

HEALTH AND HUMAN SERVICES COMMITTEE

Of the

Suffolk County Legislature

Minutes

A regular meeting of the Health and 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 August 16, 2007.

Members Present:

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

Also in Attendance:

Legislator William Lindsay - Presiding Officer/District #8
Legislator Edward Romaine - District #1
George Nolan - Counsel to the Legislature
Ian Barry - Assistant Counsel to the Legislature
Kara Hahn - Director of Communications/PO Lindsay's Office
Renee Ortiz - Chief Deputy Clerk/Suffolk County Legislature
Paul Perillie - Aide to Majority Leader Cooper
Fran Siems - Aide to Presiding Officer Lindsay
DuWayne - Aide to Legislator Mystal
Greg Moran - Aide to Legislator Nowick
Allen Kovesdy - County Executive's Budget Office
Ben Zwirn - Assistant County Executive
Brendan Chamberlain - County Executive Assistant
J. Dujmic - County Executive Assistant
John Ortiz - Senior Budget Analyst/Budget Review Office
Diane Dono - Senior Budget Analyst/Budget Review Office
Joe Williams - Commissioner/Fire, Rescue & Emergency Services
Dr. Humayun Chaudhry - Commissioner/Department of Health Services
Dr. David Graham - Chief Deputy Commissioner/Dept of Health Services
Matthew Miner - Deputy Commissioner/Dept of Health Services
Margaret Bermel - Director/Health Adm.Services/Dept of Health Services
Janet DeMarzo - Commissioner/Department of Social Services
Linda O'Donohoe - Assistant to the Comm./Dept of Social Services
Ed Hernandez - Deputy Commissioner/Department of Social Services
Gail Lollo - Deputy County Attorney for Suffolk County
Basia Braddish - County Attorney's Office
Debbie Alloncius - Legislative Director/AME
Carol Bissonette - Councilwoman-District #6/Town of Brookhaven
Kathie Pearsall - Chief of Staff to Councilwoman Bissonette
Wendy Meyer - Family & Children's Association
Richard Bell - Family & Children's Association
Diana Arena - Options for Community Living
Laura Shannon - Options for Community Living
Meridith gabrielle - Options for Community Living
Nikki Nelson - Options for Community Living

Marisa Laag - Options for Community Living
Laura McKinney - Options for Community Living
Gail Rivera - Options for Community Living
Frank Fugarino - Pattersquash Creek Civic Association
Vic Zeleny - Pattersquash Creek Civic Association
Debbie Walsh - Pattersquash Creek Civic Association
Barbara Scalafani - Pattersquash Creek Civic Association
Bill Fahey - Pattersquash Creek Civic Association
Vernalene Wiggins - Pattersquash Creek Civic Association
Kathy Liguori - Tutor Time
John Sicignano - Mastic Park Civic Association
Don Seubert - Mastic Park Civic Association
Joe May - Mastic Park Civic Association
Mary Ann Johnston - ABCO/Mastic Park Civic Association
Delia McKernan - Mastic Park Civic Association
Johann McConnell - ABCO/SYCA
Beth Wahl - William Floyd Community Summit
Georgette Grier-Key - BRIC/Brookhaven Residents In Control
Maura Spery - Mastic Beach Property Owners Association
Cate Poe - LION/Long Island Organizing Network

(*The following were in attendance representing TSLI/HHB*)

Janine Taylor	Lindsay Meyer	Crystal Otano
Shawn Smith	Melanie Smith	Michele Smith
Steven Driscoll	Kelly Nawrath	Felicia Caldwell
Angela Klent	Linda Walch	Carol Achtziger

All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Stenographer

*(*The meeting was called to order at 2:05 PM*)*

CHAIRMAN MYSTAL:

Please rise for the pledge.

Salutation

Good afternoon, all. Welcome to the Health & Human Services Committee. Before we start with the opening presentation, I would like to invite Councilwoman Carol Bissonette, if she has something to say; I don't know if she wants to say anything or she just wants to observe. Do you want to address us?

COUNCILWOMAN BISSONETTE:

Yes.

CHAIRMAN MYSTAL:

Please come up.

COUNCILWOMAN BISSONETTE:

Good afternoon, Mr. Chairman. It's good to see you and the Legislators who are in attendance. I'm Councilwoman Carol Ann Bissonette and I represent Council District No. 6 in the Town of Brookhaven. And the reason that I'm here today is to provide my support to Legislator Romaine's initiative to implement a health study in Manorville.

The Town of Brookhaven has, in my estimation, undertaken a really poor choice, one that is detrimental to the health and well-being of the residents in Manorville. Presently, there are 23 active composting sites in the Hamlet of Manorville alone. The Town Board decided that they were going to up the number of cubic yards being composted at a facility known as the Paper Mill Road Composting Site. Over the course of the last three years, there has been no greater than 40,000 cubic yards composted at that site, which also is a former landfill site and one that is a toxic dump and was listed by the EPA as such in the early 90's.

Today, the Town board decided that they wanted to increase the total cubic yardage being composted at this facility from a maximum of 42,000 in 2006 to 120,000 cubic yards on an annual basis. This will have a serious, detrimental impact on the property values, but more importantly on the health and well-being of the residents in Manorville. There are approximately 3,197 homes in a one-and-a-half mile radius to this site. They have disturbed the former landfill and those emissions are now being released into the air.

I absolutely support Legislator Romaine's initiative and resolution to undertake a health study at that site and it should measure not just air quality, but it must do soil testing as well. When you disturb the cell of a landfill, you are releasing toxic agents into the atmosphere. Thank you, Legislator Romaine, for bringing this forward. It is a bipartisan support and I hope that you will support him in adopting the resolution for the health study. Thank you.

CHAIRMAN MYSTAL:

Thank you. Any questions? Legislator Romaine.

LEG. ROMAINE:

I appreciate your indulgence, I'm not a member; I was last year, but not this year, of the Health & Human Services Committee, so I appreciate your indulgence. Very simply put, and I'll state it now and then I won't make a statement again on this resolution because I don't want to take the committee's time. This is a facility and I'm here in a bipartisan effort -- myself as a Republican Legislator and Carol as a Democratic Town Councilwoman -- to speak on this issue.

This site in Manorville was used for over 25 years by the Town of Brookhaven in the 60's and 70's

and early 80's to dump all the sewage waste from the town into unlined -- some were lined but most were un lined pits. The town also had a small landfill there. In 1993, this was declared a Superfund site, but in 1996 it was delisted without any remediation.

*(*Legislator Horsley entered the meeting at 2:09 PM*)*

At this time, the town has proposed centralizing composting at this facility. Before that's done, I've asked for a groundwater, soil and air quality study to be done by the Health Department, this resolution puts aside 50,000. And I want to mention, the Health Commissioner was very gracious to call me today and have a conversation, he doesn't know if that's enough money, I said, "You know what, for the 50,000, do what you can. If you find something, then we'll take it to the State DEC to pursue it even further or the United States EPA." Because before the town could continue its composting, the tremendous impact -- I've had people e-mail me, they have moved from Huntington, their young child was perfectly healthy, they lived there two years, the young child came down with a rare form of cancer and has since died. Many complaints from many of the homeowners surrounding there about the impact.

The Town of Brookhaven recently purchased land, they called it open space, but if you would examine the documentation, which I have, essentially it was because of the methane gas that was emanating from nearby parcels as a result of the town's look at this.

We're just looking to do a health study, I hope we can do that. We've limited the expense, I've told the Health Commissioner, "Maybe you can't do it all for 50,000, but do what you can because if we find anything we do want to take it to the EPA, we do want to take it to the DEC." Just help me get some initial facts to perk their interest up in this site that was never remediated, this hazardous waste site.

*(*Legislator Kennedy entered the meeting at 2:11 PM*)*

So I want to thank the Councilwoman for coming down and I want to thank the Chairman for his indulgence.

CHAIRMAN MYSTAL:

Thank you. Anybody else? Thank you, Councilwoman Bissonette. We will definitely consider your thoughtful suggestion and vote on it today.

COUNCILWOMAN BISSONETTE:

I hope that you do and thank you for allowing me to address you.

CHAIRMAN MYSTAL:

Thank you, Carol.

We're going to start with the presentations. On the agenda we have two presentations today, one from Jovanna Little of Good Shepherd Hospice, please come to the table and make your presentation.

MS. LITTLE:

Thank you so much, Chairman Mystal and Honorable Members of the Legislature. I'm so pleased to be here today and speak to you about the services of Good Shepherd Hospice and to tell you about our new Hospice & Patient Center being built in Port Jefferson and ask for your support of this project on a County-wide basis.

I'll just give you a brief introduction to hospice. Hospice comes from the root word "hospitality" and that definition came about prior to 1967 when the first hospice as we know it today began. Today, hospice is known as not a place but a philosophy of care, of treating the body, the mind and the spirit. In 1967, the first hospice began by Dane Sicily Saunders who was a physician in London who

started St. Christopher's Hospice in England, and it was the idea of caring for someone at the end of life with dignity and treating their symptoms; that's when this philosophy of care began.

It came to the United States in about 1977 with another physician and her name was Elizabeth {Coubly} Ross who wrote the famous book On Death and Dying and came to Long Island, the hospice care philosophy in about the 1980's. So today, Good Shepard Hospice was formed in 19 -- in 2001 as a result of the merger of Mercy Hospice, Good Samaritan Hospice and St. Charles Hospice, and that represents more than 31 years of compassionate care to our Long Island community.

We do serve Nassau and Suffolk County. Since 2001 we have served more than 17,000 individuals and provided more than 747,000 days of care to our community. We serve babies, children and adults who have been given a diagnosis of six months or less to live. Each day we have about 400 patients on our census that we care for and every year we care for approximately 3,000 individuals; of that 3,000, more than two-thirds come from Suffolk County.

Basically, what we do are four things. Palliative care which is psycho/social support for seriously ill individuals not necessarily terminally ill, and that we provide with licensed, clinical social workers helping people through our CARE Program which stands for Counseling, Advocacy, Resources and Education where we'll help someone in their family cope with their illness. If an individual-to-primary care physician determines that they are now terminally ill and have six months or less to live, and provided that the disease follows its normal course, that's the Medicare definition, then they would qualify to come on to our Hospice Program, and there's information in each of your packets that describe the Hospice Program.

Once they're on our program, we have an interdisciplinary team of caregivers that take care of the patient, so our medical director then works with the primary care physician in following the suitable course of treatment and pain control for the patient. Hospice is not curative, it is a symptom-control program. So if someone is seeking out aggressive treatment for their illness, they will not qualify to be on the Hospice Program until they have decided that they are seeking quality of life at the end of life.

What we do is our primary care physician works with our medical director, we bring in nurses for an initial evaluation. We have home health aides that will come to the house and bathe, feed and clothe the patient in the morning, get them dressed. We have volunteers, we have over 225 employees and over 180 trained volunteers that go through about a 25-hour training program that work with patients. When a volunteer is in the home, they can help do light chores and will also help sitting with the patient, reading, watching television, whatever it is that the patient wants.

It's also an economic benefit to having Good Shepherd Hospice care for the seriously ill patients from the caregiver point of view because as we know, when someone's illness prolongs for a long time, the caregiver, who is often someone like myself with parents in their 70's, will often have to take a lot of time off from work. So having us in there and having a volunteer in the house is a benefit to the companies that employees work for when we're in the home.

We also have dieticians that come in, physical therapists and all of the medical equipment, pharmacy costs are covered under the Hospice Program. Reimbursement comes from Medicare, Medicaid, Blue Cross, private insurances, and if someone does not have insurance, we always take care of them, we never turn an individual away. Last year we provided more than \$300,000 in free support to our Long Island community that were uninsured.

Once a patient passes away on the program, we give them 13 months of bereavement care, and this is mandated that we do this but it's all privately funded through fund-raising. The bereavement can be a one-on-one session or in a group session. We also have special children's bereavement sessions and a children's bereavement camp every year in July to help children who've lost an immediate family member to cope with the grief and loss.

We also provide something else in the community. Grief counseling to the community at large don't -- the individual doesn't have to be on the Hospice Program or have anything to do with hospice, but if they need our help and they've lost a spouse or someone close to them, they can come to us for free counseling services. So that's a wonderful benefit that we also have that many people don't know about.

Unfortunately, because we're a best-kept secret that people often don't want to face hospice and think of end of life issues, the median length of stay on our program is only 17 days. Now, think about how many people we care for across Long Island, 400 a day with, what, two, three million people on Long Island and 17 days of median length of stay? That's nothing. So we really need to raise awareness of what we do so people can take advantage of our programs and services.

Last year, of the 3,000 individuals that we cared for, one-third of them qualified for short-term, inpatient hospitalization. The reasons why this happens is either there's caregiver collapse, and I can tell you that we had an elderly gentleman on our program whose wife tried to lift him and she fell on the floor and broke her hip. So now what happens to that patient, who cares for him? When we're providing hospice in the home, which is about 90% of our care in the home-skilled nursing facilities or assisted living, a caregiver has to be there. So in that kind of an instance when there's caregiver collapse, and often times there's no family around to step in, they would qualify to be in one of our contracted hospice beds throughout Long Island.

