals and families through which model, and I imagine that you would get differing outcome.

I agree with you, that there is a need to preserve a family's ability to have their own space, and maybe you get more of that with the shelter model. I don't know how the individual providers are set up. But I'm unconvinced with the cost dialogue than we've had yet that what happens with the shelter providers does not give close to what folks might need. And I also believe, and I know that there's strict confidentiality here, which I respect but those shelter providers exist from Amityville to Montauk. One Tier 2 facility is going to be distant from someplace, and, as the Chair said, it is going to be next to impossible to site anyplace. So I'd ask you to look at those other aspects before we are asked to promote bonding 17 million bucks to build this thing.

**COMMISSIONER DEMARZO:**

Well, if I could make some points. One of the issues is that while Mr. LaSpina said that the houses aren't paid for, in -- there's a variety of ways, and, Ed, if I don't get it right, you can correct me, because Ed has been on both sides, in the DSS world and the shelter world, the way the contract is formulated and the way the rate is set, there are a situations where a provider will go out and secure a house, and that cost will be factored into their rate. We will meet their carrying expenses, their mortgage, their principal, their interest. It will be depreciated according to IRS standards. And there are situations which Audit could show you reports on audits of houses that have been purchased through Federal and State reimbursement which eventually, if the shelter provider doesn't need anymore, can be sold and the profit belongs to the not-for-profit. And our market has been such that there are homes that have been fully reimbursed for the carrying costs by the County and State and Federal taxpayers that then become the property of the not-for-profit with the profit associated with the appreciation.

In the situation of the Tier 2 shelter, the construction costs would be ours, as well as the borrowing costs, but at the final analysis, it would be owned by us. We kind of -- in our analysis, you'll see, compared to a renting or a purchase decision by an individual family. So we think that purchase is better than continuing renting a multitude of houses. So that's a consideration.

I agree with you, and I said that up front, the political reality, the community impact of putting 76 families is significant. Bellport has struggled with it. I think that we have really helped mitigate the impact on the Bellport community, and really have set pieces in place to ensure that it's a good relationship for both. We've dealt very effectively with the ambulance district, with the school district. We have really enhanced our relationships there. We try to put the people close to their areas. Two Tier 2 shelters would allow people to be closer to their school district of origin, you know, than just the one in Bellport.

I will defer to Ed to see if he has anything to add to this. But, I mean, there's a variety of factors, and I really -- I really think there's no simple decision, and it's not really my decision. I will make a recommendation, but in the final analysis, it will be your decision, and I think we can administer either one that you make.

**LEG. KENNEDY:**

Well, I appreciate that, Madam Commissioner. And I'm going to yield in just a second. But what I would ask you to consider -- and let me say this much, too. While not a Legislator in 2000, I do recall when there was the tremendous number of families that were in motels out east out in

Quogue and those areas, and I commend you and your staff for having done and advocated for many different things. I know that, as a direct result of your efforts, you were able to expand the amount that distressed homeowners were able to get to stave off foreclosure, or also rent subsidies to be able to go ahead and keep families stable in apartments that needed some help, because our rents have gone up. So you've done good work, you and your staff, absolutely, positively. This didn't happen just by magic or overnight. I know it was as a result of a plan and a vision that your department implemented.

Going back to your fiscal constraints, though, your fiscal equation, there's a simple way to go ahead and look at not having the department facilitate an entrepreneur to acquire an asset through municipal funds. Lien it just like you do now. The individual should be able to go ahead and furnish his service. But if there's some benefit that enures to the fixed asset, recover it. We do that now with Sonymae. We do that with social service benefits. It happens all the time. Lien the asset, so that at the end of the cycle, if that entrepreneur no longer chooses to be a shelter provider and they elect to sell the asset, the department's made whole. We don't want to go ahead and make a profit, but we don't want to facilitate their profit, and that negates that equation completely. So that's my advice.

**COMMISSIONER DEMARZO:**

Thank you.

**CHAIRMAN MYSTAL:**

Legislator Nowick.

**LEG. NOWICK:**

Wasn't he kind? Wasn't he nice?

**LEG. KENNEDY:**

That wasn't bad. Better.

**LEG. NOWICK:**

Janet.

**LEG. KENNEDY:**

Less cranky.

**LEG. NOWICK:**

Okay, less cranky.

**LEG. KENNEDY:**

There you go.

**LEG. NOWICK:**

Less animated.

**LEG. KENNEDY:**

All right. Quick question, Janet. When you said in Bellport you have that Tier 1 shelter, and that you work together with the different districts, how do you work with a school district? And they must bring in a lot of children into the school districts. How does the County work with the school districts in order to keep school tax -- school taxes down, the school budget down? I'm sure that's an impact?

**COMMISSIONER DEMARZO:**

One of the things that we've done in the Tier 2 shelter renewal of the HELP facility is that we established a permanent school liaison individual to work with the school district on an ongoing basis. The actual cost of the student that wasn't a student at the school district prior to becoming

homeless is a chargeback through the State Education Aid formula to the school district of origin. So, while it's delayed, because it takes awhile for the process to occur, the actual cost of education is a chargeback to the district of origin. And with the renewal of this HELP facility, we did establish a pilot payment system, where we have provided revenues to the ambulance district -- I'm not going to remember. Definitely the school district, the ambulance district, and I think the --

**MR. KNAPPE:**

The library.

**COMMISSIONER DEMARZO:**

The library.

**LEG. NOWICK:**

Oh, okay. I didn't realize that you charged back to the original school. Thank you.

**CHAIRMAN MYSTAL:**

One last question. My comment, in terms of where, is a question that, you know, it is hard for me to imagine that the County is looking at properties or areas in Old Field or Belle Terre.

**LEG. EDDINGTON:**

Lloyd Harbor.

**CHAIRMAN MYSTAL:**

Or Hampton Bays. So, once again, you know, wherever you put that shelter to me will fall on the backs of the less fortunate, which means, you know, the areas that are already impacted by, you know, either poverty or lack of economic advantages. So that's the question that I have. It's not just a strictly NIMBYism concern, it's a concern that, you know, a communities that are already in distress will also be the community that will receive the largeness of the County by putting this thing in their midst. Like I said, you know, I don't think you are, you know, looking at -- because the cost would be prohibitive in just buying land let's say in, you know, Head of the Harbor, which I would love to put something there, you know, just to balance the economic -- to balance the economics over there.

