

HEALTH & HUMAN SERVICES COMMITTEE

of the

Suffolk County Legislature

Minutes

A regular meeting of the Health & Human Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York, on January 31, 2008.

Members Present:

Legislator Elie Mystal - Chairman
Legislator Jack Eddington - Vice-Chair
Legislator Kate Browning
Legislator Thomas F. Barraga
Legislator John Kennedy

Also in Attendance:

George Nolan - Counsel to the Legislature
Barbara LoMoriello - Deputy Clerk/Suffolk County Legislature
John Ortiz - Budget Review Office
Diane Dono - Budget Review Office
Paul Perillie - Aide to Majority Caucus
Linda Bay - Aide to Minority Caucus
Max Rose - Aide to Legislator Mystal
Katie Horst - Aide to Legislator Eddington
Ben Zwirn - Deputy County Executive
April Ortiz - County Executive Assistant
Tom Vaughan - County Executive Assistant
Dr. Chaudhry - Commissioner, SC Department of Health Services
Janet DeMarzo - Commissioner/Department of Social Services
Linda O'Donohoe - Assistant to the Commissioner/Dept of Social Services
Roland Hampson - Commissioners Response Unit/Dept of Social Services
Debra Alloncius - AME Legislative Director
Gail Lolis - County Attorney's Office
Richard Koubek - Welfare to Work Commission
Kathy Liguori - Welfare to Work Commission
Marcia Lucas - Madonna Heights
Brenda Shick - Madonna Heights
Shanelle Parker - Madonna Heights
Agnes Lynch - Saint Sylvester's O.C.
Rosemary Stein - Assistant Executive Director, SCO Family of Services
Erin Kelly - Resident of Rose Pelletier Center
Joan McGay
Steve Moll

Minutes Taken By:

Lucia Braaten - Court Stenographer

*(*The meeting was called to order at 2:06 P.M. *)*

CHAIRMAN MYSTAL:

All rise for the Pledge of Allegiance, led by Legislator Eddington.

Salutation

Thank you, Legislator Eddington. Good afternoon to all. Welcome to the first meeting of the 2008 Legislative Session of the Health and Human Services Committee. We have a short resolution agenda, and we have three people who would like to make a short presentation to the Committee. The first one would be Commissioner DeMarzo, who will speak for about five minutes, and then the second one would be Dr. Richard Koubek, who will speak for about five minutes, and then Rosemarie Stein, the Executive Director of Madonna Heights Services, who will also speak for five minutes. So if they are here, that's the succession we're going to follow. So, Commissioner DeMarzo, could you please?

COMMISSIONER DEMARZO:

Good afternoon. I've just shared with you just some key indicators. As I prepared for today's meeting, I thought that it might be helpful if I just presented some of the major programs, the caseloads perhaps, and I picked each -- a chart from each of the programs. It's just something that I thought would capsulize what the current status of the Department is.

As you'll see, a number of the charts show that our temporary assistance and our homeless caseloads have gone down. Our Child Support collections are going up. The average number of open reports per worker in CPS is going down. The open and overdue CPS reports have started to flatten off in the end of 2007. The Medicaid caseload, which peaked two years ago, is starting to go back up, but has experienced a little dip. And then the last one is the number of filled positions in the Department, which is at an all-time high. I thought that I would present that as something that kind of gave a little overview of the department, and as this is the first meeting of the Committee this year, ask if the Committee would like, over the course of the year, any presentations on any issues. In the past, we have done Child Protective Services, Adult Protective Services, we did a Child Support presentation. If, over the course of the year, the Legislature would like any of those issues highlighted, we would be available to put together a presentation. We would keep it brief with backup that would give you more detail.

I also would like to take this opportunity to introduce Roland Hampson who a number of you have worked with in the department. He is in the Commissioner's Response Unit. He will be working with me on a variety of community relations and constituent issues, and will be a key player in a number of the projects that we plan to take on in 2008. So I wanted to introduce Roland and give him an opportunity to greet the Committee.

MR. HAMPSON:

Hi. My name is Roland Hampson. I've worked for Social Services for about 14 years, and I have met or spoken with all of you at one time or another. And I believe we've had pretty good working relationship and accomplished a lot of really good things for your constituents. And all those things are systems that have been created within our Department that the Commissioner has initiated that we feel I can go on to other positions and we'll have a replacement that will be able to fill my spot, or I'll work with and still addressing some of those specific constituent issues. But I look forward to working with the Commissioner on some of these projects for the new year, and if you ever have any questions or anything, you can always give me a call, and I'd be happy to discuss any issues you'd like to discuss.

LEG. KENNEDY:

Real brief.

CHAIRMAN MYSTAL:

Was that it?

COMMISSIONER DEMARZO:

The only other thing I wanted to speak on was a resolution that I know Mr. Koubek will be speaking on and that's the issue of extended hours at the centers.

We have met with Mr. Koubek, which I'm sure he'll share with you, and the Parish Outreach Providers, and the department has undertaken a review of the emergency requests by individuals. One of the concerns raised to look at evening hours was whether or not working individuals were having difficulty accessing services. So we've undertaken a review of all the emergency assistance applications granted through the last quarter of 2007 to see what population we're serving, what the needs are of the people that present themselves, and we're also looking at the nighttime operations in other counties, what are they seeing, what are the benefits, what are the costs, and looking at, you know, if we could develop a pilot, what would be the cost and what would be the best configuration. So we are actively researching the issue, and we'll present back to you and we'll continue to meet with Mr. Koubek and his Parish Outreach Providers to make sure that we're targeting the right issue.