The second need for short-term, in-patient care is if somebody has a serious wound or extreme pain that can't be managed in the home.

A third reason is if someone is very young, and we care for many young people on our program. I can tell you in your packets you'll see the Community Champions article with a fellow named John who was diagnosed at 36-years old with colon cancer. He started out on our Palliative Care Program and after spending every last nickel that he had and wound up losing his home almost, he decided because he wanted quality of life to spend time with his wife and their two-year old that they adopted, that he would come on the Hospice Program. Once he did that, we fitted him with a pain pump that he could wear, he had quality of life for another year before he passed away and he was able to enjoy his family, see his wife, sell their home and move back in with her family, and also got to have a second honeymoon with his wife at Gurney's Inn and got to meet Billy Joel at a concert. So in that kind of an instance when someone is so young, often they don't want to die at home and have their children remember Mom or Dad, you know, as they pass by their bedroom, passing away in that house, so often times they want a place to be at the end of their life, and Good Shepherd is here to walk with those patients.

And the reason why we need this Hospice In-patient Center at Port Jefferson is to care for patients that need to be hospitalized every year. This facility is going to be 19,000 square feet, it's on the ground of St. Charles Hospital in Port Jefferson. It's the only one on Long Island on a hospital campus, the largest and the most innovative because it's going to be completely networked and have plasma televisions. And we're doing a fund-raising project called "The Design for Hospice" where we have the community involved in donating everything towards this building; this is Long Island's extreme make-over of this building.

And a lot of the information is in the packets there and I left a book at the top there for you to look at. East End Interiors has donated their services to do the design work and all of the vendors and suppliers are donating items. So we greatly need support. This is a \$5 million project that will serve the entire Long Island community, but mostly, I would say, Suffolk County realistically, and we depend on the government, individuals, corporations and foundations for this.

So I thank you for letting me speak before you today and tell you about our wonderful services. And anything you can do to help us to obtain some support for this project, we would greatly appreciate it.

CHAIRMAN MYSTAL:

Thank you. Any questions?

LEG. NOWICK:

Just a comment. I just wanted to thank you for that presentation. What you do and what -- the service that you offer is probably something that you can't put a number on. We will certainly -- hopefully we can keep you in our thoughts here, and I guess you're looking for us to help as far as member item money, that type of thing?

MS. LITTLE:

Yes.

LEG. NOWICK:

Okay. Well, at least we all know about it, we're aware about this now and we're aware of it, and thank you very much.

MS. LITTLE:

Thank you so much.

CHAIRMAN MYSTAL:

Thank you. Last comment, I wanted to say I'm very familiar with hospice, former Presiding Officer Maxine Postal died in one and she was in there for approximately 17 days and I'm very familiar with how much you do. I hope we can give you all the support we can.

MS. LITTLE:

Thank you so much.

CHAIRMAN MYSTAL:

Our next speaker is Bruno Laspina; Mr. Laspina has a short presentation.

MR. LASPINA:

Thank you, Mr. Chairman. I'm not here to testify on behalf of hospice, but I do wish to say that I'm familiar with their work and it's just amazing what they're able to do under the circumstances that they have to operate. So I just wanted to add that.

Thank you, Mr. Chairman, once again for this opportunity to appear before your committee. And I want to also extend my appreciation to the other committee members who are here in attendance. I'm here to testify today not only as a provider of housing for the homeless here in Suffolk County, but also as the Chair of the Suffolk County Shelter Providers Association and the Treasurer of our political action committee, E-PAC which, among other things, promotes the interests of shelter providers in the political arena.

The last time that I testified before this committee, the issue was the proposed development of a 99 family Tier II Shelter. Fortunately, for everyone concerned, the Legislature resolved that that program will not go forward; we thank you all for that very wise and very humane act.

I'm here today to bring to your attention the very significantly troubling manner in which the programs of shelters are consistently marginalized and left teetering on the brink of dissolution. It is an undeniable fact that the nature of homeless is a situation here in Suffolk County, as it is across the country, is both volatile in its cyclical rhythms. In the face of the present drop in the number of homeless families in the system, several providers have either reduced their programs or, in fact, are seriously considering closing altogether.

The irony at play here must not go unidentified, providers and their programs are at peril because of our success in preparing and placing historically homeless families in permanent and secure housing. In the absence of planning that would address the cyclical reality of homelessness, Suffolk County

will inevitably find itself back in the motel business. It is truly self-defeating to believe that in the absence of stabilizing the existing programs that providers will be able to develop homes, hire staff and do all of the other program-related preparation that program development requires when the numbers of homeless increase as they will. Proof of that fact is no less than today's Newsday. In today's Newsday, two front-page stories, one has to do with the big jump in the number of individuals who are having their utilities unplugged, as Newsday puts it. The other is a 66% increase in the same period of a year ago in the number of foreclosure notices. The handwriting, Ladies and Gentlemen, is on wall.

When I was here last April, Legislator Kennedy asked a question which struck at the heart of what I'm talking about here today. The question asked was do providers get paid when their beds are empty? The answer is no and the solution to stabilizing and guaranteeing that these same beds will be available when the time for the need occurs is to put in place a funding system that supports the baseline cost of shelter providers.

To add insult to injury, at present the fiscal policies under which providers operate is the self-defeating practice of the department declaring that funds not expended in the course of a contract year are to be returned to them. You have to understand, this is money that providers are paid to provide a service, they provide the service and at the end of the year, if you're prudent enough to have excess income, over expense, they want it back. I would like to ask if other contract agencies who build roads, sell furniture to the County, cars and everything else, if they're asked at the end of the year to give back what excess they might have; I doubt it very much.

The other irony here is that if you lose money the following year, there's no relief available to make up for that shortfall. Many of us find ourselves in the somewhat bizarre circumstances of writing checks back to the County at the same time as our beds remain empty and our programs are running in the red.

Mr. Chairman, committee members, I ask all of you to consider actions that will remedy a situation that, allowed to go unaddressed, will leave the homeless in desperate circumstances and unfortunately Suffolk County, once again, subsidizing the dead-end proposition of life in a motel and the unjustifiable enrichment of motel owners. I thank you all for your time and for your patience.

CHAIRMAN MYSTAL:

Any questions?

Applause

A couple of questions for you, Mr. Laspina. The change that you are asking for, to stabilize the day-care -- the providers of shelters, what would be the threshold, the impact on the County itself?

MR. LASPINA:

Well, the department, and the County by extension, has the authority to lower your occupancy rate. At present, providers are operating at an occupancy rate of 94%; what that means is that in order to meet your expenses as contained in your budget, you need to have, through the entire year 94% of your beds occupied. The reality here is that many providers, over this past year and the year prior, have been operating anywhere from 60 to 75% of occupancy. So if you get -- if you become more realistic in terms of an occupancy rate that's lower -- and again, the department has the authority to lower that occupancy rate -- then of course the per diem rate associated with each person that comes into your program is increased. So that is one way in which to address that particular situation.

CHAIRMAN MYSTAL:

How much money are we talking about?

MR. LASPINA:

Well, once again, the County's portion of the cost of housing a person in a homeless shelter is 25 cents on the dollar; 50 cents comes from the Federal Government, 25 cents comes from the State and the County, of course, contributes the other 25 cents.

CHAIRMAN MYSTAL:

What's the per diem rate right now?

MR. LASPINA:

Well, that varies across programs, it could be anywhere from -- I would imagine from \$30 a day to up to a hundred; it really depends on the program, the services they provide and really what their institutional costs might be.

CHAIRMAN MYSTAL:

So basically you are looking for legislation that will correct that situation in the future.

MR. LASPINA:

Yes, we're asking for the Legislature to consider that and also the proposition of the County or the department recapturing money at the end of a fiscal year. These programs are ongoing programs. It isn't as if we begin in January and we end in December; we go from January to December to January to December. So to say to a provider, "You have excess money this year, we want it back," it would make consummate sense to allow the provider to hold on to whatever that might be so that the following year when -- if you're running in the red, you at least have some resource to go back to as opposed to the County recapturing it and then saying, "If you lose money the next year, that's your problem."

P.O. LINDSAY:

Mr. Chairman, when you get a chance.

CHAIRMAN MYSTAL:

Anybody else?

P.O. LINDSAY:

Yeah.

CHAIRMAN MYSTAL:

Mr. Presiding Officer.

P.O. LINDSAY:

I -- your presentation begs a couple of questions to be answered.

You get paid by the person? Say you're housing a family of four; do you get so much per person?

MR. LASPINA:

Uh-huh.

P.O. LINDSAY:

So you get so much per person.

MR. LASPINA:

There's two ways, there's two ways to do it; one is per person, as you're pointing out, the other is per unit.

P.O. LINDSAY:

Okay.

MR. LASPINA:

And it really depends on what kind of --

P.O. LINDSAY:

And does it depend on the facility then which method you get paid?

MR. LASPINA:

It's probably more of an historical, you know, idiosyncratic thing as opposed to the facility.

P.O. LINDSAY:

So you could have two houses side-by-side with three families and one you would get paid by the room, the other one you get paid by the person?

MR. LASPINA:

I would -- I feel comfortable saying yes to that, yes.

P.O. LINDSAY:

Okay. And you are all not-for-profits.

MR. LASPINA:

Absolutely.

P.O. LINDSAY:

So you can't use the word profit. At the end of the year, if you have more revenue than your expenses --

MR. LASPINA:

Yes.

P.O. LINDSAY:

-- the department wants that money back?

MR. LASPINA:

Yes.

P.O. LINDSAY:

Does -- is the money paid for by the County in total?

MR. LASPINA:

No, it is not.

P.O. LINDSAY:

Who -- that's the mix that you were saying before of --

MR. LASPINA:

Fifty, twenty-five and twenty-five; 50 is from the Federal Government, 50 --

P.O. LINDSAY:

So then do we return the money to the Feds and the State?

MR. LASPINA:

That's a very interesting question, Mr. Lindsay; I don't know.

CHAIRMAN MYSTAL:

I doubt it.

MR. LASPINA:

I don't know. We're getting a dollar, 25 cents of which is County revenue and we're sending back a dollar.

CHAIRMAN MYSTAL:

Mr. Kennedy, I had hoped that you would have stayed home, but you're here.

LEG. KENNEDY:

I strongly suspected that, Mr. Chair, but you know my dedication and commitment to serve out my mission, despite the fact I walked this morning and I'm going walk this afternoon, come rain or not, so I'll keep it short.

CHAIRMAN MYSTAL:

Thank you very much.

LEG. KENNEDY:

The surplus; do have the ability to go ahead -- I think I probably know the answer to this question already, but I'm going to ask it anyhow. You operate, you get your reimbursement, you come to the end of the year, again, you have this excess of revenue, over expense. Do you have the ability to go ahead and take that revenue and put it towards enhancement of your physical plant?

MR. LASPINA:

Uh-huh.

LEG. KENNEDY:

Can you -- you know, if you've got bathroom fixtures or something that are 20 years old, can you invest it in, you know, a couple of new sinks or a tub or some plumbing or a washing machine or something like that?

MR. LASPINA:

With all due fairness to the department, if you generate -- I'm going to use the word "excess" but I'm going to put it in quotes -- you can retain up to \$25,000 for exactly what you are talking about. And also, a couple of years ago, because things became so dire for the providers, the department also allowed providers to use that to support operations. Now, that just to me proves the point that the amount of flexibility that the department has in the manner in which they deal with providers is far greater than what they demonstrate, unless, again, we have a very dire, you know, circumstance, then everybody bends the rules.

LEG. KENNEDY:

And it's fixed at 25,000 for capital reinvestment.

MR. LASPINA:

Yes, yes. They make --

LEG. KENNEDY:

In other words, revenue surplus can be attributed to capital investment without the requirement to remit back to the department.

MR. LASPINA:

You have it right, yes.

LEG. KENNEDY:

And -- well, all right.

LEG. HORSLEY:

I don't get it either, John, so.

LEG. KENNEDY:

No. So, I mean, if you needed a boiler in the house, if you had a multi-family house and you had a boiler replacement that went upwards of 30 grand and it was hard cost and you had 30 revenue, only 25 you're going to be able to go ahead and invest and five grand, even if you had it, had to go back to the department.

MR. LASPINA:

Yes, and you would have to come up with the other 5,000 from somewhere else.

LEG. KENNEDY:

Okay, Mr. Chair, I'm turning it back to you. It sounds like, you know, it's fast and loose with the numbers again, but far be it from me to --

LEG. EDDINGTON:

I've got a question.

CHAIRMAN MYSTAL:

Your County at work. Mr. Eddington.

LEG. EDDINGTON:

Yes. Once again, I find myself in a position of getting more information and being more confused.

MR. LASPINA:

Join the club.

LEG. EDDINGTON:

I'm hearing that you do get -- you know, we can't say profit so we say revenue surplus; I'm learning a little alternative synonyms. But so you cannot have up to \$25,000 of that and you're allowed to use that to enhance the facility; is that correct?

MR. LASPINA:

Yes.

LEG. EDDINGTON:

Now, if you don't need the money for enhanced facilities expenses, then it's supposed to go back to the County?