So my question is that, you know, in your search, you know, keep in mind not to further distress and further impact an area that's already, you know, in distress. And I know you haven't -- you know, you're not going to reveal your site until, you know, at the last moment.

**LEG. HORSLEY:**

Which is smart.

**LEG. EDDINGTON:**

I just want to add something.

**LEG. HORSLEY:**

Yeah, I have one question, too.

**CHAIRMAN MYSTAL:**

Oh, okay.

**LEG. EDDINGTON:**

I'm Eddington.

**CHAIRMAN MYSTAL:**

You're Eddington? Yeah.

**LEG. EDDINGTON:**

I just wanted to --

**CHAIRMAN MYSTAL:**

I'm not going to say it, Rosie, I'm not going to say it.

**LEG. EDDINGTON:**

I think the point of the housing is to relocate the people back into their communities, and I want to be here when the day comes that the people -- that the other towns that you mentioned need those facilities, because that will be an interesting time.

**LEG. NOWICK:**

I agree.

**LEG. HORSLEY:**

Oy.

**LEG. EDDINGTON:**

Then we'll have equality for sure. But I think the goal of the Commissioner will be to relocate those people from the communities that they've come from and they just aren't coming from Lloyd Harbor. So, I mean, I think that's the goal, so --

**DEPUTY COMMISSIONER HERNANDEZ:**

I just wanted to add something. When I was in the not-for-profit world, we had a 26-bed shelter in Southampton right on the bay, Shrubland Road. Shinnecock Hills Golf Course was across the street from it, and most of the people there didn't want to be there, where we went out and took people right on the bay, overlooking million dollar homes. Those folks wanted to be in Brentwood, Central Islip, Wyandanch, and they did their best --

**CHAIRMAN MYSTAL:**

Oh, thank you.

**DEPUTY COMMISSIONER HERNANDEZ:**

-- every weekend to get back there.

**CHAIRMAN MYSTAL:**

That is so white of you.

**COMMISSIONER DEMARZO:**

Well, you know what's important? For a family to move out of homelessness. And I think what the Deputy Commissioner is saying is for a family to move out of homelessness and to not stress this situation, especially some of them have school ties or family ties or community supports, we want to keep them as close to that as possible. I mean, there is a mandate in State law that we try to keep them close. And also, the closer you keep them to the area in which they become homeless, the less disruption of education, the parent has a choice to put their child in the school district in which the shelter is located or to bus the child back to the school district of original, the closer we can keep that family to the school district of origin. I mean, when we were in Southampton motels, some families so much wanted their kids to maintain their education that they would be on the bus for an hour-and-a-half each way from Southampton to school districts in Babylon.

So, you know, we -- if you look at the actual proposal that we did, we looked at the families and the distribution of families. I mean, quite honestly, the Babylon -- you know, Brookhaven has a facility. When you look at the distribution, Babylon and Islip create, you know, a significant number of individual -- you know, a significant number of individuals come from those towns that become homeless, so our goal would be try to keep them close to those areas.

**CHAIRMAN MYSTAL:**

And they keep them in Islip. But the question is, to echo what Legislator Kennedy said, was no matter where you put a shelter, a Tier 2 shelter, whether it is in Babylon or in Islip, you are going to run into that problem of putting people who may come from, you know, Gordon Heights or from way out there into a Babylon or Islip situation. So, you know, that's what we were talking about, the providers who are localized, who are there and close to the community, as opposed to a huge structure that is going to shelter 70, 80 families that are coming from all over the County. Anyway, Legislator Horsley.

**LEG. HORSLEY:**

Okay. I guess we'll finish up on our social engineering lessons of today. But I'm going to go back to my original question to Mr. LaSpina concerning forecasting models of where the homeless situation is going. I fear the subprime issue is just looming out there. It's going to get worse before it gets better. I'm afraid that we're going to see more people out on the streets. And I'm wondering if this is part of your forecast, or is this part of -- what is the department's thinking to gear up, if need be? And maybe it isn't, I could be wrong, but it just seems to me I'm hearing more and more people on the real brink, which only means that if I'm hearing it, it's pervasive and it's going to happen in the short run rather than the long run.

**COMMISSIONER DEMARZO:**

Well, we do believe that homelessness is cyclical, highs and lows, and we haven't actually figured out the whole pattern. And it does relate to the housing market as well as the economy. You know, usually during a very strong housing market, we create homelessness, because a lot of the houses that were rentals are now looking for sales, so there's a variety of factors. We hope that we have enough pieces in place, that we're not going to see the rise, but we don't -- we don't know that for sure.

But the subprime issue and the foreclosure issue, one of the things that is important to understand is the people that come to us as homeless, they really -- they're really individuals that have no income or no resources. If you have income, you must use some of that income to offset the County's cost for housing you. So many individuals don't come to us if they have income, they will find other sources.

Number two is, you know, between -- the people that are in foreclosure situations, many of them have some level of employment, so there is a -- there is a stop between, you know, losing your home and becoming homeless, you know, there are rental options. So I don't think we'll see the complete fall, but as the market kind of pushes down, we may see a slight increase.

You know, we have talked a long time, and I think that Mr. LaSpina's comment was that how do you plan for an upswing? Where do you keep these vacant facilities? Do you keep them as a Tier 2, waiting to be filled if our numbers go up? Do we pay for empty beds in congregate shelters, so that if the number spikes? We can't -- you know, we struggle with that. That's why people tell me don't build the Tier 2, the numbers aren't there, but by the time the numbers are there -- I started this at the height of our crisis, so --

**LEG. HORSLEY:**

That's what I'm asking, is this part of your forecasting, that suddenly this is -- it's moving to the forefront?

**COMMISSIONER DEMARZO:**

I think that -- I think we are at all --

**LEG. HORSLEY:**

I know it's tough, it's a tough thing to do.

**COMMISSIONER DEMARZO:**

Two hundred and twenty is our all-time family low. I wish it was more scientific and that's the lowest we've ever gotten it usually it kind of runs at the bottom for awhile, why, I don't know, but the economic cycles usually bring us back up.