CHAIRMAN MYSTAL:

I thank you very much, Commissioner. We are going to open the floor. Please be seated. Ms. DeMarzo, don't leave. You cannot come -- come and speak --

COMMISSIONER DEMARZO:

You were opening up the floor.

CHAIRMAN MYSTAL:

I told you not to speak, but you chose to. I have some questions for you.

First of all, welcome. Happy New Year. And welcome to Mr. Sampson. And we will be, from time to time, asking you to make presentations on different subjects, and so we will also ask Dr. Chaudhry. I just wanted to make sure that -- this is our first meeting. I didn't want it to get started on a bad foot. I didn't want to have any controversy yet, so I'm keeping it low-key. So, therefore, you know, I would be asking later on for a presentation to this committee. We have a couple of questions for you, Ms. DeMarzo. Mr. Kennedy, you are first up, and Mr. Eddington.

LEG. KENNEDY:

Thank you, Mr. Chair. And just, I guess, a comment and then a suggestion for the Commissioner. First of all, the comment is that I would like to commend her on work of her staff, Mr. Hampson in particular. Consistently, my office has reached out to the Commissioner, and in particular Mr. Hampson, for a variety of needs for constituents in my district. And I had probably what was one of the low points in my service so far, which was an eviction of five people in a snow storm two weeks ago, and Mr. Hampson stepped up way, way, way above and beyond the call of duty, and I appreciate it. The family is stabilized, they're in school, they have food to eat. And, you know, it's kind of indicative, I guess, of the way times are out there right now. But, nevertheless, you stepped up and you met what our requests were, and I, as a Legislator, genuinely appreciate it and I extend that appreciation on behalf of my constituents.

MR. HAMPSON:

Thank you.

LEG. KENNEDY:

I would also offer to you, or will forward to your office, the replies that I received from the Parish Outreach Coordinators in my district regarding the discussion of nighttime hours. To a person, it was favorable, and they spoke about the hundreds of individuals that they're serving over the course of a period of a month, and their assessment on the front line, that they would definitely be able to help constituents in need with that additional evening time. So I think, you know, anecdotally,

there, at least from my district, I can give you some concrete objective evidence that they support it.

Finally, knowing one of the issue that's near and dear to my heart, I guess I'm going to give you the opportunity to just give me your latest view on what's going on with the day-care providers and the payment system.

COMMISSIONER DEMARZO:

The day-care provider payment process, as you know, over the last year has been almost completely restructured. The processes throughout the Department have been looked at to streamline them and to ensure that there's connections and not gaps in the movement of papers and the movement of payments. The KinderTrack system was implemented last year. All day-care provider payments are done through the KinderTrack system, that is the child authorization and the rate calculation process.

The KinderAttend, which is the electronic implement -- electronic attendance system was implemented in the Fall of last year as a pilot with a number of counties -- I mean, a number of providers. We did two successive months of piloting with providers, and as a result of that, really used their experience with the new system to make some changes.

As a number of pilots -- you know, as a number of roll-outs with computer programs show sometimes, you know, there are certain customizations that need to be done. This is a system that's in other counties. It worked okay, it needed some improvements. We've gotten a number of the improvements and we have -- we have about 23% of the children that receive services are billed through the KinderAttend. We have gotten a new upgrade to the system, which we are rolling out this month. We expect to offer it to two groups of people and be able -- we've offered it to more than 23% of the children providers, but some people have chosen not to go forward with it. It's our goal to offer it to everybody over the next several months with full implementation available to anyone that wants it by the end of May.

LEG. KENNEDY:

Just, if you would, just a couple of questions about the software, then, and help me out, if you would again, please. Let's define the universe again. Twenty-three percent of the children, what does that mean numbers-wise, approximately?

COMMISSIONER DEMARZO:

There's about four --

LEG. KENNEDY:

A hundred kids, a thousand kids?

COMMISSIONER DEMARZO:

There's about 4,000 that are billed each month.

LEG. KENNEDY:

That's the total universe, so it's about 23% of that.

COMMISSIONER DEMARZO:

Right.

LEG. KENNEDY:

Okay. How many providers are approximately providing the care for those 4,000 children?

COMMISSIONER DEMARZO:

I think we have about 420 providers.

LEG. KENNEDY:

About 420 providers.

COMMISSIONER DEMARZO:

You know, it changes every month, because you have providers, children move regularly. It's about 420 providers. It's not a stagnant number, but it's about 420 providers.

LEG. KENNEDY:

All right. How many of the 420 providers have the KinderTrack software that they're working with right now?

COMMISSIONER DEMARZO:

Hold on. There are 16 providers.

LEG. KENNEDY:

There are 16 providers. So your assessment of the pilot is that it's been successful, but that you're working with the software to refine the application?

COMMISSIONER DEMARZO:

Well, it was successful in the sense that it worked. There were some glitches. The attendance sheet -- say a child was authorized for 30 days, the attendance sheet would allow you to go in and only put the child's attendance in for 27 days and the last three were greyed out.