MR. LASPINA:

In regard to the 25,000, if you have it, you're able to retain it for a period of several years because there is some anticipation that you may need it for capital costs. So in that regard, yes, you are able to -- you are able to retain it.

LEG. EDDINGTON:

Aren't they doing what you're asking us to make sure that they do?
I mean, I'm confused, that's why I'm trying to get clarification.

MR. LASPINA:

No, here's why they're not. They're not because in that year, if you had excess revenue of let's say \$50,000, you would be faced with the reality of sending back the other 25,000. Now, if you run at a loss in the subsequent year of \$50,000, and let's assume you didn't spend the 25 that you kept, you can use that 25; however, the other 25,000 has to come from somewhere and it doesn't come by way of reimbursement. There's no mechanism that says if you lose money, in subsequent years we will address that and we will attempt our very best to help you stabilize your ongoing costs.

LEG. EDDINGTON:

Gotcha, okay.

MR. LASPINA:

That's what we're saying.

LEG. EDDINGTON:

Thank you very much, that clarifies that.

MR. LASPINA:

You're welcome.

CHAIRMAN MYSTAL:

Mr. Horsley?

LEG. HORSLEY:

Okay, this is a follow-up to the chargeback system. I'm still confused. Now, how -- okay, you've got individuals who stay at the houses.

MR. LASPINA:

Yes.

LEG. HORSLEY:

Okay. We have a per room basis for which you charge. How do you -- how do you get so many dollars from the County that are in excess of that system; how do you do that?

MR. LASPINA:

It's not in excess of the system. If you operate at capacity, just for the sake of this discussion, if you operate at capacity for the entire year, your budget is based on, again, a 94% occupancy rate. So you can cover your costs for that year and if you're prudent or you don't have any major, you know, disruptions in your operation, there's a good likelihood you will end up with money over your expenses; that's how it happens. Just like any other operation, you set out a budget, a planning document, and over the course of the year certain expenses you may have anticipated don't occur. So that, in effect, that creates a situation where you have fewer expenses and by definition you'll have more money remaining at the end of year.

LEG. HORSLEY:

So your non-profit dollars are based on a budget rather than they're based on actual numbers of people or rooms that are occupied.

P.O. LINDSAY:

It's flexible, it's up and down.

MR. LASPINA:

You are absolutely correct.

LEG. HORSLEY:

So just everything is dependent on this budget, so if you raised your budget then would you be even?

MR. LASPINA:

If we raised our budget we would probably be rejected by the department. You have to -- you have to justify what your expenses are, and most providers do that, we do that quite well. The problem, the problem arises when, again, you don't have the income that you projected to generate at the beginning of the year.

LEG. HORSLEY:

Yeah, I understand the shortfall side.

MR. LASPINA:

And that's it.

LEG. HORSLEY:

It's the plus side that I had the problems with.

MR. LASPINA:

Well, it's possible. You know, the other thing is not-for-profit is a basic misnomer; it doesn't mean that you won't end up with a profit at the end of the year.

LEG. HORSLEY:

Yeah, I'm aware, I know how not-for-profits work. That's why I'm so confused about how your --

MR. LASPINA:

Yeah. Nor does it, nor does it imply that because you have excess income -- that you earned, by the way, as not a gift but you earned it -- if you have it at the end of the year, you have to give it back to the person who paid you. That is not a universal circumstance in the field of not-for-profits.

LEG. HORSLEY:

Oh, that's -- all right, because I'm familiar with not-for-profits and how they work, basically, and that's what's confusing me.

MR. LASPINA:

Yes. Well, as I said before, it's idiosyncratic to the Department of Social Services. Many providers who are here today have programs other than the programs that we have with the County, and I would suggest to you that those programs do not require providers to send money back.

LEG. HORSLEY:

Interesting. Thank you.

MR. LASPINA:

You're welcome.

P.O. LINDSAY:

Last question.

CHAIRMAN MYSTAL:

Presiding Officer.

P.O. LINDSAY:

We talked about the motel situation before; do the motel operators operate on the same basis?

MR. LASPINA:

No.

P.O. LINDSAY:

So motel operate we pay per room, per night --

MR. LASPINA:

Yes.

P.O. LINDSAY:

-- and whatever it is it is.

MR. LASPINA:

Yes, yes. And --

P.O. LINDSAY:

When you folks buy a house, does the department, does the County help you with the purchase of that house?

MR. LASPINA:

In many instances they do not; I don't even think the County is allowed to do that, to be perfectly frank with you. I think many providers buy homes in one of two ways; they either go out and get a private mortgage and then pay that mortgage off over time, or they're able to get grants from other governmental entities and they buy the homes and they use the homes to provide that program to the County. That's primarily the way it happens.

P.O. LINDSAY:

Okay.

LEG. HORSLEY:

Could you use these overage dollars for a down deposit on an additional house if you put it in your budget?

MR. LASPINA:

There is no prohibition to my knowledge against that.

P.O. LINDSAY:

You could.

MR. LASPINA:

We could.

LEG. HORSLEY:

And then you wouldn't be over.

MR. LASPINA:

Then it would be a worthwhile expense.

LEG. HORSLEY:

I think you change your business model then.

CHAIRMAN MYSTAL:

Anybody else? Thank you very much, Bruno.

MR. LASPINA:

Thank you all, I appreciate it.

CHAIRMAN MYSTAL:

Before we start the public portion, I would like to call Dr. Chaudhry.

COMMISSIONER CHAUDHRY:

Thank you, Mr. Chairman. Good afternoon, Ladies and Gentlemen. I just have a few comments to make. First of all, I'd like to apprise the committee about our upcoming Health Care Disparities Conference in October, it will be on October 25th, 2007 at the Melville Marriott, it is entitled "Taking the Road to Eliminate Health Disparities, Tools for Action and Advocacy". And on that note, I'd like to recognize and thank Legislator Mystal for his office's financial support this year, as in last year, in helping us make this possible. We also have support from other sources, the Multi-Cultural Advisory Committee is donating \$8,000 and the County Executive's Director of Women Services, Deanna

Marshall's office is donating \$5,000.

What we're doing this year is rather unique compared to last year. We are tying in activity; instead of just being an educational program, we're going to do blood pressure screening, {lipid} testing, HIV testing to make it more than just an educational meeting. Also unique this year is that we have the Office of Civil Rights of the Federal Department of Health & Human Services working closely with us and making sure that this is a successful meeting. Save-the-date cards are being prepared and they should be sent out. Dr. Aletha Maybank, our Director of the Office of Minority Affairs, is leading this effort, of course, and also Tom MacGilvray, our Division Chief of Community Mental Hygiene is also involved in this effort. All of you are welcome and encouraged to attend the Health Disparities Conference on October 25th.

Any questions about the conference before I move on? If not, my second comment I'd like to make is in support of Resolution 1825-2007. This resolution establishes a "Be Pool Smart Poster Contest" that is a public education campaign to promote pool safety. My office has been in touch with Legislator Cooper's Office and I've personally been involved. We support this and would be happy to work with the Legislator's office and seeing this to fruition. It's a serious issue, something must be done and education certainly is the primary means, we feel. Our Office of Health Education will be working closely with the Legislator as we move forward.

The third comment --

CHAIRMAN MYSTAL:

I'm sorry, two questions from Legislator Kennedy.

LEG. KENNEDY:

Well, right, there are two issues that I need to speak briefly with Dr. Chaudhry about, not on this matter but on two other matters in the district. So if there's something related to this --

CHAIRMAN MYSTAL:

Okay, let me -- well, not on this one, only to ask him a question on 1744 which is the study, but you can go ahead and ask him now.

LEG. KENNEDY:

Just one comment, I guess a question and then a separate issue; comment first.

Thank you to your department's Office of Waste Water & Ecology Services. Over the weekend I had occasion to reach out on behalf of Galleria, Sewer District No. 4 which had a malfunction on Saturday evening, and ultimately I had an opportunity to speak with Mr. {Duroski} under Mr. Hilbert's charge and it took six hours to get a maintenance facility out to go ahead and to do some investigatory and remedial work for this private, quasi-private/public sewage treatment plant now up at SD 4. But in thanking, I guess I would also ask that you please stress to that unit my concern about the ongoing issues of function there, and then I'd also ask you to please start some dialogue. I'm going to speak to the Presiding Officer and to my colleagues, it occurs to me that County-owned sewage treatment plants are serviced, monitored and governed by the Department of Public Works while private sewage treatment plants are basically serviced, governed and monitored by the Health Department, both, you know, with implementation of the Sanitary code and then as agents of DEC.

You know, in an effort to promote uniformity there, I think we need to look at the interaction and the dialogue. Because the call-out through FRES, first-turf meet at DPW, then ultimately work their way over to you folks in Health since it was -- now currently a private-owned facility. So I'm going to ask, if you could, you know, relate that. And thanks for the head's up on a Saturday evening and the access, but more importantly, let's stay focused on this and the interaction between the two departments.

My second comment goes to West Nile. Multiple pools now in the 12th LD. Again, my standing concern, I spoke about it last season, I'll reiterate it again this season; I am glad for your vigilance, I'm concerned with the latency and I'm wondering what, if anything, is going to be the remedy besides closing down Blydenburgh again after hours? Nesconset we just hit a positive.

COMMISSIONER CHAUDHRY:

First of all, on the first comment, I appreciate the comments. We are in dialogue with the Department of Public Works as it relates to water and sewage district management and we continue that dialogue. I wasn't sure of your comment about stressing the concern about function; if you could elaborate what you meant by that?

CHAIRMAN MYSTAL:

Don't do that, Dr. Chaudhry.

COMMISSIONER CHAUDHRY:

Okay. I just want to make clear I understand what you're saying.

LEG. KENNEDY:

Doctor, the function -- I find, Doctor, and the Chairman will attest to this, that I'm just a simple dirt lawyer. I don't know squat about engineering and operations of municipal waste treatment plants, but I'm becoming familiar with holding pools, digesters, blowers, waste reduction motors, the actual mechanical operations of waste treatment plants and the bagelries associated with each individual plant. And again, in advocating on behalf of residents and constituents, it appears that it's this level of detail now that one elected individual has to go to. So that's my concern, that's what I'm speaking about making certain is being oversought by your department. Because I can tell you for a fact that the private maintenance and the {Dicanio} organization and {Avalon} aren't doing a decent job for the residents. It's a problem, we've tried to get the County to take it over, we're getting pushed back. I need help from your department.

COMMISSIONER CHAUDHRY:

Well, I certainly support dialogue with other departments and with Legislators and would seek to do so with you also to try to, you know, do what we can.

On the second matter with the West Nile Virus, we have increased surveillance. You may be aware that we've had not only Blydenburgh County Park but also Lake Ronkonkoma County Park in Nesconset as two locations where mosquitos have been identified with West Nile Virus. We have stepped up surveillance activity as indicated and as directed by the New York State Department of Health. I have been in touch personally with the New York State Department of Health and what we do now is increased surveillance, make sure that we are doing what we can in terms of spraying as necessary. We know historically those sites that we may have problems with and we do what we can to try to be ahead of the curve and to look out for the public's health.

LEG. KENNEDY:

What's our turn-around time, Doctor, on pool testing?

COMMISSIONER CHAUDHRY:

Pool testing?

LEG. KENNEDY:

A sample of mosquitos that are taken. I saw July 26th the sample was taken, the public, the notice, the press release notice alerting to the presence on Stueben Boulevard I believe was dated August 7th or August 8th. I'm concerned with a 14 day latency, that's my ongoing, running concern.

COMMISSIONER CHAUDHRY:

All -- I can't -- I'm not prepared to discuss the details on that, I wasn't going to talk about that. But I do know that the samples are also sent to New York State Department of Health and as soon as we

are aware that any sample tests positive, whether it be a mosquito or any other entity referring to birds, as soon as we are aware of that information from Albany, we make that public in a press release. So the turn-around time has to do with how quickly Albany, working with us in concert, gets together. It's not something that can be done over night, it is not, unfortunately, something, given the current technologies, that anywhere can be done instantly.

LEG. KENNEDY:

It's not a matter of instantly, Doctor, but 14 days is a long time, and there's capability here in Stony Brook. And last year when I went down this road, I was told by Dr. Graham and Dr. Dillon that it is superfluous to go ahead and seek to establish a contractual relationship with Stony Brook because we were getting expedited testing through Albany; 14 days is too long, that's not working.

COMMISSIONER CHAUDHRY:

What I can do for you, Legislator --

LEG. KENNEDY:

I'll yield.

COMMISSIONER CHAUDHRY:

Legislator Kennedy, what I can do for you is get the specific information about what is the turn-around time on average and look into the matter further and get back to you, if you like.

LEG. KENNEDY:

Thank you.

CHAIRMAN MYSTAL:

Anyone else? Okay, last word.

COMMISSIONER CHAUDHRY:

The final comment I wanted to make was --

CHAIRMAN MYSTAL:

Well, I wanted to ask you about 1744.

COMMISSIONER CHAUDHRY:

Yes, that's what I was going to speak to.

CHAIRMAN MYSTAL:

Okay, thank you.