**LEG. KENNEDY:**

Just one observation real fast.

**CHAIRMAN MYSTAL:**

One small observation from Legislator Kennedy.

**LEG. KENNEDY:**

That's exactly what Legislator Horsley is speaking about, and actually what you've spoken about, too, Mr. Chair, and it will drive the dynamics in wide-ranging areas, and the foreclosures will come from the Old Fields, and the Head of the Harbor, and the Hauppauges, and those areas. And the lis pendens rate --

**LEG. HORSLEY:**

And it will drive it down, yeah.

**LEG. KENNEDY:**

-- now is double what it was this time last year.

**LEG. HORSLEY:**

Yeah, that's exactly what -- I had known something, it was along those lines.

**LEG. KENNEDY:**

And so for the Commissioner and her staff to have that as a -- now not every LP translates to a full bank foreclosure, but it's a good hard indicator of what may come in two years, three years, from them.

**LEG. HORSLEY:**

Right, right, I agree with you, John.

**LEG. KENNEDY:**

So that you can point to as an objective.

**COMMISSIONER DEMARZO:**

We can look at that. We -- know, we don't have these direct correlations. I mean, even at the highest points, sometimes we don't know what all the factors are, but we can look at that. It's the same question the County Executive's Office asked me relative to projecting next year's public assistance and welfare caseloads. You know, we're going to see not only homelessness, but individuals going up. So it is something we're looking at. We've asked our State Association some of these questions for some guidance. So we don't have an answer, but we do know it is a factor, we just don't know the direct correlation.

**LEG. HORSLEY:**

Yeah, because it just seems to be so large of an indicator that's just out there, and I think we'd be so dumb not to pay attention to it, because it's -- there's going to be a problem, it's waiting in the wings. And, as you said, they are from Old Field, and Old Field goes down to the renter -- rental spot. They bump the rentals, the rentals go up, and then we've got the position where we've got the person out in the street. Yeah, I -- good luck.

**COMMISSIONER DEMARZO:**

Thank you.

**CHAIRMAN MYSTAL:**

Thank you very much, Commissioner. Thank you very much, Deputy Commissioner.

**COMMISSIONER DEMARZO:**

I do have other issues to discuss.

**CHAIRMAN MYSTAL:**

We do.

**COMMISSIONER DEMARZO:**

So, as you move through your agenda --

**CHAIRMAN MYSTAL:**

As we move to the agenda, please don't go, because we -- I do want to talk to you about 1293.

**COMMISSIONER DEMARZO:**

Oh.

**CHAIRMAN MYSTAL:**

Which is the --

**COMMISSIONER DEMARZO:**

Which one is that.

**CHAIRMAN MYSTAL:**

This is the -- to provide the payment to the providers.

**COMMISSIONER DEMARZO:**

Oh, I -- actually, I don't know if it was handed out. We have a presentation we put together to show you, you know, our concerns regarding that legislation. That's the payment -- the advance payment for day care providers.

**CHAIRMAN MYSTAL:**

Yes.

**COMMISSIONER DEMARZO:**

If you have specific questions, I can answer those. I can go through the presentation with you.

**CHAIRMAN MYSTAL:**

Well, the first question I'm going to ask you, have you seen the amended copy?

**COMMISSIONER DEMARZO:**

Yes, I have seen the amended copy. I believe I have seen the amended copy.

**CHAIRMAN MYSTAL:**

There are some objections to the amended copy, mainly, the objection being that it says, "Under contract." Anyway, somebody will speak on that, but I wanted to hear from what you have to say about it. And you say you have some presentation just on that?

**COMMISSIONER DEMARZO:**

Yes. It was just handout to you.

**CHAIRMAN MYSTAL:**

Okay, got it.

**COMMISSIONER DEMARZO:**

As you know, the day-care payment issue has put a real focus on the whole payment process in the Department of Social Services and myself, and the Director of Finance, and Chief Deputy Blass has spoken on this. We have -- we have also, as I explained at the last meeting, convened a Process Review Committee with the Comptroller's Office, Budget Review and the Budget Office that is moving through. Review of the payment process is in our agency to see if there's some streamlining or efficiencies that we might want to implement. We have changed a number of processes.

And at the request of the committee, we have also reached out to a number of large providers to ask if they've seen some of the changes, and where some of the continued problems are that they see. We've gotten a list from a couple of Legislators that -- I mean, from a couple of providers that we're looking at. And in the course of those conversations, some of those individuals have also indicated concern about this legislation. And I think it's for the same reason we have concern. While at first blush this legislation looks like it will assist the providers, the nuances of the payment process and the payment systems, multiple systems that we use in DSS make it a little more difficult. We'd ask the Comptroller, and you'll see it in the back of the letter, of the presentation, the Comptroller to look at it as well, and he has expressed strong concerns about the legislation and its impact on the integrity of payments and the loss of audit trails.

But, you know, to walk you through my presentation, basically, it's going to require a significant increase in payments. Somebody's going to bill us, we're going to pay it up front without any audit, then we're going to have to audit it and reconcile the processes. It's going to take a lot more, and in the back we'll walk through the different steps of the payment process. But because of our two systems, it's going to take a lot more effort on our staff, on the part of our staff, which will make our overall payment process slow down. We are now down to 46 days. When we started this, you'll recall that we were over 52 days from receipt of voucher to payment. We're down to 46. We continue to see ourselves moving down over the next couple of weeks. We also see the Kinder Tracks and Kinder Attends System being rolled out over the course of the year.

While my presentation works well for talking, I think that if we go to the page where it sends current child care process and you see that right now we get a roster of all the children, we generate a roster, it's sent to the agencies, they fill out the amount of time each child was in, they send that back to us, we look at it. We put this information into BICS, which is our State system, where the payment for these services, as many of our payments, are based on individual client's authorizations. John Smith is authorized to receive -- Well, John Smith is authorized to receive day care four times a week. It's that authorization that generates the payment to the client, so it's kept on a client basis and batched by the system to give it to Tutor Time, per se, and then the payment is made to the provider. So it's -- all the system -- all the process is done on the State computer side called BICS. We do one journal voucher entry to move that authorization for the millions dollars of that batched run over within the County's IFMS System, but the audit trail and the payments are all done through BICS.