LEG. KENNEDY:

That's understandable. I mean, there's no major computer application that's ever deployed that doesn't have some kind of need for modification. What did we, as an entity, pay to acquire the KinderTrack software?

COMMISSIONER DEMARZO:

Well, I don't know that. It wasn't --

LEG. KENNEDY:

Does BRO know?

MS. DONO:

Off the top of my head, no, I don't. I'm sorry.

COMMISSIONER DEMARZO:

It's not a number I have. I can provide that to the Legislature, but it --

LEG. KENNEDY:

I'd be interested to find out what the acquisition cost was, what the maintenance cost is, what the licensing costs are, what the revisions are; if we're under warranty, to what extent the warranty is running, what would be the cost to go ahead and revise this after the fact, and, you know, how we'll see this being deployed out. This is being held out as some kind of a silver bullet to something that appears to have been an endemic issue for multiple years. I'm not convinced at this point that a particular piece of computer software is going to remedy this.

Let me ask also, if I can and, then I'll yield, Mr. Chair. I, in particular, and several of my colleague have continued to focus on the number of individuals that are in the Accounting Unit, the DSS Accounting Unit. We spoke about, you know, looking for a hierarchy, we spoke about a bunch of different things. What's the status of that unit at this point, and what do you expect going forward?

COMMISSIONER DEMARZO:

There are 22 people that were in that unit. The Legislature added three Account Clerks in the '08 budget. The unit is authorized for the 22 -- the 21 people, one accountant left in December. We're interviewing tomorrow. We got the SCIN approved awhile ago. The other three Account Clerk

positions are pending. We've gotten -- we had some hirings in October and November. Everyone passed probation in that period, so we're at 21m with one being interviewed tomorrow and three SCINS pending.

LEG. KENNEDY:

So you would -- from your perspective, I mean, would you say you're fully staffed at this point? If there's issues, it's not because of lack of bodies.

COMMISSIONER DEMARZO:

Well, we have -- we're at -- you know, and counting days is always so problematic, because, you know, it becomes the definitions of what they're there. The 28 days that we basically have the vouchers in DSS, which then they go to Audit and Control and Treasurer, and quite honestly, Audit and Control and the Treasurer have been moving them rather quickly within the two-day period, and we've been separating the remittance statement. Staffing is not a significant issue, but to maintain the 28, we have other providers that have gone up. All our other providers are at 44 days, with emergency housing at 35 days. So the additional Account Clerks would allow us to keep all providers around the same area of 30 to 40 days.

LEG. KENNEDY:

You know, Mr. Chair -- okay. I don't want to monopolize, but I want to make sure that I understand where we're at, and whether or not our focus on fulfilling our responsibility for making timely payment to one group is, in fact, actually impacting other groups.

CHAIRMAN MYSTAL:

Of course it is.

LEG. KENNEDY:

Well, I don't know that we can necessarily say, "Of course, it is," because, actually, I believe that we have a responsibility to pay everybody on time. I don't think that there's any particular group that wants more or less, although I believe that most of the child care providers probably operate on a much closer margin than many of the other vendors that we service.

I think I'm going to ask BRO to go ahead and define for me a little bit better what the universe is, if you would, please, so that I know personally what's going on in our efforts. That doesn't mean I'm any less committed. As a matter of fact, I think I'm even more committed. And I believe that Legislator Vilorio-Fisher's legislation was right on target, and I intend to go ahead and continue to support it. But I also am extremely interested in what's going to go forward with this software.

I'm a little concerned about what's going on with recertifications. I'm also concerned about what's going on for back-billing, or these so-called I guess atypical cases. Does KinderTrack address basically only the -- I don't know how to frame it. I know there are some cases where you have children that are mandated in. They may come through CPS or emergency types of things that don't ordinarily always fall into what you can recover under KinderTrack. Are they being captured or gathered now?

COMMISSIONER DEMARZO:

Well, you know, one of the biggest problems that we've had, if we're talking about the Title 20 children and the services children, I believe those -- I mean, we've designated Ken Knappe to be the lead person for the day-care agencies to call if there's a problem. I checked with him before I came here. There was one special rate for a disabled child. That's an issue that we're working through. I haven't heard of any other systemic problems.

There is a number of children, there are a number of parents fee issues, and so forth. I think, from my perspective, our goal is to make sure that if there's a problem, that it be dealt -- that the provider have a person to call and that it be dealt with quickly, and, to the best of any knowledge, that's occurring. I don't think we can end all the problems, because it is a complex set of State

regulations that oversee this. We checked to see what the backlog was in the Child Care Unit. It's the lowest it has been in 24 months, so the front-end application eligibility determination is basically on target. So, if there's recertification issues, they haven't -- Ken Knappe wasn't advised. I'm not aware of them, but we can go back and look at that.

LEG. KENNEDY:

All right. I'm going to yield, Mr. Chair. But I think, through the Chair, I'm going to suggest then, some of these questions may be things that need to be answered on Tuesday, because it's my strong suspicion this issue is going to come up again on Tuesday. So, I -- through the Chair --

CHAIRMAN MYSTAL:

Throughout the year.

LEG. KENNEDY:

-- there would be an invitation.

LEG. MYSTAL:

They will come here throughout the year.

LEG. KENNEDY:

Oh, I'd bet on it, wouldn't you?