COMMISSIONER CHAUDHRY:

-- a comment on IR 1744-07. I have spoken to Legislator Romaine about this and I appreciate the comment heard earlier this afternoon. I appreciate Legislator Romaine's confidence in the Department of Health Services and its capabilities. Let me express, though, that there is some concern.

We have been asked in this particular case to do a fairly comprehensive study of air quality and other measures. I need to point out to this Legislature before they vote that we do not have the latest resources or technology to do what is asked for. At one time, the Suffolk County Department of Health Services used to be involved in comprehensive studies of this sort, especially involving air quality; this was discontinued at the direction of the State back in about -- on or about 1990. Since that time, we have not kept up with the technology because it is not our prime regulatory authority to have control over these sorts of things. So the primary regulatory authority and the authority that is best equipped to do these sorts of studies is actually the New York State Department of Environmental Conservation.

And so we have four specific concerns that I'd like to just bring to the Legislature's attention. One is related to funding; even if we were to contract out the services, our Division of Environmental Quality feels that \$50,000 would not be enough. We would anticipate a study of this sort, while legitimate and probably is necessary, probably would cost from anywhere from 200 to \$300,000, that's one concern.

The other concern is the limited time to conduct the comprehensive study, 180 days are asked for. Third is limited equipment. As I say, because we are not the prime air quality tester nor regulator, we don't have the latest equipment and so really the DEC is the one, the regulatory body that keeps up with this. And finally, even if we find something, we lack the regulatory control over the facility in question.

My suggestion would be to go ahead and ask the DEC to look into this, it is their regulatory right to do so. I'd be happy to work with the Legislator to convince the DEC to do this, it is -- it sounds like it's an issue worthy of study. I just need to point out before any decisions are made that the Department of Health Services is not the -- probably not the best organization for a number of reasons in terms of resources and technology to do this sort of study that's asked for.

CHAIRMAN MYSTAL:
Legislator Eddington?

LEG. EDDINGTON:
Yes, thank you, Doctor. So if I'm hearing you correctly, you're saying that the Councilwoman really should be meeting with the State and making that request rather than making the request to us.

COMMISSIONER CHAUDHRY:
That's correct; I'll read to you what the Division of Environmental Quality people have indicated to me. "A number of years ago, the Suffolk County Department of Health Services administered an Air Pollution Program in Suffolk County," that is true. "This was comprised of compliance inspections, permit preparations and engineering report review associated with the installation of air pollution control equipment. However, the County portion of the program was discontinued circa 1990 when State funding was withdrawn and the administration of the program reverted to New York State DEC. The County has not had a formal air pollution program in more than 15 years, has no air regulations and lacks expertise in air pollution issues."

So if we were asked to do this, obviously whatever the Legislature votes to decide, we will do what we can but it may not be what you're looking for. And for an issue of this import, why not ask the authority that is best equipped to do this to get the data that you need as quickly as possible?

LEG. EDDINGTON:
Thank you very much, Doctor.

COMMISSIONER CHAUDHRY:
You're welcome.

CHAIRMAN MYSTAL:
Legislator Romaine.

LEG. ROMAINE:
Yes. First of all, I want to thank the Commissioner for calling me. Usually -- I shouldn't say usually, but it's surprising to see a Commissioner follow-up and I appreciate that courtesy. I have had other Commissioners that have not followed up or have not stayed in touch with my office about things of concern.

Secondarily, the DEC has limited resources and I don't believe is willing to undertake this unless they feel that there is some compelling evidence.

Thirdly, and I want to stress this to my fellow colleagues because you're going to vote on this. I said to the Doctor, I drafted this resolution because we have a severe problem, so severe that the town had to buy the adjoining land from the developers because of the Methane gas that was coming out of the land. And this is infecting well over a thousand homes, there are people with unusual cancers, there are people, workers that have come down with unusual diseases that have worked there and I believe we need some type of study.

As I told the Doctor, I put 50,000 in because wanted to be reasonably sure that I wasn't going to break the piggy bank and because it's hard to get additional money at this stage of the game in this year's budget. But if you can't do everything, and I'll follow-up if we adopt this and amend when the Doctor tells me what they can do to whatever they can do. The game plan is to get the Health Department to go in there and do some testing, whatever it be, the soil, the air, the water quality, things that we've done traditionally, just go in there and test. And then if there are unusual results, I feel I can make a case for the DEC to go in and take over. This is the toe-in-the-door theory where we help the community out, we go in there and do what we can.

Now, the Doctor unfortunately just had this conversation with me today; had he had it earlier in the week, I would have amended the resolution if he had specifics of what he could do. What I would urge is that we adopt this with the full knowledge that we're not going to get everything, but whatever \$50,000 can do it can do. And I'm sure we can test the groundwater because we do that as a normal course. I'm sure we can test the soil, whether we do it in-house or especially outside as needed, we could probably do it for that. The air I could understand, but we need to demonstrate to the DEC that there's a reason to engage their interest. This is having a devastating effect on many of the people that live around there in Manorville.

This, I will repeat, is not a partisan effort. We have a Democratic Town Councilwoman, I'm a Republican County Legislator, we have the same constituents, we feel the same. But we need someone to say, "Whoa, this is a Superfund site that you delisted without even doing any remediation." We've got to address some of these questions. This is my best effort to do a foot-in-the-door, to get some data that I can go to the DEC and say, "Here, please look at this situation, do a more comprehensive review." Thank you.

CHAIRMAN MYSTAL:

Thank you, Legislator. Presiding Officer?

P.O. LINDSAY:

I hear what Legislator Romaine is asking for and the Councilwoman that was here, but I don't feel comfortable about it, and why I don't feel comfortable about it is, first of all, if it is a Superfund site, it's under Federal jurisdiction. It's clearly a State issue as far as the DEC is concerned, and it isn't as if it's a private site, it's another government entity. You know, we are going to go into a town facility to start doing air testing and soil testing? I mean, I guess if the request came from the town, the town board or the Town Supervisor, that we would have to take a look at it, but even then I'd feel uncomfortable about it. I mean, certainly the town has their own resources in terms of testing, why should we spend \$50,000 to investigate a town facility? I'm sympathetic to the people that live in the area, but why don't they demand these services of the town?

LEG. ROMAINE:

They have.

P.O. LINDSAY:

Well --

LEG. ROMAINE:

At town board meetings of which I've appealed to the town.

CHAIRMAN MYSTAL:

And they said no.

LEG. ROMAINE:

They didn't answer me, they tabled it, like that's probably the best way to avoid taking action.

CHAIRMAN MYSTAL:

Yeah, but to pick up on what the Presiding Officer was saying, the town refuses to do anything --

LEG. ROMAINE:

No, they didn't refuse.

CHAIRMAN MYSTAL:

Well, they didn't refuse, they're dragging their feet, so to speak, in terms of doing any work on the town landfill, but why should the County itself pick up the tab to do it? I don't -- anyway, Legislator Horsley?

LEG. HORSLEY:

Yeah, I just wanted to follow-up on Legislator Lindsay's comments. That I was a member of a town government and we used to have our environmental people do air quality studies and things like that on issues that were of concern to the town population so they could get a bottom line reading and all that -- and all the like. I really do think that this is over-stepping our bounds in moving into another governmental agency's jurisdiction and I think it will be -- it will cause all sorts of adversarial relationships and unnecessarily. I think that what you've got to do is speak to the elected officials in the Town of Brookhaven.

CHAIRMAN MYSTAL:

I remember very clearly the Town of Babylon going to test the air quality in the groundwater and the soil in the Wyandanch Dump.

LEG. HORSLEY:

Absolutely, yeah.

CHAIRMAN MYSTAL:

It wasn't the purview of the County, we didn't ask the County to do it, we just went and did it because it was our town.

LEG. HORSLEY:

Our concern; yeah, right, exactly.

CHAIRMAN MYSTAL:

Legislator Eddington.

LEG. EDDINGTON:

Yes, and I also hear what the town and my colleague is saying and I guess -- and I do feel that our involvement officially through the Health Department wouldn't be appropriate because of the testing and the inability to really do a good job or a full job. But I think the question is to get -- for us to support the request of the town, if we can get that, with the State. I mean, I think that's -- I think we need to support the issue, there are people that are having a problem and if it is that, I think that maybe we should add our voices to the towns to get some help.

LEG. HORSLEY:

If a town asked us, right.

LEG. EDDINGTON:

Right.

CHAIRMAN MYSTAL:

Well, from what I'm hearing from Legislator Romaine is that the -- it went to the Town Board and the town -- we have a Councilwoman right here.

LEG. EDDINGTON:

Mr. Chair, I have total confidence that Legislator Romaine can be heard and get them to hear him, so, and I would be willing to add my voice to that.

CHAIRMAN MYSTAL:

Thank you. Legislator Romaine.

LEG. ROMAINE:

Very quickly. This is not an active, hazardous waste site simply because it was delisted, not that remediation was done so they won't have Federal jurisdiction, to answer the Presiding Officer. I have appeared in front of the town board with many of the neighbors, the town board, other than Carol Bissonette, has not taken action. In fact, the reason that this is coming to a head is the town board now wants to take this site and make it the central composting site for the Town of Brookhaven for \$120,000 cubic yards of compost on top of what is a Superfund site that was never remediated, was delisted but never remediated.

LEG. HORSLEY:

Well, wouldn't they have to do a SEQRA review on that to put a --

LEG. ROMAINE:

They haven't done anything.

LEG. HORSLEY:

-- to put a compost site on there?

LEG. ROMAINE:

Nope.

LEG. HORSLEY:

Oh, I can't believe that.

CHAIRMAN MYSTAL:

Ed, Ed.

LEG. ROMAINE:

Well, that --

CHAIRMAN MYSTAL:

The question is -- you know, my favorite line, why does their problem become my crisis? I don't understand why the town --

LEG. ROMAINE:

Right.

CHAIRMAN MYSTAL:

-- which has a problem with where they are and the town wants to put a compost on top of a Superfund site, have their and the town wants to put a compost on top of a Superfund site, all of a sudden now the County has to spend anywhere from 50 to \$250,000 to do a study on town property. I don't understand what -- you know, why we are, you know, supposed to do that.

LEG. ROMAINE:

I just received advice from one of the masters of this game, Mr. Zwirn, and he has suggested, and I would ask this committee's consideration, if we vote this out without recommendations, between now and next Tuesday I will meet with the County Executive and the Health Commissioner and I will amend this legislation. I do not intend to spend more than \$50,000, but I would like to do some testing for this purpose.

The County is the one unit of government where health is its primary concern, that is not left to the State, this is not left to the town, it is a County responsibility. And with your indulgence to vote it out without recommendation, you will have an amended copy that hopefully the Health Commissioner will feel very comfortable about on next Tuesday at our full meeting. Thank you.

CHAIRMAN MYSTAL:

Before I get to Mr. Zwirn, I just want to kind of dispute a couple of words, a couple of sentences that you made. I happen to belong to a town, the Town of Babylon, and sitting to my left happens to be my ex-Council member from the Town of Babylon who I've worked with for the past 20 years. And when you tell me that it's not the purview of the town to do something in their own landfill and in a Superfund site, I find that dubious. Because we have -- Mr. Horsley, who was a Councilman in the Town of Babylon, had done that without involving the County or the State or anybody else, so I would dispute that fact.

Mr. Zwirn?

LEG. HORSLEY:

May I just add something?

CHAIRMAN MYSTAL:

Before you go.

LEG. HORSLEY:

Okay, just let me add along that line that to make a statement that the County is the only governmental body that is concerned with the health and welfare of its people is just absurd; that's not true, Ed. I mean, we have a Health Department, yeah, that's true.

LEG. ROMAINE:

If I had said that, that would be absurd; what I said is it's one of our prime functions as a County government.

LEG. HORSLEY:

It is one of our prime functions, but it is also the prime function of a town government to be concerned about the health and welfare of its people.

LEG. ROMAINE:

Unquestionably, and I did not mean in any way to diminish the town's role, I simply said it's one of the things that we do. And by the way, Wayne, as you recall, you voted for Legislator Browning's resolution to go in there and test a compost site for the Village of Bellport. So there is precedence on this and you have cast your vote for a very similar thing for a far less critical issue than what I'm talking about.

CHAIRMAN MYSTAL:

And it probably didn't cost that much money; we're talking dollars and cents. Mr. Zwirn, since you are in cahoots with Mr. Romaine, which is a marriage made in hell, but that's all right.

MR. ZWIRN:

I know I'm in trouble when the Presiding Officer comes back into the room. But my only suggestion to Legislator Romaine is that our objection has always been from the County Executive's Office --

and let me just say, I appreciate the Legislature here debating the limits that our Health Department has, because there has been some concern. In the past the Health Department has been asked to do things that they did not have the capability of doing but they've been directed to do it anyway. Today we've had a really good debate and Dr. Chaudhry has indicated that they can't do certain things, but the County Executive's position has been if the Health Department can do -- has the capability of doing a study that will benefit the health and safety of the people of this County, whether it's the town or -- and the town has got responsibilities here and ultimately may have to pay money to help remedy the situation to make the people in their community whole. But if the Health Department does have the capability to do the testing, then the Health Department will be at the service of the people of this County and I think that will remain.