The next page in this, and we tried to do the greens and the reds to show you, when you try to take that State system, and we have to maintain our audit information, audit trail in the State system, and generate a check out of there, but we can't do that on the 75% free audit basis. So we're essentially generating a check from the IFMS System, then -- let me see if I can walk you through this. Oh, roster and attendance sheet is received. The next step is a copy would be made, one copy to IFMS payment unit, second to Services Accounting. So we would generate from the IFMS System the 75% payment, but we must maintain the BICS System, because that's the authorization for payment, that's the audit trail. So we would have to have the team review it for accuracy, put it into the BICS System, we'd have to make the payment to Suffolk County. We'd have to intercept it, because we couldn't send it to the provider, because they already got a 75% up-front payment. We'd have to reconcile the two, and then we'd have to put it into the IFMS System to pay the difference between what we paid them originally and the difference between what BICS says we truly owe them now.

One of the things we find is 90% of the rosters that we get from providers are not fully

reimbursable. Seventy-five percent seems like a reasonable standard. There are situations where the voucher is off by more than 75%. We gave an example earlier in here where there are situations where somebody could bill for 100,000, we'll give them 75,000. In the final analysis, they were only entitled to 60,000. While this is a pretty stable group, if they were to stop contracting with the County, or if they were to go out of business, we would not be able to recover those dollars.

So we think there are a variety of reasons why this legislation creates a double workload, which is beyond our control, because it's a State system that we must use. We feel that it sacrifices the integrity of following the audit trail, and that's what the Comptroller's Office expressed strong reservation about. And we believe that many of the processes that we put in place have started to show great improvement. We've talked to six providers. Out of the six providers, four have expressed -- have indicated that they see the process improving. Two have said they see it improving, but they want more. No one says that there hasn't been an improvement in the process, and a couple of them have indicated that they recognize while this is helpful in the first instance, anything that slows down the process will in the end cause more delays in the final reconciliation of day-care provider bills.

So we -- you know, we ask you, while well intentioned, appearing to really assist them, in the end, it will hurt the day care providers, and it will hurt the hundreds of vendors that we have to pay at DSS.

**CHAIRMAN MYSTAL:**  
Legislator Eddington?

**LEG. EDDINGTON:**

Yes. So this is what -- the picture I'm getting, that it's really not a systemic problem, it's a matter of maybe more adequate staffing when -- so you can get the payments out quicker at times. I mean, is that what I'm hearing? Because you're -- we're trying to fix a system ask you're basically saying the system works, but it's been bogged down. Now you've gotten some additional staffing, I believe, and you were saying that that would help. So then it seems to me that we have to make sure that you have somewhere to get more additional staffing when there's a backlog, a peak, or whatever.

**COMMISSIONER DEMARZO:**

I think, yes, staffing is critical to this, and we have received the additional staff that's really assisting in bringing down the numbers, as well as the staff that Civil Service lent us, the additional clerks. But we also -- you know, that's going to get us down, but what I think is really good, and I'm going to be doing a letter to the providers and a training, is the Kinder Track System, the computerized -- the software we'll be installing, which will automate a lot of our rates processes, which will make efficiencies within the unit, and it will also give something that all the providers ask for. Right now, when you bill us for 100 kids, you get a statement that says John Smith was billed at \$300 and you're getting \$250, and I don't tell you anything more, because the BICS System doesn't provide you anymore detail. The new systems, which is called Kinder Tracks, will actually say -- will have the detail of John Smith was billed at 300, John Smith was paid at 250, and then they'll give the detail of the calculation, so the provider could say they agree or disagree and be more informed.

So I think that it's staff as well as the software that we have been actively pursuing since last April, and we now -- August will be the first bills that we do on this new system, and then the Kinder Attend, which has been asked for, which is -- which is automated attendance sheets, will start to roll out in October. We'll pilot it with a couple of providers. The Day Care -- the Child Care Council has been helping some of the smaller providers get computers, so that they can do this.

So it is staff, it is a little technology, and we do use -- you know, we do have some peaks and valleys, and overtime and temps are a part of that. So I do believe that it's getting better. And I did indicate to you that I would report to you on a month -- at a committee meeting basis, and we are down to 46. We were really hoping to report 45. He said I could say I'm 46 on the verge of 45, but I didn't think that sounded as strong as we're at 46 and we can down from 52.

So, you know, I would ask that you give this process and these changes an opportunity to occur and you allow me to report each month to you on the progress or failures of this new process.

**CHAIRMAN MYSTAL:**

Jack?

**LEG. KENNEDY:**

I'm still being nice. I appreciate you reaching out to me. And I will once again acknowledge that your department has gone forward and has made several improvements. And I will even go so far as to commend the County Executive, which is a rare thing for me to do, in that he authorized the additional four staff to your unit.

But I think what I'm going to ask you to do is just indulge me a little bit in this problem that we look at now that you are working mightily to remedy. And tell me a little bit about the letter that I got from Edna Guarino that referenced what Commissioner Brandwein identified. And the resolution -- there was some action back in '91, I think, when this was a problem for the providers and there was a significant delay. My point is, is that it appears that for whatever reason, we have a history here where care is sought, care is provided, there's a system out there, and, for whatever reason, these lags build and they don't become an issue that we focus on until we're in crisis mode. Now, you can say to me, "Well, duh, that's kind of where everything in life is at." But I guess I'm going to ask you. You're asking us to believe that you're focusing on this problem and you're presenting to us comprehensive solutions that are going to go ahead and take care of it. How are we going to go ahead and know that, I guess, other than the fact you're going to continue to come back to us? I mean, I hear what you're talking to me about from 52 down to 46, and I appreciate that, but you know and I know that there was a whole other area where vouchers sat in some cases for five months before they entered your 52 to 46 dynamic. That's where I'm concerned. Tell me how that's not going to happen anymore.