CHAIRMAN MYSTAL:

Legislator Eddington.

LEG. EDDINGTON:

Yes, thank you. I wanted to just go over it, because it seems the more we talk about this issue, the more questions come up. My understanding, because we've been dealing with this for like six months, in Nassau County they have a program and it works within 15 days. How many children are they dealing with? You have no idea?

COMMISSIONER DEMARZO:

No, I don't.

LEG. EDDINGTON:

Okay. Well, let's just say, even if it was a thousand, we're dealing with 4,000. And you had a trial. Do you envision it ever being 30 days, or 28 to 30 days of payment for the providers?

COMMISSIONER DEMARZO:

It is 30 days now from the date we receive the voucher to the date it is dropped in the mail by the Treasurer.

LEG. EDDINGTON:

Okay. So then, actually, if we legislate a prompt payment thing, there'll be no problem, because you're already doing it in 30 days.

COMMISSIONER DEMARZO:

We're doing day-care in 30 days.

LEG. EDDINGTON:

Okay, then good, you helped me with that one. All right, good. The other one is I wanted to -- Mr. Hampson, I wanted to echo what Legislator Kennedy had said with your reputation; it is outstanding. This is not a Civil Service position that you're in now, so you're leaving Civil Service to -- or is it?

COMMISSIONER DEMARZO:

No. Actually, in a number of ways, Roland is staying in his current title. It's really being expanded in a way. Many of you know Dennis Nowak, who was previously in the Community Relations position. Roland had assumed that position, as well as kept a lot of his Commissioner's Response Unit work, about a year and a half ago?

MR. HAMPSON:

A year and a half ago.

COMMISSIONER DEMARZO:

What we're doing now is bringing more community relations to the job, so it is an expansion of his -- it's a restructuring of his position, so he'll have less immediate case work responsibilities and more community relations, but it will also be the person that's overseeing the casework that's done and the liaison to the Legislature.

LEG. EDDINGTON:

So he's still in the union and all of that.

COMMISSIONER DEMARZO:

Yes.

LEG. EDDINGTON:

That's a good thing. Okay, good. And then the last one is that we talked about your looking into the possibility of extending the hours of the facilities for evening, and that's correct?

COMMISSIONER DEMARZO:

Yes.

LEG. EDDINGTON:

Okay. What I'm wondering is, now, I have the content, it's the process I'm concerned with. How are you dealing with AME, so that are we looking for volunteers, or is it just the last people you have to do it.

COMMISSIONER DEMARZO:

Well, one of the things that I'm not ready to figure out is are we looking at flex time, are we looking at overtime, are we looking at five locations, are we looking at one location, are we looking at appointments only, are we looking at open-door policies? So, until we have an understanding of the variety of ways to do it, we haven't spoken to AME, it is our goal to include the union in the process.

The resolution talks about flex time. We looked at overtime. The union has -- you know, in the past, when we've talked to the union, volunteers to staff is also a priority of theirs, as opposed to mandated overtime. So the first goal was to look at who did we serve, as well as who might have walked in the doors, if we were open at night, and maybe establishing a pilot to do -- we talked about doing telephone screening to really make decisions on appointments for night.

One of the concerns I have is making sure that the solution addresses the problem, it just doesn't add more hours. So I think we have some review to do. We have had, you know, preliminary discussions about voluntary overtime, or voluntary flex time would be the preferred AME proposal.

LEG. EDDINGTON:

Okay, great. Thank you.

CHAIRMAN MYSTAL:

I was going to try to remain quiet. One question for you, Ms. DeMarzo. How many days from the time that a provider filled out a request for payment and then you get the voucher? Because, see, I

know it takes you 30 days now, approximately 30 days once you get the voucher. Now how many days before you get the voucher?

COMMISSIONER DEMARZO:

Are we talking mail?

CHAIRMAN MYSTAL:

Does it go through a process before it gets to you, or just the mail?

COMMISSIONER DEMARZO:

No, no, no, no, no. When I get it, the provider puts it in the mail --

CHAIRMAN MYSTAL:

Yeah, or the KinderTrack.

COMMISSIONER DEMARZO:

Or the provider sends -- puts a button -- pushes a button --

CHAIRMAN MYSTAL:

A button.

COMMISSIONER DEMARZO:

-- and transmits KinderAttend.

CHAIRMAN MYSTAL:

Okay. So --

COMMISSIONER DEMARZO:

There's no --

CHAIRMAN MYSTAL:

There's no delay.

COMMISSIONER DEMARZO:

There's no entity between me --

CHAIRMAN MYSTAL:

Okay.

COMMISSIONER DEMARZO:

-- DSS and the provider.

CHAIRMAN MYSTAL:

All right. Now, after you get the voucher and you go through your 30-day period, the voucher leaves you, how many days -- does it go through another process to get it checked? How many days are there?

COMMISSIONER DEMARZO:

Basically, when it leaves us, it simultaneously goes -- the detailed material goes to Audit and Control to sign off on the checks. We generate the checks in-house off a State system called BICS. We send the checks with the list to the Treasurer simultaneously, so Audit and Control gets the backup, the Treasurer gets the check with a list. Audit and Control signs off on it, finds a problem, pulls -- advises the Treasurer to pull a check. Those things happen simultaneously. We've been seeing that done within a day or two at most.