We appreciate the fact that you have recognized -- I think really one of the first debates we've had where the Health Department does have certain limitations and the State has certain responsibilities. But if the Health Department can do some testing that will help get the State involved, because otherwise they will not be involved, I don't think the County Executive would have any objection to that. And I think there have been some votes here that have gone beyond what I think Legislator Romaine will probably do in an amended bill that we could debate before the full Legislature, and maybe that would be the place to have that debate.

P.O. LINDSAY:

Can I --

CHAIRMAN MYSTAL:

You are anticipating -- go ahead, Presiding Officer.

P.O. LINDSAY:

Let me just hear this straight. So the County Executive is willing to spend \$50,000 to go in and do testing on town land; is that what you're telling me?

MR. ZWIRN:

Only, only if the Health Department has the ability to do the testing. We don't have the ability to do air testing, that has been our objection. When Legislator Browning's bill --

P.O. LINDSAY:

How about if the town board asks us for help?

LEG. HORSLEY:

Yeah, exactly.

P.O. LINDSAY:

Evidently this has come up at town board meetings and, you know, evidently the facts aren't as quite as clear and the town board has chosen not to go this route? I mean, I don't feel comfortable walking in to another town without being invited.

MR. ZWIRN:

Legislator Lindsay -- I agree with you, Mr. Presiding Officer. And perhaps if we get this before the full Legislature, the Town of Brookhaven, the Town Supervisor or a representative from the town board can come over and explain why they're not doing what the residents are asking.

P.O. LINDSAY:

I think a better request is why don't we table this and contact the Town Supervisor to see what his position is on the whole thing?

LEG. HORSLEY:

Seconded.

LEG. EDDINGTON:

Was that a motion.

CHAIRMAN MYSTAL:

You can make a motion, yes.

LEG. KENNEDY:

Can I just throw two cents in here?

CHAIRMAN MYSTAL:

No.

LEG. KENNEDY:

Okay, good.

CHAIRMAN MYSTAL:

Go ahead, Jack.

LEG. KENNEDY:

How about a cent and a half? Again, you know, I think that all of the examples of the town having a primary responsibility do make some sense. But nevertheless, you know, with so many other problems that we've dealt with, we have people who have come to us who are asking us to go ahead and assist.

I hear what the Presiding Officer is saying, I did not get all of what our Town Councilwoman had spoken about. I'd make the motion to discharge without recommendation pending what may occur from the town board itself. If we could get, as I did with my sidewalks, the town on the hook for 50% participation, then approval at the General Meeting. Let's --

CHAIRMAN MYSTAL:

Well, Mr. Kennedy, if you remember, this is -- we do have another meeting in a couple of weeks and a General Meeting.

LEG. KENNEDY:

Well, that's subject to change, too. Some of us are going to be busy that day.

CHAIRMAN MYSTAL:

Some of us are going to be very busy that day. No, we have a meeting on August 21st I think is the date, August 21st. Would you -- and this is for Legislator Romaine; would you suffer one cycle tabling --

P.O. LINDSAY:

That's the next meeting.

CHAIRMAN MYSTAL:

-- so maybe we can work out these jinks and everything Mr. Zwirn, the County Executive, the Presiding Officer, everybody can get involved, Councilwoman Bissonette, and maybe get the Town Board of Brookhaven to at least come over here and say, "We don't want you to do it."

LEG. HORSLEY:

We can go over there, I don't care.

LEG. ROMAINE:

With Councilwoman Bissonette's assistance and support, I think I could probably muster four of the seven votes there; that's not a problem.

CHAIRMAN MYSTAL:

Well, we do have a cycle coming up pretty shortly.

LEG. ROMAINE:

Right. Well, the next time this could come up for a vote would be September 18th.

CHAIRMAN MYSTAL:

No.

P.O. LINDSAY:

Yes.

LEG. ROMAINE:

The meeting next week is September 21st.

CHAIRMAN MYSTAL:

No, it's August, we're done with August, right.

LEG. ROMAINE:

Right, yes, we're finished, summer is coming to an end.

CHAIRMAN MYSTAL:

It's September 18, so is that going to really do something to your re-election campaign?

LEG. HORSLEY:

Well, that's not -- geez.

CHAIRMAN MYSTAL:

No, that's not where I'm going, Ed, you don't have any opponent anyway. But September 18th won't be a big deal; will it be? I'm asking, I really don't know.

LEG. ROMAINE:

I will suffer the indulgence of this committee, if that's your decision.

CHAIRMAN MYSTAL:

Let me ask this. Would we be able to get the town board to do something by that date? Carol, could you give me a nod; could we get something done by that date? Because it would make our job a lot easier.

UNKNOWN AUDIENCE MEMBER:

She's not here, she left.

CHAIRMAN MYSTAL:

She left, okay.

P.O. LINDSAY:

So if you saw someone nod, it wasn't Carol.

CHAIRMAN MYSTAL:

It wasn't Carol, okay. If we get -- we would like to see the board, the Town of Brookhaven Board could do something in terms of requesting that we participate in this thing, because I don't think it's something that's -- I'm listening to the Commissioner saying we don't have the resources. Anyway, we will table it not because of maliciousness or partisanship, we'll table it so we can get some clear confirmation from the town board.

LEG. ROMAINE:

I never suggested that.

CHAIRMAN MYSTAL:

And we will vote for it 18-0; how's that?

LEG. ROMAINE:

That sounds very good, Mr. Chairman.

CHAIRMAN MYSTAL:

That sounds very good, okay. Thank you very much, Dr. Chaudhry.

COMMISSIONER CHAUDHRY:

Thank you, Mr. Chairman.

CHAIRMAN MYSTAL:

It is now 3:19, we have the public portion. I have -- I was going to call Commissioner DeMarzo, but I think I will -- I don't want Jack to be talking so I won't call Janet. Does anybody really have any questions for Commissioner DeMarzo? Except you, Jack, you always have questions.

LEG. KENNEDY:

You know, it's --

COMMISSIONER DEMARZO:

I will speak if you want.

CHAIRMAN MYSTAL:

Okay. Ms. DeMarzo, you come up. You really want to speak?

COMMISSIONER DEMARZO:

I have one thing to say.

CHAIRMAN MYSTAL:

It's never one thing; come on up. I was trying to spare.

LEG. KENNEDY:

She's opening the door.

CHAIRMAN MYSTAL:

See? I told you.

COMMISSIONER DEMARZO:

It's about 100% grant money.

CHAIRMAN MYSTAL:

We always pass those, so don't worry about it.

COMMISSIONER DEMARZO:

Okay, but just so you --

CHAIRMAN MYSTAL:

Stay still.

COMMISSIONER DEMARZO:

Okay.

CHAIRMAN MYSTAL:

Stay still. Thank you. We always pass those. Thank you very much. Okay, we are going to -- I'm trying to spare us, you know, the long debate between Ms. DeMarzo and Kennedy. We have about 19 cards; if you multiply 19 by 3 --

MR. NOLAN:

That's only an hour.

CHAIRMAN MYSTAL:

That's only about an hour and a half.

MR. NOLAN:

An hour.

CHAIRMAN MYSTAL:

An hour. So when I call your name, please be brief. If somebody has already spoken on your subject -- of the 19 cards that I have, 11 of them are on one subject, equitable distribution. So the first person, Beth Wahl; you have three minutes, starting now.

MS. WAHL:

Okay, thank you. I'm here to speak about the equitable distribution resolution proposed by Legislator Browning.

The communities of Mastic, Mastic Beach and Shirley are made up of hard working and compassionate people; we care about our neighbors and truly believe that we should assist those that are in need of help. However, the issue of helping those in need has become the most important issue in our community due to the overburdening of placements in our community. We truly understand the need for a good quality of life for the people who are being placed in our towns; however, the price for that has been that our quality of life, the hard-working, tax-paying citizens has been totally compromised by this over saturation.

Unfortunately, what goes along with this over saturation is a market increase in gangs, graffiti and every other crime that you can think of as well as every other quality of life issue. We need your help to bring our community back to what it was prior to this over saturation, a place where we felt safe and a place where we were proud to call home. We support the intent of this resolution but do want to state that we think the resolution needs to be much more limited in its scope. By merely stating that there is to be an equitable distribution of placement within the towns -- the ten towns in Suffolk County, you are still opening up the door to unfair distribution within the local communities. We hope this resolution could be amended to limit the placements in each local community rather than in the scope of the ten towns solely. Thank you very much.

CHAIRMAN MYSTAL:

Thank you. I want to advise the public that Legislator Browning, who is a member of this committee is not here because she is not feeling well and that's why she's absent, normally she would be in this committee; so I want to make sure that we have that on the record, that she's not here because she's ill.

Okay, the next ten cards that I have are on the same subject of equal distribution. If you don't need to add any more to this then just state -- thank you very much.

P.O. LINDSAY:

She's not a member of this committee.

CHAIRMAN MYSTAL:

Oh, she's not? Oh, okay.

UNKNOWN AUDIENCE MEMBER:

Can you repeat that? I didn't understand that.

CHAIRMAN MYSTAL:

Anybody -- I'm going to call your name, if you don't want to speak because it's the same subject you can say, "Okay, thank you very much." Okay? Mary Ann Johnston.

MS. JOHNSTON:

Good afternoon, Members of the committee. I'm Mary Ann Johnston, I'm President of the Manor Park Civic Association and also President of ABCO, the Affiliated Brookhaven Civic Organizations; we're here to support Legislator Browning's bill.

The equitable distribution of Social Service clients throughout the ten towns is one of the most serious problems that ABCO and Manor Park and other civics face every day. Whenever we have a meeting, it is the number one item on the agenda, is the adverse quality of life within specific communities within Brookhaven Town, particularly Bellport, Rocky Point, Mastic-Shirley. These areas are unduly impacted and yet we have entire towns, entire municipalities within Suffolk County that have nothing. How does that happen? It needs to be explained beyond the pure economics of rentals.

Applause

It is a cycle that feeds itself and destroys and eats communities whole and we need to make movement to change that trend and we need to do it now. We ask you to support this bill. Thank you.

CHAIRMAN MYSTAL:

Thank you. Next speaker, John McConnell. John? Going once, going twice; gone, you're out of here. Barbara Scalafani?

MS. SCALAFANI:

Scalafani.

CHAIRMAN MYSTAL:

Scalafani.

MS. SCALAFANI:

Hello, Chairman and Legislators. My name is Barbara Scalafani and I sit on the Board of Directors for Pattersquash Creek Civic Association and I'm also a public relation coordinator for the Smith Point Tri-Hamlet CDC.

I want to begin first by saying that I'm not in any way against subsidized housing; I believe there is a need for it and there are people who benefit from subsidized housing. It's a program set up to give people equal opportunity to live in a community they would otherwise not be able to afford to live and it gives their children an opportunity to receive a better education. But an unfair distribution of subsidized housing does not serve their families or the taxpaying homeowners well because you create an environment that is not conducive to a healthy and happy upbringing.

How are you helping these families when you create the same kind of environment that they came from? I've had so many of these families say to me, "I thought I was moving my child into a good neighborhood, but it's the same as the one we just left." In the last three years, my family has been affected by so much unfair distribution in my community of Mastic Beach. Me eldest son three years ago was, as they say, jumped -- as I would say, viciously attacked -- by a group of six kids who all came from some sort of subsidized housing.

Excuse me, are you listening to me? I would like your attention, please.

My younger sons and his friends were shaken down by a group of kids for their lunch money and cell phones as they were walking to school from kids from subsidized housing. What saved them was a younger kid ran up and said, "Don't touch that kid, he's cool," and he told the 18 year old kids who were attacking our children to stop. Two weeks ago, three teen-agers tried to steal a bike out of my yard that my son worked two months to earn. Many of my sons' friends have been assaulted and their families have moved because they feel this community is no longer safe.

I help the families on my block who live in subsidized housing, I drop off clothes, food and even Christmas gifts because I believe in helping people. But DSS has to help our community by being more responsible in their placement of these families and maybe providing education to teach the parents parenting skills or developing afternoon -- after school and summer programs to help these kids do productive things other than counter-productive things such as robberies, attacks and joining a gang.

All we are asking for is limits to be put in place so that our quality of life isn't affected anymore -- we're so affected in our community -- and that other communities take their fair share. If the County does not step up to the plate and pass this, our tri-hamlet community will be left with no other recourse but to file an Article 78 against the County. Thank you.

Applause

CHAIRMAN MYSTAL:

Thank you very much. Next speaker is Delia McKernan.

MS. McKERNAN:

Thank you, Barbara, very much for that. Chairman and Legislators, my name is Delia McKernan, I reside in Shirley. I have a business in Shirley, I'm part of the Mastic Civics -- Mastic Park Civic Association and the Smith Point Property Owners.

I had a different speech that I was going to do today, but somebody had handed me an article that was written in 1990, October of 1990. By the way, I do support Legislator Browning's bill. I was shocked when a community resident handed me an article called "Welfare Moratorium" which was printed October 3rd, 1990, 17 years ago, regarding problems associated with welfare dumping in certain communities. In this article, Suffolk County Executive Patrick Halpin said, "This fight could lead to a legal battle with the State." Now in 2007 this may be our only option.