**COMMISSIONER DEMARZO:**

Well, quite honestly, you know, on my desk is my child care file, which many of the pieces of my child care file are conversations with the Health and Human Services Committee on the payment issue, all the way back to my budget presentation last November. So, yes, it is -- I have acknowledged it as a problem. At the last meeting, I clearly indicated that we had -- in fact, after I left, I thought I had overstated it, that we had found 133 authorizations caught between services and day-care, which, without the day-care unit getting them, did not authorize authorizations.

So I believe that we have identified a lot of problems, and I think it was your individual request that we implemented when last week, actually, Ed can speak to speaking to Edna Guarino, who was -- I'm going to let Ed tell you how happy she was with all this going on, which one of the things that we know we need to do sometimes is we need -- I call it "walking around the desk". From my position, sometimes things look great, but I have to walk around and see it from the day-care provider's perspective. And we have reached out to a variety of day-care providers. We all took two and talked to them, and they have identified different issues that we're continuing to -- and it's like I said to EOC, send me the child, so I can actually follow through the process, see where the system problem is. So it is the dialogue. I mean, you can -- many of them are the ones that talk to you regularly. So, you know, one of the things you should understand is we are interested in fixing it, too. They -- not only are the people that receive the services our clients, but I recognize the day-care providers are our clients, and sometimes we sit behind the desk and we don't walk around and see it from their perspective. So while I might sit there and say, "Oh, that's one child," for that day-care provider, it could be several hundred dollars, which is very important to them.

So we have started to really get the lines of communication open to see what we -- what they see and really follow it through to see if it's an individual mistake or if it's a system problem that needs to be addressed, so -- and you know what, sometimes we as government, and my husband works in the private sector, band aid problems, and sometimes they do have to bleed and then we deal with

them, but, hopefully, we do a permanent solution, and I think this effort has given us that. But please let him tell you how great Edna's conversation was.

**LEG. KENNEDY:**

Which I'd be happy to hear. But, also, just one second, Deputy Commissioner. Remember, I commended you in the first instance. You had an attention brought to your -- a problem brought to your attention and you acted, and I appreciate that and I applaud you for it. I know that you look at solutions, or you look at problems and you attempt to bring forward solutions. You don't just duck, you don't just go under the table, you don't just stick your fingers in your ears. I appreciate that. What I will ask you to do, though, is continue that dialogue with the providers, and do it on a -- do it quarterly. Do it so that in three months from now, and six months from now, and nine months from now, they'll be talking to you and you will have continued to walk around the desk. And they won't need to engage us and we won't have to hear about Federal tax liens, that's all. Thank you.

**COMMISSIONER DEMARZO:**

Thank you.

**CHAIRMAN MYSTAL:**

Thank you. Ed?

**DEPUTY COMMISSIONER HERNANDEZ:**

I'll let you go on with your committee.

**CHAIRMAN MYSTAL:**

Thank you. Let me go on now, because I'd like to move the agenda, and we have the public portion. Thank you very much Commissioner Demarzo. Thank you very much, Deputy Commissioner.

**COMMISSIONER DEMARZO:**

Okay. And later on in the agenda, there is the Medicaid resolution that I would be willing to speak to when you get to it.

**CHAIRMAN MYSTAL:**

Okay. We're going to move to the public portion. The first person I have is Bruce Forsythe from Kidde Academy of Brightwaters, DSS payment.

**MR. FORSYTHE:**

Thank you for the opportunity to speak. I'm one of the --

**CHAIRMAN MYSTAL:**

Sir, you've got three minutes; okay?

**MR. FORSYTHE:**

Two minutes?

**CHAIRMAN MYSTAL:**

Three.

**MR. FORSYTHE:**

I'm one of the partners in Kiddie Academy of Brightwaters in Bay Shore. And in reference to what was just said about the payments, I'm not the Director of the center, I'm one of the owners, and as far as I know, no one has ever contacted us for our input. Our delay in payments is still over 50 days, and I've seen no improvement. I've seen no improvement in this. It put quite a burden on us. We provide the services for the children, we feed them, we pay the staff to watch them, and we're being paid almost two months behind the time that we provide the services. Something needs to be done pretty dramatically and drastically to increase the timeliness of the payments. Thank you for your time.

**CHAIRMAN MYSTAL:**

Thank you very much. Debra Alloncius. Debra from AME.

**MS. ALLONCIUS:**

Good afternoon. I'm here on behalf of AME. We would stand behind the I.R. 1317, and would like to commend the Commissioner. That would be the Medicaid funding, Mr. Mystal, 1317, the resolution amending the Operating Budget to accept the 100% funding of Medicaid. We would like to go on the record as thanking Commissioner Demarzo for the fine job she did up in Albany securing the funds for a much needed program to be administered in Suffolk county. It's a very long, complicated, arduous process through Medicaid, and the more examiners that you have on staff, the better off it's going to be, as far as the efficient running of the department for Ms. Demarzo. And we would just like that to be acknowledged. Thank you.

**CHAIRMAN MYSTAL:**

Thank you very much.

**MS. ALLONCIUS:**

You're welcome.

**CHAIRMAN MYSTAL:**

Kathy Liguori.

**MS. LIGUORI:**

As you know, I'm Kathy Liguori, and I wanted to thank all of you for your continued concern regarding the serious payment delays the child care providers have been subjected to for nearly two years. We're very appreciative of the recent improvements and the added staffing levels that have been anticipated to alleviate the provider's financial crisis. And we're now hearing by the end of this coming summer that all of this will be alleviated. We're worried about our future.

As you know, this is not the first time that the child care providers have had to go through such terrible financial stress, where many have been forced to close their programs, face tax liens, and/or stop enrolling subsidized children. In the mid 1990's, this type of problem also occurred, and it was just as stressful for the child care providers and the families that they served at the time. This is why we approached the Legislators in the hope that an existing law could be amended to provide financial relief for child care providers should such circumstances ever occur again in the future. It would be unimaginable for the County to allow such a history to become a periodic occurrence.

We are very grateful that several Legislators have evidenced their support for the amendment to County Law 596 with Introductory Resolution 1293, because it would guarantee that child care providers could continue to be promptly compensated, albeit at a reduced level, so that providers could stay in business and subsidized working parents could stay employed.