CHAIRMAN MYSTAL:

So I can say that from the time you receive something in the mail, or somebody pushes a button, to the time that a check is sent out to the provider, it's around 30 days, 32 days at the most?

COMMISSIONER DEMARZO:

(Shook head yes).

CHAIRMAN MYSTAL:

Okay. That's where we are right now?

COMMISSIONER DEMARZO:

Correct.

CHAIRMAN MYSTAL:

Okay. That's all. Thank you.

COMMISSIONER DEMARZO:

Is that a real thank you?

CHAIRMAN MYSTAL:

That's it. You can go. Dr. Koubek?

MR. KOUBEK:

I would like Kathy Liguori, who is the Vice-Chair, to join us.

CHAIRMAN MYSTAL:

Yes.

MR. KOUBEK:

Okay. Good afternoon. My name is Richard Koubek, and I'm the -- is this on? There we go. Good afternoon. My name is Richard Koubek. I'm going to speak actually with two hats today, one as the Chair of the Welfare-to-Work Commission of the Suffolk County Legislature, and the other as Administrator of the Public Policy Education Network at Catholic Charities. And, as the Commissioner said, I'm here in support of Resolution 101-08, titled, "To implement Welfare-to-Work Commission recommendations." And, as you just heard, these are the two recommendations that came to Commission from Parish Outreach Coordinators. They brought it to me first at Catholic Charities, I brought it to the Commission. And they were speaking for a number of coordinators, including some, as you heard today, who are in your district, such as Legislator Kennedy's district. And the concern was, two: One, that people they're serving would benefit from the DSS being open at least one night a week, and the other was that the clients be allowed to pick up and drop off documents after three o'clock each day.

And so we're very pleased and thankful that Legislators Romaine and Vilorio-Fisher introduced this resolution. And it's a great idea, because the Commissioner is right, she has shown due diligence. Immediately after our presentation in November, before we left the room, she approached the Parish Outreach Coordinators and suggested that we meet with her. That meeting occurred for two hours on January 11th with two of her Deputy Commissioners and a number of other staff, and she raised some very good questions that we're going to try to help her to resolve in terms of the need. And, at that time, when we met on January 11th, she also spoke about looking at the costs that would be involved, and looking at some various ways, as she said, of possibly piloting the idea.

So what I think is excellent about the resolution is that it really is going to sort of memorialize the work she's already doing, because it sets a date certain as to when the report should be presented. And, as I said, we will be working with her. I'm going to -- we're trying to develop a questionnaire that perhaps our outreach people would ask folks who are coming in. So I hope to work with the Commissioner on a common questionnaire that perhaps even they could ask of clients, I mean, something simple as she suggested at our meeting, "Are you working?" You know, "Are you unable

to come here during the day? Is that why you went to the Parish Outreach Centers," that kind of thing.

I'm also going to ask the not-for-profits who serve on the Welfare-to-Work Commission, and we have a lot, FECS, Family Service League, if they would participate. So we're going to work with the Commissioner, and she's already well underway, and told us that we'd be reconvening in a few weeks, or five weeks or so. So the resolution really will sort of memorialize the work she's already doing and I think it's a very good idea.

CHAIRMAN MYSTAL:

Kathy, you want to say anything?

MS. LIGUORI:

I'm just here to --

CHAIRMAN MYSTAL:

Any questions from anybody? Thank you very much. There are not questions.

MR. KOUBEK:

Thank you.

CHAIRMAN MYSTAL:

Very good. Last presentation is from Rosemarie Stein, Executive Director, Madonna Heights Services. Thank you.

MS. STEIN:

Thank you so much. Thank you, Mr. Chairman, and Members of the Committee, for inviting us -- allowing us to be here today. My name is Rosemarie Stein. I'm actually the Assistant Executive Director of SCO Family of Services, and we're a member of -- Madonna Heights is a division of SCO Family Services, and I run the Madonna Heights division of the agency. Our mission is to serve women and adolescent girls on Long Island.

Today, I'm going to be speaking about one of our programs in particular, the Rose Pelletier Center. We did send out materials to everyone, so I will try to be brief. But I also brought one of our residents here, who I thought could say a few words as well.

Rose Pelletier Center opened in 1986. It is a transitional living program for homeless young women, ages 16 to 21. They must reside in Suffolk County. Our funding is provided, 60% from the Office of -- New York State Office of Children and Family Services, and 40% from the Suffolk County Youth Bureau. Our objective in this program is really very simple. We have a totally female adolescent population, and we want to give them the tools necessary to complete their educational goals, to access mental health counseling, if needed, to teach them independent living skills, to ensure success and self-sufficiency. Our goal is that when our young people leave Rose Pelletier, that they're not on Public Assistance and that they're able to be independent. It is our belief that most of our girls would be homeless and living in shelters or would be in foster care if there was not a program like this. It is a small program, it services seven adolescents at a time; it's located in Deer Park.

Our current situation is this: The program has been open since 1986 and our funding has been pretty much flat. We've gotten minimal COLAs over the years. As you all know, the cost of rent, electricity, fuel, food, staffing, etcetera is -- continues to grow.

At the close of 19 -- excuse me. At the close of 2006, I don't have the numbers yet for '07, our program funding was \$196,671. It costs us to operate the program \$240,297. Our agency subsidized that deficit of \$43,626 through fund-raising efforts.