DSS was supposed to develop an issue, a written report on economic, social, financial, public safety, health and human impact that policies of welfare dumping have had on those -- on our communities. The band was not in place so the evaluation of policies of welfare dumping and its adverse effects on our overall quality of life was not complete or available to my knowledge. In the article in 1990, Legislators Rick Lazio and Fred Thiele expressed concern on over saturation, increased crime and unfair burden to homeowners because of this dumping. Since then, nothing has changed and our concerns are greater and our quality of life almost depleted.

We do not need another task force, we need a moratorium in our tri-hamlet area of Mastic, Mastic Beach, Shirley, Smith Point area.

We desperately need an equal distribution of this subsidized housing, we have no other choice; we have had enough. I don't know if you people have been to my community; my community has changed, it's not safe. We have been told by DSS and the State that certain restrictions are unconstitutional because rights are violated; who's concerned with our constitutional rights? Our children are being violated when they are unsafe in their own communities.

Many of these homes house sex offenders; maybe Suffolk County should initiate a moratorium because Long Island is becoming not the ideal place to live anymore. Who in their right mind would

choose to live somewhere where the taxes are high, the main streets are riddled with vacancies, certain neighborhoods are saturated with subsidized housing and sex offenders. We are becoming an unhealthy, unsafe place to live. Who will step up and fight for our quality of life? Don't make this resolution work for DSS, make it work for the taxpaying people, make it work for our children. Thank you.

Applause

CHAIRMAN MYSTAL:

Thank you. Next speaker is Bill Fahey.

MR. FAHEY:

Thank you for giving us the opportunity to be here to speak on this equal distribution. My name is Bill Fahey, I come from Mastic Beach Property Owners, I'm also with the Pattersquash Creek Association. And I have a big problem, should the government be in the business of destroying a community with their own taxpayers money? We have a social system, social welfare system now that's an industry; it's been going on forever and nobody seems to want to have anything to do with it. We talk about not-for-profits; what is a not-for-profit? Do we get the annual reports every year about not-for-profits? There are profits in not-for-profit organizations. Where are the connections?

We had a death out there, somebody used a generating machine because they couldn't get the -- the electric was turned off. I notice in the paper the person comes from Las Vegas; what is Mastic Beach the place where everybody comes to buy a house, get it involved with Social Services so the mortgage gets paid off, and then you put anybody you want in? Are we sending checks all over the place in the country to destroy Mastic Beach? Would any one of you like to live next to some of the situations we've got to contend with? What about Moses? We have sex perverts, two of them were in one house out there at one time.

UNKNOWN AUDIENCE MEMBER:

Four.

MR. FAHEY:

Somebody should do something. Why don't you just consider your own situation and how would you like it? Place yourself in the shoes of these decent, hard working people. We have veterans fighting over in Iraq now, we have veterans in World War II. I know one personally who had to move out of the neighborhood because after fighting for four years, from Africa up to the Normandy and everything else, he had to move out of the neighborhood, they dumped families in the neighborhood, he couldn't live near them. We've got kids over in Iraq right now going to war; are their families entitled to a little respect?

I just hope you can do something about this because the seniors and the veterans and the decent, hard working people deserve a lot more than they're getting out there and it's been going on forever. I think there should be an investigation to find out the connection between these slumlords who have become millionaires --

Applause

And it's been going on forever out there and everybody gives it lip service but nobody does anything for it. That's about all I have to say on it, but you -- the thing is you can just put yourself in the shoes of anybody that's going to be living next door to you.

UNKNOWN AUDIENCE MEMBER:

And our children.

MR. FAHEY:

They're entitled to much more.

CHAIRMAN MYSTAL:

Thank you very much, Mr. Fahey. Vic Zeleny.

MR. ZELENY:

Good afternoon. I, too, live in Mastic Beach, I'm associated with the Pattersquash Creek Civics and I also am a 25-year owner of a process service. I have been to all of your neighborhoods, every one of your neighborhoods, I've seen what goes on in other towns and I see what goes on in my town. I've been attacked by two kids from subsidized housing; I've had a kid from subsidized housing pull a gun on me; I've had another kid from subsidized housing show me his knife, all in my neighborhood.

I have a client of mine, his secretary was complaining that she has two sex offenders in her town, two; I've got two on my block, okay? I've got a sober house on my block, I have two Section 8's on my block; not one of you can say that, not one of you. I support --

CHAIRMAN MYSTAL:

I can.

MR. ZELENY:

You can; I thought so.

CHAIRMAN MYSTAL:

Oh, you thought so.

MR. ZELENY:

Yeah. I support Kate's bill. You've got to keep -- stop the dumping in our neighborhood, it's horrible. Take a ride down sometimes, come and see it. I've seen Section 8 housing where the landlord has put up a beautiful, white fence, it's all damaged, cars all over the front lawn -- oh, wait, not lawns, dirt. By the way, brand new Escalades, brand new Navigators. Spending 70, \$80 in my butcher shop because they're having a BBQ in the middle of the week? I can't do that, I've got to work. It's just not right. I know it don't happen in your neighborhoods, stop letting it happen in ours.

Applause

CHAIRMAN MYSTAL:

Thank you very much. Mr. Steve Driscoll? I guess he left. Next speaker is Richard Bell. Richard Bell? Richard Bell; he's coming,

MR. BELL:

Good afternoon. Thank you for having me. Again, my name is Richard Bell, I'm with Family & Children's Association where I'm the Vice-President for Community Affairs. I also have the pleasure of overseeing the Children's Center at Suffolk District Court where the parents of young children find an alternative to crowded classrooms -- courtrooms and waiting rooms. Children 12 years old and younger are cared for in a safe and nurturing environment while their parents or guardians are in the District Court or dealing with Probation. Children receive healthy snacks, participate in supervised playing including arts and crafts under the care of trained professionals and dedicated volunteers.

In addition to caring for children, the program provides alternative services through referrals for their parents. And I'm here to ask for your support so that the center will be able to hire a full-time, trained person to provide additional referral services and direction to these families so -- because they do need additional help besides the care that we provide for them at the center. Believe it or not, we serviced over 2,000 children this past year. Some of your colleagues and some of you here have visited the center and you know the quality services that we provide there, but there needs to

be more help and support. Thank you for having me again. I'm available for any questions you might have.

CHAIRMAN MYSTAL:

Thank you very much, Mr. Bell.

MR. BELL:

You're welcome.

CHAIRMAN MYSTAL:

Kathy Liguori? I think she had to leave early. The next speaker is Shawn Smith.

MR. SMITH:

Hello. My name is Shawn Smith, I'm a resident of Manorville, I'm here to speak about the Papermill Composting Site.

First off, I'd like to thank Legislator Romaine and Councilwoman Bissonette for their support. We talked about the health issues earlier, I have a daughter with Cystic Fibrosis and I've lived in the area about four years now, and this past year her health has gotten worse; we've noticed a correlation between the composting becoming more active and her health. She suffers from what is called an allergic Bronchial Pulmonary Aspergillosis which means that she is highly susceptible to allergic reactions to Aspergillus Mold which is known to be prevalent in composting.

We've gone to our doctors about this and the only cure I know, the only treatment -- there is no cure when she gets this mold in her lungs and it colonizes in there -- the only treatment is some very aggressive steroids which also cause other health problems. We have asked the doctors about this issue and all they can say is that, "All we can tell you is your windows, keep her in the house, keep her away from the air that's in there," because we don't know for sure if there's airborne spores; if you can smell it, it's there, it's a problem.

We have gone to the town board now for a couple of months to discuss this, I've been there several times with Ed Romaine imploring the town board to do something about this; they have yet to do anything yet. We don't know where to go at this point. We've tried to go to the State and the State says, as Legislator Romaine said, "Show us some proof so we can invest money." The town ignores it, I don't know if it's because they've got this composting site as a profitable venture for them, if there's some other private reasons that someone else is benefitting from this site. But this site needs to be looked at. The town will not do anything, the State needs some proof, so we come here to the County for the first time and ask for your help.

And frankly, I'm sitting in the back row here and as frustrated as I was with the town board, I'm appalled with the reaction here; there's jokes about the health, jokes about dollars. Legislator Romaine talked about a child who had cancer who died in the area, there's others in the area that I know of personally that have gone -- babies, infants, older folks who've got respiratory problems, sinus problems, needed surgeries for sinus problems, other forms of cancers, workers who work at the site who have been affected by this, and yet nothing is done except for jokes and worrying about \$50,000. Well, at least I know when I leave here today that we've got it on the record that the town board has ignored it and now we've got it on record that the County now has been aware of it. So this way if anything happens in the future, we know that at least there's a record of both of our legislative groups that were supposed to help us as citizens are now aware of the situation. Thank you.

Applause

CHAIRMAN MYSTAL:

Thank you very much. Our next speaker is Frank Fugarino. Frank?

MR. FUGARINO:

Thank you. We civic leaders are very active in many different issues, I have to be honest, but our purpose in coming here today was to say to you we want to do our share; you need not to understand any other message from us except that we want to do our share. The issue is that other towns, other zip codes, if you will, if you look at the zip codes rather than at-large, are not doing their share. When you get the statistics on this, you would be amazed at really the disparity.

Now, it's politically correct, okay, for those that want to be reelected perhaps to not have any of this in their community. Is it morally correct? I don't think so. And why it's not morally correct is this, on many different fronts. One of those, by the way, is education. Now, as a retired principal, I can tell you -- a high school principal in the City of New York, I can tell you that the impact of having so many subsidized housing, subsidized families who are receiving subsidized housing and support, the impact on the school system is immense.

These days schools, high schools especially, are measured by New York State Education Department based upon the number of students who begin high school and end and complete high school in four years. Out here in the suburbs, that's critically important to the folks that live in those areas because their property values are affected, the amount of money spent on various programs in the school during the school day and after school day is impacted upon them, of course the cost of special education perhaps is also greater in these areas than it is in other areas that do not have as many subsidized housing youngsters. So the impact is tremendous.

One of the things I just stepped away from is because of an issue we have with graffiti. Now, you can have graffiti anywhere, don't get me wrong; these days I'm working in East New York, Brooklyn. I'm very familiar with the issues, but what you've created right now is an unequal opportunity for education for these children, unequal. There is no way, a child who comes -- what you want is balance in schools, you don't want a preponderance of youngsters who are under-achieving or under -- there's a direct correlation, by the way, between income and the performance in schools; it's just studies, it's just statistically correct. Unfortunately, those children that come from families that travel a great deal, that have the opportunity to focus on priority, education being a priority and focus on that as being important in their lives, and certainly that happens everywhere, in all families; Black, White, Spanish, Sicilian, anywhere. But when you have a preponderance of youngsters who are receiving public subsidized housing and subsidized assistance, what you really have developed is a separate class of students that impact in many, many, many ways.

We suffer in this community, come and visit us. In August of 19 -- of 2006, the New York Times wrote an article basically saying that this wonderful community is being overlooked, comparing us to the Hamptons. The shame of it really is that it's government money that's ruining our community, it's our tax dollars ruining our community, it's our tax dollars that are actually destroying our community by over saturating. Thank you for the opportunity.

Applause

CHAIRMAN MYSTAL:

Thank you. Our next speaker is John Sicignano.

MR. SICIGNANO:

Good evening. My name is John Sicignano, I'm President of the Mastic Park Civic Association and 2nd Vice-President of ABCO. I'm here -- and many people spoke about a lot of the things I was going to talk about, so I'll try to narrow it down. I'll narrow it down on a letter I sent and hand-delivered to Tim Bishop back on 5/31/07, a couple of months ago.

I said, "Mr. Tim Bishop, Congressional 1st District; Government saturation of subsidized housing can ruin a community. The Mastics, 11950, Mastic Beach, 11951 and Shirley, 11967 including the Smith Point area are the communities that are -- one of the communities that are in crisis. The impact of housing from government programs in the Mastics, housing from government saturation alone, not

including other sponsored programs which we need to know."

Now, I'm asking for information from Mr. Tim Bishop. We did some studies and I'm going to read some of the statistics to you, we FOILED for them. "The Department of Social Services, DSS in Hauppauge," and I talked with Janet DeMarzo about this, has 588 houses receiving assistance, Community Development Corporation out of Centereach has 344 houses with assistance, Section 8 Program in the Town of Brookhaven has 162;" that's about 1,100 homes out of three entities.

"Mr. Bishop, this is just three government sponsored programs in which we FOILED the information to get the correct numbers. There are approximately 21 not-for-profits in the area, not just DSS housing voucher programs, also Fed and State programs. We can use your help in getting the other 18 or more not-for-profits and other programs of housing total numbers so as to see the full picture of what's happening to this community from government-sponsored programs. I know the real estates cannot red-line or block-bust an area and are governed by the Community Reinvestment Act in 1977 through the banking industry. What, if anything, protects this community from government sponsored programs? This community -- through destroying a community using real estate, banks, private land owners through not-for-profits, going through the back door instead of through the front door."