Now we've been told, and now I hear for myself, that if Introductory Resolution 1293, if it had to be invoked, could cause extra processing work, because the BICS vouchers would have to be handled twice. It is truly our goal to prevent another regional meltdown to the child care providers in the future. We don't want this to happen again. And we need not apply this Introductory Resolution to the current backlog. In fact, it can take effect September 1st, after the present problem is projected to be resolved. It does need to be amended, though, at its current amended state to ensure that it is fair and equitable for all the child care providers, as the funding from the New York State Child Care Block Grant is not limited to contracted providers only.

We know you understand that it is imperative to prevent such a financial burden from ever happening again, and this legislation would provide a mean to do so. However, this may not be the only or best solution to solve the problem. We can suggest that this funding, since this funding originates and is regulated by New York State Child Care Block Grant, that Suffolk County follow the

lead of New York State Prompt Payment Law Article 11-A, interest payments on certain amounts owed by the State, which was enacted in 1992. It is my understanding that Nassau County has implemented a like provision. However, as I speak before you today, I have not been able to obtain that legislation to present to you.

I bring your attention to a letter sent by Department of Social Services Commissioner Ruth Brandwein, dated January 10th, 1991, addressed to Miss Edna Guarino, describing a mandate ordered by the County Executive directing all departments to make payments within 30 days. Commissioner Brandwein also disclosed an analysis of payments to the 110 day care providers at the time. Seventeen were paid in zero to ten days, 90 were paid in 11 to 20 days, and three were paid in 21 to 30 days.

We're depending on our Suffolk County Legislators to determine that a prompt payment law is better suited to the problem, and it is only you who can determine the right course of action, which will ensure that DSS subsidized families will be able to enroll their children in a financially stable -- with financially stable care with the quality and the freedom of their choice that the Federal and State governments require.

**CHAIRMAN MYSTAL:**

Please wrap up.

**MS. LIGUORI:**

That's it. Thank you.

**CHAIRMAN MYSTAL:**

Thank you very much, Miss Liguori.

**MS. LIGUORI:**

And I provided copies of the letters and the legislation.

**CHAIRMAN MYSTAL:**

Thank you. Anita Fleishman.

**MS. FLEISHMAN:**

Good afternoon. Thank you for allowing me the opportunity to speak to you today. In view of Monday's tragic events, there is perhaps no better time than to address this group and the Safety Committee group with regard to shoring up our mental health system. In keeping with that, I wish to endorse Legislator Kennedy's bill, I.R. 1162-07, which is the establishment of a Suffolk County multi-level CPEP working committee.

We have spoken to this committee several times with regard to the fact that our CPEP, our Emergency Services and Crisis Unit at Stony Brook, has demonstrated an inability to meet the needs of this community.

What happened on Monday is already impacting our system, as the Executive Director of a large mental health center. I am saying that in the last two days, I have gotten numerous calls from schools, from people who already are our clients, from residential facilities about -- now everyone is researching writings, etcetera, etcetera, that there's the potential for such an action to occur here. To believe that there isn't is to delude ourselves.

I have a poem that was just sent to me right before I came here by a 22 year old saying, "This is one demon not even God would want to fight." And in it he threatens the lives of all the children or the young adults that he's living with in a community residence. So this is what -- this is what we're beginning to face is, as the ripple effect of Monday occurs. We need to establish a system that will protect these victims, as well as their victims. We do not have it now. We don't have it in CPEP and we don't have it in the outpatient mental health system where we can absorb the numbers of people that are coming to us for help. To delay it is to incur situations, hopefully, not to the extent that it

happened on Monday, but certainly can.

We're looking for, and we've discussed this many times, too, the 621 money. That was monies that were supposed to enhance our system. We are struggling with what we have now, and as events incur -- events occur in the environment, we are unable to absorb it. The biggest question is no one should turn to you or to us when things like this happen and say, "How could it have happened?" This is how it can happen. We are not meeting the needs of our children, of our young adults, and our community that require the attention as -- at rapid access to services. I'll be happy to take any questions with regard to what's going on in the system right now as a result of Monday.

**LEG. EDDINGTON:**

Comment, just quick. I'll just make a quick comment, that I met with the -- I did a presentation in a school district yesterday and I met with the -- I had the State University police there, and they were talking to seniors at Patchogue Medford High School about the situation. And I said to them, "How many officers do you have on campus?" And he said, "Fifty-five." I said, "The day you tell me you can reach out to 55 mental health professionals, counselors or social workers, that's the day I'm going to feel secure. And then I think that's what you're trying to do. We need to balance the scales. One group does intervention, but we have been very shortsighted on proactive prevention, so --

**MS. FLEISHMAN:**

Absolutely.

**LEG. EDDINGTON:**

So I applaud you for your efforts.

**MS. FLEISHMAN:**

Thank you.

**CHAIRMAN MYSTAL:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I just want to thank Miss Fleishman for coming out, and I want to thank you also for supporting this initiative. As you know, it's kind of migrated from its initial introduction. But, nevertheless, I think, you know, Anita points to an extremely important need. And while you know that I am not necessarily a fan of Task Forces, this is a working group and it's got a tight time frame, and I'm confident we'll be able to come up with some good solutions to at least help improve what some of the deficits are. So I thank you for coming out. Thank you, Mr. Chair.

**MS. FLEISHMAN:**

You're very welcome. Thank you.

**CHAIRMAN MYSTAL:**

Thank you very much.

**MS. FLEISHMAN:**

Thank you.

**CHAIRMAN MYSTAL:**

Alicia Marks.

**MS. MARKS:**

Good afternoon. I will be brief. My name is Alicia Marks. I'm a franchisee as well from the Tutor Time Child Care Learning Center of North Amityville. I just want to first start off as well complimenting Commissioner Demarzo with the progress they have made in the department, and I

want to also compliment my Legislator, Mr. Chair, Elie Mystal.

I just briefly want to say just for the record that it's been ten grueling years of financial instability. My day care is 90% subsidized. And I don't want to say that it's not my choice, the clients that I choose, because I love the community that I serve. However, when you are 90% subsidized and your turnaround time for money has been 52 days, and luckily has come down to 45, but we'd be happy with 30, that's what -- that's what I'm asking for, that this indeed does progress to 30 days, as Mr. Kennedy said. We were happy at 30.