Recently, we received a program order from the State Office of Children and Family Services and we were informed that we now had to comply with a new regulation of supervisor -- of awake supervisor -- excuse me, awake staff to supervise the residents on a 24-hour, 7-day-a-week basis. This would cost the program approximately \$19,000 to implement. What we're asking the help on is an appeal to help us to subsidize this difference, which would be driven from a regulation change. We're not really disagreeing with the regulation, but, obviously there's a serious cost impact to us. So, if I can, can I introduce Erin; is that okay?

CHAIRMAN MYSTAL:

Sure.

MS. STEIN:

This is Erin. She's 20 years old. She's a little nervous. I told her this is the first time I was doing this also, so we'd help each other. She's been with us almost six months. Erin, maybe you could say something about where your life might be right now if you weren't at Rose Pelletier.

MS. KELLY:

Well, I was living at a homeless shelter in Northport before I went to Rose Pelletier. That's how I was referred to Rose Pelletier. Before that, I was living on the streets, and I wasn't working and I was really sick. And when I had interviewed for Rose Pelletier and I got accepted, I came there and they helped me to set up all my doctors and have the surgery that I needed, and I have been getting better and through what would have been a terminal illness. And I think that if I hadn't gone to Rose Pelletier, I would have stayed, jumping -- you know, on the streets, jumping shelter to shelter, not really living any sort of life that a 20-year-old should live, but -- or not even living a life at all. I wouldn't have gotten any of the help that I needed to survive it.

MS. STEIN:

Can you just say something about what your personal goals are now?

MS. KELLY:

I had been going to college before I had dropped out. I had a traumatic experience in college. I had dropped out, and after meeting with the Case Manager and the House Manager at Rose Pelletier for a few months, I decided to go back to school. I am looking into going back to school next semester. And I have been working at the library and in retail and saving half my paycheck, even more sometimes, every week, so that I have an open savings account for when I leave Rose Pelletier. And I have a steady job, two steady jobs that they have been trying to get me to make one steady job, one full-time. But I have saved over \$500. I've gotten all the medical help I needed, and just like things, knowledge to survive the future. I wouldn't have known how to really take care of myself and live how I should without Rose Pelletier.

MS. STEIN:

Thank you.

CHAIRMAN MYSTAL:

Thank you, Ms. Stein. A couple of questions for you. This is maybe for BRO also. What did we do in our budget this year for --

MS. STEIN:

Our 2008 total funding is \$202,547.

CHAIRMAN MYSTAL:

What did we -- in terms of the County, what did we give -- that's what you got from the County?

MS. STEIN:

That's for 2008.

CHAIRMAN MYSTAL:

2008. So we didn't shortchange you at this point?

MS. STEIN:

Well, we still -- we run a deficit no matter what.

CHAIRMAN MYSTAL:

You run a deficit, yeah. But what you are telling us right now, what you have amounts to a mandate that the State imposes on you without funding -- without the funding.

MS. STEIN:

Exactly.

CHAIRMAN MYSTAL:

The State just says, "Okay, you do this, but we're not going to give you any money for it."

MS. STEIN:

Yes.

CHAIRMAN MYSTAL:

Okay. And you are looking for us to somehow find some money in our budget to help out.

MS. STEIN:

Yes.

CHAIRMAN MYSTAL:

Okay. I just wanted to make that clear to all the committee members.
Mr. Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. And thank you for coming. As a matter of fact, I appreciate you sending the correspondence, and both of you have spoken quite well and very eloquently. And I commend you for the work that you're doing, as a matter of fact, in order to go ahead and get back to your education.

MS. KELLY:

Thank you.

LEG. KENNEDY:

And it just goes to show, I guess, what kind of a benefit, you know, the Rose Pelletier Center provides. You take referrals from a wide variety of different sources, don't you.

MS. STEIN:

Yes.

LEG. KENNEDY:

Several of our County agencies send youth to you? Tell me a little bit about, where do the young people that come to your center come from, what agencies? Ah, we've got somebody in the audience, huh?

MS. LUCAS:

Actually, the staff from the house know better than I do.

MS. STEIN:

Come on, Marcia.

LEG. KENNEDY:

There's a reason for me asking this --

MS. LUCAS:

Yeah.

LEG. KENNEDY:

-- while you're coming to the table, because while we are always woefully strapped for cash, it occurs to me that if our Department of Probation or our Division for Youth, or our Family Court is mandating placement for children that are in distress or who have been abandoned, or things like that, there must be multiple agencies that are involved. And as we're mandated to provide service, it seems that we should be able to go ahead and be doing some linking somehow, as far as getting the funding to keep you viable. Where do the children come from?

MS. LUCAS:

A lot of the referrals are not from the other agencies, they're from community agencies, community-based agencies, the town runaway programs, schools. There are times when, because we also run homeless shelters, so someone like Erin might find herself homeless or in our Gatehouse Program, and then they can come to Rose Pelletier. But it's funded as runaway and homeless, so it's not -- it's not foster care. Probation might make a referral, but the courts really don't mandate to Rose Pelletier.

LEG. KENNEDY:

Where would these children go if you weren't in existence?

MS. LUCAS:

They would probably be on services, maybe renting a room somewhere. The ones who are under 18 might be in foster care. So, if --

MS. STEIN:

Or homeless shelters.