"The time has come for action to stop talking about the problem for this community to be represented by higher elected officials," speaking about Tim Bishop, "You I feel being one of the most important. Here is a list of just some, but not all as of yet, of the not-for-profits with housing within Suffolk County in this area." And this is why we support this bill, it's just one mechanism over a large cumulative impact that's happening to the community. It's not just Section 8, it's many other programs and many other not-for-profits that are collecting monies through different programs. Hope House, Rainbow House, Catholic Charities, Seaford House, Long Island Center for Recovery, Homeworks, Federation House, Charles K. Post Addiction, Suffolk County Office of Family Services, Habitat for Humanity, Hands Across Long Island, Department of Corrections, New York State Office of Mental Health, Wishing Well, Morning Star, private sober homes, licensed sober homes, OASIS, New York State CDC out of Centereach, the court system through Parole; I've talked with Michael J. {Diberti} about that, could not get any information.

We support the bill due to its mechanism that affects part of the cumulative impact of our area; it's a small part, but it's a major part to get some sort of relief. We're going after the other parts of it also, this is not just the first part of it.

Applause

But if you'd like, I can leave you this information for --

CHAIRMAN MYSTAL:

You can leave it with Renee, with the Clerk.

MR. SICIGNANO:

-- you to digest, or I could give it to Kate, actually; that would probably be the best way to do it.

CHAIRMAN MYSTAL:

You can give us a copy and give something to Kate.

MR. SICIGNANO:

Give you a copy? Okay.

CHAIRMAN MYSTAL:

Thank you very much. Our next speaker is Don Stuben?

MR. SEUBERT:

Good afternoon. My name is Don Seubert, I'm a Vice-President of the Medford Taxpayers and Civic Association and a board member of ABCO. Civic groups have long recognized that Social Service clients need to be spread fairly across the Suffolk County towns and hamlets. Civics ultimately realize placement need be in communities with the substantial resources and environment that can sustain and ensure success for the client and the community. Appropriate communities have substantial economic, educational social amenities, the characteristics to be a catalyst for positive attitude and results. Currently, the opposite is the fact and failure is the result. The guiding principles should be community resources and fair, if not equal, distribution of any placements, whether it be Social Services, parolees, sexual predators, drug addiction, alcohol rehabilitation, juvenile confinement, mentally and physically handicapped, etcetera.

Please note that this legislation is a Type II Action. If evaluated, the current system, which adversely impacts lower economic communities, safety, quality of life and educational need, home values, it would be a Positive Deck or a Type I Action. It's time for a change and this legislation is a step to more equitable placement for all. Whether it be Farmingville, Medford, North Bellport, Gordon Heights, Patchogue Village, Hagerman, Mastic or Shirley, Holtsville; it's unfair and impacting and destroying the fabrics of the community. Thank you very much.

Applause

CHAIRMAN MYSTAL:

Thank you very much. I'm calling -- Mary Ann Johnson, you already spoke but I'm calling you again simply because obviously you didn't understand that you only have three minutes to speak about whatever you want to speak; you filled out two different cards. So I'm calling you just as a courtesy, if she's still here, to speak on -- you have two other subjects you wanted to speak about, one is the soil study and the other one is the Methoprene restriction.

MS. JOHNSTON:

I thank you very much, Mr. Mystal. In Brookhaven Town we have to fill out a card for the item we want to speak on, so it's a little bit different here.

I came to speak on 1635 which is restrictions on Methoprene and to urge this board to move that forward. ABCO passed unanimously a measure not to allow Methoprene to be sprayed in our salt marshes. We understand that there might be an issue with West Nile in fresh water, but there is no indication that there is an issue in salt water, and certainly Methoprene has a terrible impact on Arthropods, and we think that to do that is to be irresponsible. And as the President of ABCO, I stand before you urging you, even though it is August, please stop the spraying of Methoprene in our salt marshes. We are a community that thrives on the tourism, on the access to waters, on the fishing and boating and we can ill-afford to throw toxins in to our salt marshes. I thank you for that.

The second issue is a similar issue, toxins affecting our community. I'm President of the Manor Park Civic Association and we are duly impacted by the 25 or so composting sites within Manorville. For the Town of Brookhaven to turn a deaf ear to the residents' concerns and the illnesses leave those residents very little choice but when they are starting to be faced with illnesses that can be connected to the composting and the toxins in the air, that they need to sue the County, they need to sue the town and they need to take action, but this cannot continue. Composting can be done safely, but to do it on a Superfund site that is merely not a Superfund site because it has been delisted and not cleaned up is absurd. I ask that this County take the time to do what it is charged with doing, protecting the health and welfare of the residents of this town. Thank you.

Applause

CHAIRMAN MYSTAL:

Thank you. The next speaker Joe May.

MR. MAY:

Thank you. My name is Joe May, I live in Mastic 62 years, all my life. I support this resolution, 1719-07. I've been through it through the Police Department for 30 years I've watched this whole thing go on; I worked at the Post Office before I worked that job. Twenty years as a civic leader, I've been involved and a lot of times -- I've spoken in front of this board many times.

I'm one of the founders of the Independence Party of the State of New York. I was a past Vice-President of the County -- of the Independence Party. I retired in the last five or six years and I've kind of like backed up a little bit as far as interviewing the candidates and how is your politics and you want reform, reform. This is a perfect chance for reform. Anyone connected to the Independence Party or went and walked in front of them asking for their endorsement, this is a reform that's necessary for at least Mastic/Shirley, if not the whole southeast Brookhaven.

I'm a candidate in the Independence Party for Brookhaven Town, Carol Bissonette's open seat, I'm running against Mr. Romaine's son and Ed Hennessy. This issue is out there; I'm walking door-to-door and this is a number issue, saturation and the big problems that come along with it. I support Browning's proposal on this, it's got to be tweaked quite a bit, I believe. But again, this board is made up of five or six people; Lynne's missing, Kennedy, Mr. Kennedy just returned but he missed about 12 speakers out of 13; the Presiding Officer was here for a while, he left. Elie, we go back a long way, Mr. Chairman. I'm sincere when I say these people need help. Eighteen districts, Independence Party, if you're going to go to that table and ask for reform and you believe in it, at least the people in that southeast Brookhaven better pay attention. I don't know how I can close on this, until the bell rings I can keep speaking.

CHAIRMAN MYSTAL:

The bell is about to ring in about ten seconds.

MR. MAY:

I know, Elie, I know it's going to get me. Again, it's a very important issue and it's not going to be done in this silly season of election, but there's another cycle. When everyone, 18 people go in front of the Independence Party, I plan to be on the screening committee next time around. Thank you for your time.

Applause

CHAIRMAN MYSTAL:

Thank you, Joe. Georgette Grier-Key.

MS. GRIER-KEY:

Good afternoon. My name is Georgette Grier-Key and I'm here representing BRIC which stands for Brookhaven Residents In Control, and specifically our concentration on the areas of Bellport and Gordon Heights.

We are here in support of 1719-07, Kate Browning's proposed legislation. We're here to say that we have burdened a lot of these issues and problems in our communities. We have Health Suffolk that we came out strong in opposition to, we don't stand for homelessness but we do stand for programs being administered properly. The systems have been set up to be an enabler to most of the people that are receiving some of these services. We feel a need for there to be some type of cap on not making -- receiving these benefits as a profession, but really as a help to make a step to another transition to move on with your life. But so far there have been no checks and balances with the services that are put into place. And we are for having some of these sober homes, Section 8 Programs that are being administered from many different groups, we need to make sure that something is put in place that these people are doing what they need to do and not make a lifetime career of being on these systems and being a burden on the community.

Like I said before, we just had a lot of issues in our community in Bellport; we just had a shooting. So as the gentleman said earlier, we are contacting -- trying to contact everyone and get everybody on board for this bill. We are attacking this issue by many roads, we have just completed our visioning process in the Bellport area and we are trying to make sure that there is a fair share of housings, mixed-use housings, cross-generation housings, workforce housing, affordable. You cannot saturate, as we see from example. When you saturate all one type of housing in one area, it does not work and it encourages derelict behavior.

So once again, I urge everyone here who may have a vote on this legislation to please consider some of the issues that we have brought up here today. And we're not here to put everyone out on the street, but we need to have more accountability for the administrative part of these programs that are being administered. And there should not be a lifetime program that people are receiving, they are enablers and help is supposed to help you move to the next level and so far it has not done that. We would like to see some type of program on the sober homes. We know that the New York State Health Department is working on some type of legislation to help administer more programs over sex offenders and sober homes and we are in agreement with that. Thank you very much.

Applause

CHAIRMAN MYSTAL:

Thank you. Legislator Nowick.

LEG. NOWICK:

I just wanted to put on the record, just on behalf of myself and the rest of the committee. Just so all of you good people know, a lot of us are here since nine o'clock this morning, and even if we do go into the restroom or get a cup of coffee or a bottle of water, the speaker system goes loud and clear, even in the bathroom. So just so you know, we don't miss anything. Thank you.

CHAIRMAN MYSTAL:

Legislator Eddington, you want to put something on the record?

LEG. EDDINGTON:

Yes. I'd like to say that -- I mean, I've heard what you said.

CHAIRMAN MYSTAL:

You've got to go, you've got to go.

LEG. EDDINGTON:

I live in Medford, my good friend is here, Don Seubert, we've been working on issues. And I -- you know, since I've been here for the last 20 months, I hear a lot of east/west issues; well, what I'm seeing clearly is a north/south issue, you know, north of 25 and south of 25.

CHAIRMAN MYSTAL:

Mr. Eddington, can I stop you for a minute?

LEG. EDDINGTON:

Yes.

CHAIRMAN MYSTAL:

Can you wait until we get to the bill? We will debate it.

LEG. EDDINGTON:

Okay.

CHAIRMAN MYSTAL:

We'll debate the bill. We still have speakers.

LEG. EDDINGTON:

Okay.

CHAIRMAN MYSTAL:

Okay? We have two more speakers and after that we will get to the agenda.

I'll pull it out of order so we can debate it a little bit.

Maura Spery.

MS. SPERY:

Hello, Chairman. Hello, Legislators. My name is Maura Spery, I'm with the Mast Beach Property Owners Association, Quality of Life Committee.

You know, the one thing that hasn't been discussed and she barely touched on is the accountability, is the fact that in only ten months -- I've only been here four years, I've only been working trying to do these civic things the past ten months -- is the fact that the welfare reform, as far as I can tell, has really been a shell game. And it's very easy for Suffolk County, which was explained to me that Suffolk County doesn't really have a way to legislate or to do anything with the programs they administrate because you guys are basically just administrators, all you do is administrate the programs for the State and for the Feds. Which, you know, to me is a good way to wash your hands of it and say, "Well, you know, we just give them the vouchers, we don't really have anything to do with what they do with it," which is crazy.

And then as it goes on I see that -- well, what happens with these programs is we give our tax dollars up to Albany, I don't believe we get the same amount back, and then we get basically a lot of -- you know, dumping is the word for it, I'm sorry to say. I don't understand why somebody who was brought up in Upstate, New York, went to prison up there, is coming down here to a halfway house in Suffolk County; why? It makes no sense and it's being run by a non-profit. So here I go, I spent my tax dollar to have these people come back here, ruin my community, make my property value go down, make it so that I can't get people to move here with children. They're not interested because, A, they go on-line, see that the school has been downgraded because now our Special Ed programs are so over crowded with people that come from these programs and their children. They also don't want to move here because, hey, we have 78 sex offenders in the tri-hamlet area. Hey, how many sober houses? How many people do the Corrections Department and the Parole Department send to us? Why am I living in a vertical prison? Why am I among prisoners and sex offenders; why? It's not fair. It's not right that there are so many and nobody, nobody pays attention. They're not monitored, they're not supervised, nothing. It's crazy.

And why does Suffolk County -- what is in it for us? We don't get tax dollars; no. What is in it for us to take all of New York State's crap in our neighborhood; why do we do it? I don't understand. As our representatives, I mean, you guys, you're for us, aren't you? So if you're for us, why are you letting this happen to us? Why are you letting this happen to us? It's insane. I don't get it; I just don't get it. I don't get why we get all the crap with no benefits, nobody watching it and the answer I get from Suffolk County is, "Oh, we're just the administrators, we don't have anything to do with it." It makes no sense. And to be honest with you, I think it's because, A, we're working class, we're poor, you don't listen to us, we don't have a voice. You stick some of these back in Southampton -- because you know what's funny, we get Southampton's. The Town of Southampton sends their junk to us; why? So what I'd like to see is give them some, and you know what will happen? They'll come back and they have money, they have lawyers, they'll say to you, "Hey, why are we taking this crap here?" And that's all I have to say. Please support Kate's bill. Thank you.

Applause

CHAIRMAN MYSTAL:

Thank you. The last speaker, Cate Poe Lion?

MS. POE:

Hi, I'm here. My name is Cate Poe, I'm on behalf of the Long Island Organizing Network. I'm here to support Legislator Browning's initiative. You've heard the concerns from her district.

This past summer, David {Rask}, a regional expert on, you know, shared regional planning came and met with a lot of the folks from Mastic and Shirley and he also met with the Suffolk Town Supervisors, he met with the Long Island Association, we had a bunch of events, he testified before this body on a bill. What David did is he started coming up with the figures here about how -- in this case, how housing is inequitably distributed across the County.