My husband and I have poured over \$200,000 into this business over the last ten years. I have begged, borrowed and stolen from God knows where to make magic happen, to be able to feed and care for children that have such a need. I say I'm a success, because I'm still here, not because of the money that we make, because I'm still standing.

My husband retired from the Nassau County Police Department at 44 years old March 7th in order to have a cash flow for my business. The deferred comp, the retirement money, the pension to be able to have a cushion is what we needed. It's been hard. And I don't know if the magnitude is really understood when it's your livelihood. I don't turn parents away because they're on Social Services, like some day cares do. Something is better than nothing. Our heart and souls go into this business, but I can't continue to exist with the way the system is right now. It has to improve and it needs to stay that way, because we're rendering a service and we need the return. You can't just give and give and give.

The Town of Babylon is my landlord. Rent is going to go up. Their checks are late, my vendors are late. I hear Miss Demarzo talking about the vendors that they need to pay, I have vendors, too. I couldn't get a line of credit. No bank would approve me, because we couldn't meet our payroll taxes, so we pay them separately. And, yes, they were late and they weren't paid and we had liens on our account, because we couldn't afford to pay them. But I pay my staff first before I pay myself, because I don't want to be in the same -- put them in the same position that I'm in, where a service is rendered and you don't get paid. That's not how businesses operate and that's not how they survive. And if you really want to say thank you for a service that I feel is a priority, it doesn't end up like this.

I had a worker call me -- not call, I'm sorry. We received our roster back in the mail, because it was March and my husband mistakenly put March on the invoice. Clearly, there were 28 days. We were billing for February. Clearly, we were in March, so we weren't billing for March, but a courtesy call -- with the amount of money that you saw that was at stake, a courtesy call I would think would be the priority, not taking more days to put it in the mail. I drove that invoice back to DSS, I didn't put it back in the mail, because it's a critical issue. I received a check today for \$29,000. And I have some Nassau County children, as well. It's a lot of money. I have cash flow issues, and I cannot continue to be a success, more of a success, not just existing, I want to be able to meet the needs.

When I have my Tutor Time evaluations and they cut me down because I don't have enough materials on my shelves, that doesn't make me feel good, because I'm a success at everything I've done in the past. I'm a professional. Yes, I'm educated, yes, all of this, but I can't bring everything to fruition without money. Children have needs, and I need to meet them. I don't like to be criticized by the community, by Tutor Time Franchisors because what they feel I don't have, because, by the time I get my money, I'm too busy trying to catch up with my outstanding bills. I'm behind in my rent, I'm behind in a lot of things, but I'm never behind in my payroll, and I will continue to make that a positive. I haven't been able to give raises, but I continue to pay them, and those people work hard. They deserve it. If I have to beg, borrow and steal more to get -- to make sure they get paid, that's what I will continue to do, but it's just not -- it's not right, it's not fair. I think it's appalling. And whatever needs to be done needs to be done to make sure that the system works and it stays that way. Thank you.

**CHAIRMAN MYSTAL:**

Thank you, Miss Marks. This is putting a human face to the problem. And I want to let everybody know that I have been working with Miss Marks for the past ten years, since she opened Tutor Time. She rendered a valuable service. The loss of that franchise will be a big loss to my district, to the community of the Town of Babylon, and to the community of Suffolk County. And what she was expressing is sincere and it's from the heart. And I can say categorically, she's not in it for the money, because she left her job making a lot more money than she was making at Tutor Time. And I don't think the woman makes, you know, \$20,000 a year for all the work that she's been doing, but -- and I promise that we will try to do something about this.

**LEG. HORSLEY:**

Ditto.

**CHAIRMAN MYSTAL:**

And so does -- and Mr. Horsley, who's known Miss Marks for a long, long time.

**TABLED RESOLUTIONS**

Okay. We are going to go to proceed to the agenda. Tabled resolution. ***1170 - Adopting a Local Law to prohibit the sale of Dextromethorphan --***

**LEG. NOWICK:**

Dextromethorphan.

**CHAIRMAN MYSTAL:**

A drug, ***to minors within the County of Suffolk***. This resolution has to be tabled for a public hearing. And, Miss Dillon, you want to speak on that.

**DR. DILLON:**

Sure.

**CHAIRMAN MYSTAL:**

It has to be tabled for a public hearing, you know.

**DR. DILLON:**

No problem.

**CHAIRMAN MYSTAL:**

Okay.

**DR. DILLON:**

I actually wanted to speak on the record. Our new Commissioner was sworn in I think two days ago, and although he has promised to hit the ground with his feet moving, we really need to give him time to research this and comment on this bill. In the interim, we did want to mention some issues that need to be considered. One is that Dextromethorphan is in many over-the-counter agents, cough remedies, etcetera, and it occupies approximately 10 to 15% of the shelf space in any retail pharmacy, and it is currently regulated by the FDA.

This is not the only product that is abused by teens. There are numerous agents, including stimulants, sedatives, laxatives, alcohol that's in mouthwash, also inhaled agents, a lot of -- anything that's aerosolized, glues, dust removers. And so, you know, those things need to be considered when you're looking at this bill.

And lastly, again, Dr. Chaudhry, had requested that the sponsor of the bill provide him with legal guidance on the enforcement of the proposed bill. Thank you.

**CHAIRMAN MYSTAL:**

Thank you. This is a banner day for me, because I remember when I was in college, we used to call it Robi-high, Robitussin. Oh, you guys don't remember that.

I have a -- I'll make a motion to table this resolution. Can I get a second? Second by Legislator Eddington. All in favor? Nay? Abstention? Motion is tabled. **(Vote: Tabled 5-0-0-0)**

**2595 - Directing the Department of Health Services to conduct an audit of retail establishments that sell pesticides.** Motion to table, seconded by Legislator Horsley. All in favor? Nay? Abstention? Motion is tabled. **(Vote: Tabled 5-0-0-0).**

**INTRODUCTORY RESOLUTIONS**

**1162 - Establishing the Suffolk County Multi-Level CPEP Working Committee to address Suffolk County's Emergency Psychiatric needs.**

Mr. Kennedy?