MS. LUCAS:

Right. And the County provides 40% of the funding of the 200. OCFS is providing 60% of the funding.

LEG. KENNEDY:

What has the State Agency said other than you have to comply with this mandate?

MS. LUCAS:

Nothing.

LEG. KENNEDY:

Have they given you any indication --

MS. LUCAS:

We appealed it.

LEG. KENNEDY:

-- that there's any funding to assist with that?

MS. STEIN:

We tried to appeal it, but that was not successful.

MS. LUCAS:

But they denied our appeal.

LEG. KENNEDY:

You asked for a waiver --

MS. LUCAS:

Yes, we did.

LEG. KENNEDY:

-- as far as that requirement goes?

MS. LUCAS:

We did. And we had historically been staffing it where we had live-in staff, and the staff person was aware, certainly aware of what's going on in the house, but they decided that -- and the pay scale, the way the pay is structured is different. So now that they're saying to us that person has to be working an eight-hour shift and you're paying differently, that's where the cost -- and it doesn't seem like -- I mean, we've talked to the Youth Bureau about this and we did appeal it to OCFS, and if we want to continue the program, this is what we have to do.

LEG. KENNEDY:

It's important that you've come to us, because, certainly, we deal with health matters and human service issue --

MS. LUCAS:

Right.

LEG. KENNEDY:

-- here within the County. I'm curious as to whether or not you've also done the same approach with our State colleagues. You know, it appears to me that the State Assembly and the State Senate, who actually have legislative oversight over the State Office for Youth might have at least some interest or some opportunity to have some dialogue with us as well.

MS. LUCAS:

And that certainly is -- this was our first step, because this just happened to us in November, December. So this was our first step to come to you, but we certainly will look to further pursue this with OCFS. What we're being told -- what I was told by the Youth Bureau, that the OCFS money that comes to the Youth Bureau for runaway and homeless has been allocated and there is no extra funding. But I think you're right, I think we will continue our pursuit of this, and we'll speak to our Assemblymen and Senators on that.

LEG. KENNEDY:

Thank you very much for coming. Thank you, Mr. Chair.

CHAIRMAN MYSTAL:

Just an observation. Could you please state your name for the stenographer, so she can --

MS. LUCAS:

I did give her my name before. Thank you.

CHAIRMAN MYSTAL:

You gave -- okay. Anybody else? Thank you very much.

MS. STEIN:

Thank you.

MS. LUCAS:

Thank you very much.

CHAIRMAN MYSTAL:

We don't have anymore cards, so we're going to go straight to the agenda. We only have three resolutions.

INTRODUCTORY RESOLUTIONS

Resolution 1000-08 - To strengthen County policy to comply with zoning and building code requirements in Department of Social Services' placements (Romaine). Someone make a motion to --

LEG. BROWNING:

I'll make a motion to approve.

CHAIRMAN MYSTAL:

Motion to approve.

LEG. BARRAGA:

Second.

CHAIRMAN MYSTAL:

Second. I'll call the vote. Motion to approve, all in favor?

MR. ZWIRN:

Wait.

CHAIRMAN MYSTAL:

Before we call anything, yes, sir?

MR. ZWIRN:

Yes. Please, Mr. Chairman, I'd like to have the County Attorney's Office comment on this, and then if I might have a comment as well.

CHAIRMAN MYSTAL:

A few words, okay. I figured she was here for a reason. She usually doesn't come to Health and Human Services. I see her in Ways & Means, but not here.

MS. LOLIS:

Several -- actually, I'm a fill-in today. Gail Lolis, Deputy County Attorney.

Several legal problems. I guess the overall legal problem, irrespective of Social Services, is that the government doesn't have any legal authority to remove somebody from their -- from their rental occupancy because there's a building violation. I mean, that's the overall problem as far as its unconstitutionality. As far as Social Services is concerned, this is in direct conflict with the Social Services Law that gives the County very limited circumstances where it can withhold rent if there is a violation that rises to the level of being hazardous or dangerous to life or health. That is the only thing the County can do. We've had numerous Attorney General opinions, numerous letters from the State advising the County that they have no power to do this.

MR. ZWIRN,

Currently, Mr. Chairman, there is -- there is a law, a bill in the Assembly that was sponsored by Assemblyman Thiele from Sag Harbor that would give DSS Inspectors more latitude with respect to privacy regulations, where they could go in and do some of these inspections, but currently it is a real problem. I mean, we don't have the authority, DSS does not have the authority to comply with this piece of legislation. And we're sympathetic of legislation. We understand why it's being

proposed and we just don't dismiss it outwardly.

We are also concerned that if people are removed from housing that may have minor violations and going to emergency shelter housing, well, BRO says that the cost is indeterminate. I mean, the difference, I think, between putting somebody in an apartment for maybe \$1,000 a month versus \$9,000 a month in motel will be considerable and not something that is really indeterminate. I mean, if you start moving people around, it's going to cost the taxpayers of this County a lot of money, aside from inconveniencing all the people that are living, you know, in a particular location.

So we ask you to go very carefully with this legislation, and it may very well be a piece of legislation that we may not, even though it's well-intentioned and everything else, it's not one that Social Services could even comply with under the law.