Now, one thing I wanted to share with you, you know, a similar effort was made in 1992, right? And everybody here knows that the County Legislature passed this bill and then it was vetoed by the County Exec, this was in 1992, and Gaffney's response, after hours and hours of this kind of similar testimony, said, "I understand and appreciate the message we're hearing from these communities, from their hard-working, decent citizens who feel they're being asked to shoulder an unfair burden. But the problem is not going to be solved on the County level by adopting unconstitutional and unlawful measures which will only end up causing more frustration in the end. Let us instead do the possible rather than the impossible; let us do what we can to help provide more affordable housing in more areas of the County." Now, obviously that didn't happen.

David {Rusk} came through, he was hampered in that the only statistics he could do were based on 2000, but he really showed that certain towns are carrying the burden for the entire County and that it does a disservice, not only to the people in those towns but also to the folks being concentrated. Since then, to help support Legislator Browning, David has come up with -- he has the figures for each of your districts in 2000. David is willing to kind of work with this body, he's a consultant to LION, because we would have to be sure that any measures you take are not deemed unconstitutional. Okay? But it really is -- these things they're describing mirror where all the housing, you know, is concentrated, it's not separated.

Anyway, just a quick thing he came up with is at this stage, if you just look in Legislative Districts, 11 Legislators districts did more of their fair share on housing in 2007. Those same patterns have continued, okay? And it doesn't mean that any districts can be off-the-hook in terms of not doing more, we've got a workforce housing crisis, but it says that some -- you can't start at zero, right? It's about making this work County-wide and it's about making sure the County government can make decisions for the entire area, not just town by town which results in these inequities.

Anyway, I'll close now but we're in the process of pulling together those figures, we can share them with people. I mean, they're old and we urge this committee to do what it can to, like in 1992, update that study, right, because there was a study done then about Social Services, so you can actually see what's happening. We can bring the housing stuff in. And again, it's not going to pass just because people from Kate Browning's district come in, it's going to pass because everyone here has the political will to do something good for the whole County. Thank you.

CHAIRMAN MYSTAL:

Thank you. That was the last speaker. What I'm going to do is for the purpose of discussion, we are going to -- I'm going to ask for a motion to pull 1719 ahead on the agenda, so if I can have that motion.

LEG. EDDINGTON:

Motion.

CHAIRMAN MYSTAL:

Motion by Legislator Eddington, seconded by Legislator Horsley to take out of order 1719. It's before us. All in favor? Abstention? No? The motion is before us.

1719-07 - Establishing an Equitable Placement Policy for the Department of Social Services (Browning). Let me tell you why I did this. Even though the sponsor of the resolution has asked this committee to table this resolution, not because she disagrees with the resolution, it's because she has to tweak it and work it. And I am so happy that somebody was here with a little bit of history, because in 1992 I was here; I wasn't a Legislator, I was the Chief of Staff for Legislator Maxine Postal and it was our bill that we were talking about, the measure of distribution, equitable distribution at that time with Social Services. And at that time, it happened to have been the minority community of North Amityville and Wyandanch which at that time did not get any support from any other community because they didn't want anybody there.

Since then, a little economic factor happened. The housing stock in North Amityville went up and the housing stock in Wyandanch went up, so it became a lot more difficult to rent houses in North Amityville and Wyandanch, so the population had been moving east, it is now in your backyard. Hello, baby. We're glad to see you here, because in 1992 we were fighting that fight saying that we should have equal distribution of Social Services people, not just in minority community but throughout the County. And I didn't have too many people coming here to say anything about it. I'm glad to see you all here.

Now, I'm going to turn it over to -- I just wanted to give that little background history on it because this is something that the only reason why North Amityville and Wyandanch doesn't have it is because now it's expensive to rent in North Amityville and Wyandanch because a house could sell for \$200,000 -- \$200,000 in Wyandanch alone. So welcome to the fight.

UNKNOWN AUDIENCE MEMBER:

We were here in '92. We were here --

CHAIRMAN MYSTAL:

Some of you -- I don't remember seeing you because if you were here in '92, your hair would have been black, not gray.

UNKNOWN AUDIENCE MEMBER:

I was here.

LEG. EDDINGTON:

Well, I'm glad to see that people were here then; I wasn't, you know, and I would be honest with you. I see it, I've been here for a little more than 18 months. I have been working with my community on this issue and as I started to say earlier, I'm tired of hearing east and west problems, but this really is a north/south problem. When you go to 25A, you look south and this is where you find all the DSS, sex offenders, sober homes, probation, FECS homes.

You have articulated it perfectly; it is a problem that we the people here now are working on. We are looking at sex offenders and trying to protect it, we are looking at sober homes and with the State, our representatives. We are really trying to do something now, and I will not settle for, "Well, houses are more expensive on the north shore." If I have to take up a collection to buy a house on the north shore so we can share the burden, I'll lead the way, but I'm tired of hearing the same thing.

Applause

And I don't like to separate groups, but it seems like it's been done for us. So before we can unify our County, we've got to get this north, south, east, west stuff solved, and we're not going to take it sitting down. So I appreciate your being here.

Applause

MULTIPLE UNKNOWN AUDIENCE MEMBERS:

Thank you.

LEG. HORSLEY:

Mr. Kennedy?

LEG. KENNEDY:

Thanks, Wayne. Jack, I think what I would say to you is that you're right in looking at where these pockets and clusters of placement seems to be. And I think, you know, the concerns that any community brings forward are important to hear. Certainly, it's not the same kind of an issue but, I mean, geographically, each one of us deals with issues. You know, the flooding stuff that I'm dealing with, you know, in my district, each one of us has elements that come about, some of them we do have the power to go ahead and address in certain ways, other things we're never going to change; we're never going to change nature.

We also -- and I want to reach out and talk to the sponsor, because this last speaker from LION, she spoke very articulately and very well, but I think you also spoke to some things that you know we as elected officials are charged with that go to really the essence and the fundamental basis of how zoning and property governance occur throughout the whole State of New York. The regionalized approach to any issue that we try to address here at a County level is consistently -- I don't want to say frustrated or undermined, but the reality check is your zoning issues go at a town and a village level, and the State Legislature still has not done anything to recognize this County's ability to change one element of what goes on with property use or authorization at any lesser jurisdiction.

So as we wrestle with this, it's important that we keep that framework there. And trust me when I tell you, nobody is more sensitive to the issues associated with placement, housing and treatment of sexual predators than I am. I'm living it now, I've taken a lot of criticism because of the votes I've taken, but I've also tried to address it through other methodologies as well. So I'm committed to go ahead and work with this legislation so that no community is impacted with this, but we have to do it in a framework of reality. I'll turn back.

CHAIRMAN MYSTAL:

Anybody else? Okay. You know, because the sponsor did ask us to table this resolution because she has to work on it, try to make it, you know, where it will not be defeated in the court, the motion will be -- the motion -- I make a motion to table Resolution 1719. Do I get a second on the motion?

LEG. NOWICK:

Second.

CHAIRMAN MYSTAL:

Second by Legislator Nowick. All in favor? No? Abstentions?

The motion is tabled (VOTE: 5-0-0-0). We will continue to work on that issue and it's an issue that's important to me, to my district and to this County. We'll continue to work for it. Ma'am, you can't raise your hand, the public portion is over, we are only debating issues.

The other resolution I would like to take out of order is 1744, the resolution, again, directing the Suffolk County Department of Health Services to conduct a soil and groundwater and air quality study. The reason why I want to do that is because we've debated it a little bit and the sponsor asked us to table it, so I would like to take that out of order, 1744. Seconded by Legislator Eddington. All in favor? Opposed? Abstentions? The measure is before us.

1744-07 - Directing the Suffolk County Department of Health Services to conduct a soil, groundwater and air quality study in the Town of Brookhaven and amending the 2007 Capital Budget and Program and appropriating funds for the environment study on the Papermill Road Facility Site, Town of Brookhaven (CP 8221) (Romaine). I'd like to make a motion to table 1744 at the request of the sponsor. Seconded by Legislator Eddington. All in favor?

No? Abstentions? *The motion is tabled (VOTE: 5-0-0-0).*

Tabled Resolutions

Okay, we'll go back to the -- anybody here from Methoprene? I can pull that out of order also, because we have to table that also at the request of the sponsor. 1635-07 is out of order; motion to take 1635 out of order, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? It's out of order.

1635-07 - Establishing guidelines for the use of Methoprene in Suffolk County (Schneiderman). Motion to table 1635. All in favor?

MR. NOLAN:

You need a second.

LEG. EDDINGTON:

Second.

CHAIRMAN MYSTAL:

Seconded by Legislator Eddington. Motion is --

MR. NOLAN:

All in favor?

CHAIRMAN MYSTAL:

All in favor? Opposed? No? *The motion is tabled (VOTE: 5-0-0-0).*

Got it? All right, so we've got those three already, so the rest should be easy.

Tabled Resolutions

1293-07 - Authorizing payments to Day Care Providers in advance of audit (Mystal). I've been asked to move 1293, and I guess you want to speak about 1293?

MS. LOLLOS:

Yes, please.

CHAIRMAN MYSTAL:

Go ahead.

MS. LOLLOS:

Okay. Gail Lollos, Deputy County Attorney. We just want to state for the record that the amendment which adds non-contract agencies to this resolution, makes it inconsistent with New York County Law 834-A which only authorizes the pre-audit payments for contract agencies.

CHAIRMAN MYSTAL:

Okay. What I would like to do is to move that to the whole floor so we can have the other 18 Legislators debate the bill, because it's been in committee for a long time. And I don't think the other thirteen, you know, Legislators who are not members of this committee understand what's going on. So for the purpose of discussion, I'd like to move it to the agenda next Tuesday and then we can do whatever we're going to do about it at that time. Could I get a second on that?

LEG. KENNEDY:

I second, I second.

CHAIRMAN MYSTAL:

Second, Mr. Kennedy is the second. Okay, so the motion to approve is on the table. Any

discussion? Hearing none, I call the vote. All in favor? Opposed? Abstentions? ***The motion is approved*** for next -- to be put on the agenda for next Tuesday, okay, **1293 (VOTE: 5-0-0-0)**.

1408-07 - Adopting Local Law No. 2007, a Local Law to improve pool safety and protect against accidental drownings (Cooper). We have to table 1408 for a public hearing. Motion to table, seconded by Legislator Eddington. All in favor? No? Abstention?
1408 is tabled (VOTE: 5-0-0-0).

1577-07 - (Directing the Department of Health Services to conduct a feasibility study for the creation of a division of Geriatrics) (Romaine). If anybody doesn't have an agenda that wanted to read this, get an agenda because I'm not going to read them. 1577, motion to table by myself, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **1577 is tabled (VOTE: 5-0-0-0)**.

1622-07 - (To strengthen County policy to comply with zoning and building code requirements in the Department of Social Services Placements) (Romaine). Motion to table by myself, seconded by Legislator Eddington. All in favor? Opposed? Abstentions?
Motion is tabled (VOTE: 5-0-0-0).

Introductory Resolutions

1719 we already took care of.

1740-07 - (Authorizing Estee Lauder breast Cancer Awareness Program at H. Lee Dennison Executive Office Building and Cohalan Court Complex) (Alden). Motion to approve.

LEG. EDDINGTON:

Second.

CHAIRMAN MYSTAL:

Second by Legislator Eddington. All in favor? Opposed? Abstentions? ***Motion is approved (VOTE: 5-0-0-0)***.

1744 we already dealt with.

1780-07 (Amending the 2007 Operating Budget and transferring funds for Family & Children's Association within the Department of Social Services) (County Executive). Motion to approve.

LEG. HORSLEY:

Second.

CHAIRMAN MYSTAL:

Second by Legislator Horsley. All in favor? Abstentions? Opposed? ***Approved (VOTE: 5-0-0-0)***. And that should be on the Consent calendar? No, no.

MS. ORTIZ:

No?

CHAIRMAN MYSTAL:

No. 1789-07 - motion to approve and put on the Consent Calendar; motion by myself --

MR. NOLAN:

Wasn't that approved already by a CN?

CHAIRMAN MYSTAL:

I think that might have been approved by a CN.

MS. ORTIZ:

That's a correct, right, John?

MR. ORTIZ:

Yeah, just a small one.

MS. ORTIZ:

1744, there was a small technical correction because you moved so quickly, but we just distributed it.

CHAIRMAN MYSTAL:

1744 was tabled.

MS. ORTIZ:

Right, but you just received something with a correction from Budget Review.

CHAIRMAN MYSTAL:

For 1744; yeah, it's tabled anyway.

MS. ORTIZ:

Yeah, just so you know.

MR. NOLAN:

1789 was passed.

CHAIRMAN MYSTAL:

1789 was passed at the last meeting with a CN.

1825-07 (Establishing a "Be Pool Smart" Public Education Campaign to promote pool safety (Cooper). I think the sponsor wants us to table this. Motion to table, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? ***1825 is tabled (VOTE: 5-0-0-0).***

That concludes our business. I'll take a motion to adjourn.
All in favor? Opposed? Abstentions? We are adjourned.

(*The meeting was adjourned at 4:22 PM*)

{ } - Denotes Spelled Phonetically