**LEG. KENNEDY:**

I'll make the motion to approve.

**CHAIRMAN MYSTAL:**

Seconded by myself. All in favor? Nays? Abstention? Motion is approved. **(Vote: Approved 5-0-0-0)**

**LEG. KENNEDY:**

Thank you, Mr. Chair.

**CHAIRMAN MYSTAL:**

1120 -- no, **1266 - Appropriating funds for the purchase of automated external defibrillators for County facilities.**

**LEG. HORSLEY:**

Motion to approve.

**CHAIRMAN MYSTAL:**

Motion to approve by Legislator Horsley, second by Legislator Nowick. All in favor? Nays? Abstentions? Motion carried. **(Vote: Approved 5-0-0-0)**

**1267 - Appropriating funds for the addition to the Maxine S. Postal, Tri-Community Health Center located in Amityville.** Motion to approve.

**LEG. EDDINGTON:**

Second.

**LEG. MYSTAL:**

Seconded by Legislator Eddington. All in favor? Nays? Abstention? Motion carried. Could you put me as cosponsor on that. Motion carried. **(Vote: Approved 5-0-0-0)**

**1293 - Authorizing payments to Day Care Providers in advance of audit.** I make a motion to table for refinement, seconded by Legislator Kennedy. All in favor? Nays? Abstention? Motion is tabled. **(Vote: 5-0-0-0)**

**1300 - Authorizing the extension of the lease of premises located at 45 West Suffolk Avenue, Central Islip, New York for use by the Department of Health Services.** Motion to approve.

**LEG. EDDINGTON:**

Second.

**CHAIRMAN MYSTAL:**

Seconded by Legislator Eddington. All in favor? Nays? Abstention? Motion is approved. **(Vote: 5-0-0-0)**

**1317 - Amending the 2007 Adopted Operating Budget and accepting and appropriating a total of 100% Federal and State Aid specifically related to the Department of Social Services Medicaid Compliance Fund.** Motion to approve and put on the Consent Calendar.

**LEG. EDDINGTON:**

Second.

**CHAIRMAN MYSTAL:**

Seconded by Legislator Eddington. All in favor? Nays? Abstention? Motion is carried and put on the Consent Calendar. **(Vote: Approved 5-0-0-0)**

**1321 - Amending the 2007 adopted Operating Budget to transfer 100% State Aid Adult Home Case Management Funds from Federation of Organizations to Sayville project.**

Motion to approve and put on the Consent Calendar.

**LEG. EDDINGTON:**

Second.

**CHAIRMAN MYSTAL:**

Seconded by Legislator Eddington. All in favor? Nays? Abstentions? Motion is approved and put on the Consent Calendar. **(Vote: 5-0-0-0)**

**1322 - Accepting and appropriating 100% additional Federal and State Aid from the New York State Office of Alcoholism and Substance Abuse Services (OASAS) to the Department of Health Services, Division of Community Mental Hygiene Services for various contract agencies.** Motion to approve and put contract agency (sic). Seconded by Legislator Eddington. All in favor? Nays? Abstention? Motion carries. **(Vote: Approved 5-0-0-0)**. We have no memos.

**MS. ORTIZ:**

Legislator Mystal, is that on the Consent Calendar?

**CHAIRMAN MYSTAL:**

Consent Calendar, yes. The last two were on the Consent Calendar, 1317, 1321 and 1322.

**MR. ZWIRN:**

Mr. Chairman.

**CHAIRMAN MYSTAL:**

Yes, sir.

**MR. ZWIRN:**

Before you entertain a motion to adjourn, the Commissioner just has -- we have a resolution we'd like to pass out, because we're going to be asking for a CN for payment to a number of groups at the Tuesday -- at the Tuesday meeting. And I'll let Commissioner Demarzo explain it.

**COMMISSIONER DEMARZO:**

The resolution that you're receiving, we would like to -- we are requesting the County Executive, and he has agreed to sponsor it, a Certificate of Necessity. It's a resolution that would provide monies

from the Living Wage Contingency Fund to day-care providers. In an effort to expedite the process, we've recently had these approved by the Department of Labor Living Wage Unit. As you know, the application process and the renewal process by DOL takes awhile, so we thought that we would expedite this by getting the Certificate of Necessity. I believe it's seven agencies receiving a total of four hundred and twenty six thousand dollars three-eighty-five. And if we could get a Certificate of Necessity, we could get these dollars out to them quickly in order for them to receive these dollars. They already are paying the higher wages. So, in an effort to expedite it, we're asking for a CN.

**CHAIRMAN MYSTAL:**

So we will see this on Tuesday.

**MR. ZWIRN:**

It will be there on Tuesday. We just want to let you know in advance, so we don't surprise you.

**CHAIRMAN MYSTAL:**

I think most Legislators would be very happy to see that money.

**LEG. HORSLEY:**

Yeah, I bet.

**CHAIRMAN MYSTAL:**

Legislator Kennedy.

**LEG. KENNEDY:**

Absolutely, Mr. Chair. Can I just hear from BRO? This fund, it's my understanding we have more than adequate funding in that fund at this point; is that correct?

**COMMISSIONER DEMARZO:**

1.5 is my understanding.

**MR. ORTIZ:**

Apparently, there's 1.5 million dollars in the fund and this takes \$400,000 from it.

**CHAIRMAN MYSTAL:**

Miss Demarzo is on top of it.

**LEG. KENNEDY:**

Hey, she's got her game face on today, huh?

**CHAIRMAN MYSTAL:**

I know.

**LEG. KENNEDY:**

There you go.

**COMMISSIONER DEMARZO:**

Thank you.

**CHAIRMAN MYSTAL:**

She's got it on today.

**MR. ORTIZ:**

We're going to hire Janet tomorrow.

**CHAIRMAN MYSTAL:**

Thank you very much. I'll entertain a motion to adjourn.

**LEG. KENNEDY:**

Adjourn.

**LEG. HORSLEY:**

Adjourn.

**CHAIRMAN MYSTAL:**

All right, we're out of here.

*[MEETING WAS ADJOURNED AT 3:48 P.M.]*

*{ } Indicates Spelled Phonetically*