CHAIRMAN MYSTAL:

Mr. Zwirn, I would love to table that resolution, but it doesn't appear that I have the vote to table it.

MR. ZWIRN:

I understand, Mr. Chairman, but I'm getting this on the record, because in the event -- often, legislation can be passed and there's legislation pending in other committees that has the support, I think, of the Legislature that in practicality cannot be enforced, and this happens on occasion. I mean, I just want to make sure it's on the record that even though we understand the legislation and we understand that it's -- we're not criticizing the intention of what it's trying to do, we just want to make sure that you understand that even though you say, "Presto," it doesn't necessarily mean it's going to happen in that form.

MS. LOLIS:

And, if I may, just so you understand the ramifications of it, these certain public assistance recipients, first of all, they're picking their own locations. If I'm a public assistance recipient and I am renting a premises, and I'm eligible for aid, and I'm getting my rent check, or my landlord is getting the rent check, and it turns out that there is a deck on the back of that -- on the back of that house or apartment that doesn't have a building permit, this law is stating that Social Services can come in, or the County can come in, force me and my family into emergency housing until you can find me another place to live. That is the ramifications, even for very minor violations that -- you know, that needs to be considered.

P.O. LINDSAY:

I make a motion to table.

CHAIRMAN MYSTAL:

I was going to make that motion, too. Legislator Browning?

LEG. BROWNING:

Yeah. When you're talking about decks, I can give you perfect examples in my district. And I know I have a constituent of mine from the North Bellport area who can probably testify of numbers of homes. We closed a home with the Town of Brookhaven, no electricity, a DSS family living in it, and they were pretty much left sitting there. And if they didn't complain or we didn't get complaints about it, they were going to continue to be there and live there without electricity, cooking outside in the backyard.

We just recently had a home -- we know about the incident that happened in Babylon, I don't believe that was a DSS family, however, I did have an incident in my district where the family, the mother and the daughter taken to the hospital for carbon monoxide poisoning. The dogs were killed, died. I don't want to see those things happening in my district, and we're getting ready for it. We are getting ready for it.

This bill, I understand what you're saying as far as the State law is going to trump us. However,

because of the bill, and I know Legislator Romaine brought it out last year, I cosponsored it with him, and because of that, and that I know that the State law will trump us, I spoke with Assemblyman Thiele, and I know there's a Senate bill that has passed, and I spoke with him, and because of our conversation, he's introduced that bill. I'm looking forward to that one passing. Again, my constituents are crying out for this and I will not vote against it.

CHAIRMAN MYSTAL:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. We've wrestled with this issue and with this matter, you know, in a variety of different ways with different pieces of legislation. I guess first I'd ask Counsel, is this bill legal?

MR. BARRY:

Well, if I could just clarify something, the resolution is sort of in two parts. It says that the Commissioner shall ensure that all recipients of public assistance I guess are placed in the first instance in housing that complies with all building codes. The second part is removing that individual, if it's found that those -- that that house is not up to code.

What I will say is that the intent of the bill from the sponsors is that it's not just if there's a deck that doesn't have a CO, its if the house has no electricity, no water, no heat, nothing. That's their intent, and I think that's made clear in the Whereas Clauses.

As far as legality, I mean, I've never heard of a -- never heard of a constitutional argument for removing somebody from substandard housing. You know, this is the first time I've heard of this. You know, I would welcome some case law from the County Attorney so I can review it. You know, I can't respond to what she said, because I haven't reviewed any cases on it.

LEG. KENNEDY:

She didn't ask you the question, Counselor, I did. Is it legal? That's all. It sounds like you're telling me yes. I'm just asking, is it legal?

MR. BARRY:

In my opinion, I think it's okay.

LEG. KENNEDY:

Good. That's what I wanted to hear. Thank you. I also know full well that under Section 143 of Social Service Law, where Social Service Department is making rental payments directly, that they do have the ability to go ahead and do the withholding. If we're in a quandary as far as individuals going out and procuring substandard housing, perhaps programatically, one of the fixes we need to do is, is request that the Commissioner's Office move more directly towards actually controlling the direct payment of rent.

I was faced with a situation two weeks ago like Legislator Browning, where there's a single -- zoned single family residence with three families living in it, with a Social Services recipient running three gas stoves off of barbecue tanks and flex hose, I don't want see the fire and the conflagration in my district, or any place either. So I have no reticence with voting for this whatsoever.

CHAIRMAN MYSTAL:

I don't have any problem with the bill in terms of its intent. What I have a problem is the collateral damages that may result from this bill, and that's why I would like to table it and see if we can tweak it and make it a little bit tighter, because, as we have heard from the County Attorney, you can use it to put people out if there is a deck that doesn't have a CO, even though in the Whereas Clause it's talking about major problems such as no electricity, no water, you know, and carbon monoxide. But if somebody is living in my district and there's a neighbor next door who doesn't like a Social Services client living there and there is a slight violation such as a shed being too close to

their property, they can make a complaint, and they find out they make the complaint and the house is in violation of that code, Social Services will be, you know, forced, so to speak, to remove that person. And what I'm trying to avoid is the concept of NIMBYism in terms of, you know, just because somebody is on social services and there is a slight discrepancy in the house, then they can be thrown out. And for the other gross violation that we are trying to avoid, such as a fire, carbon monoxide, you know, I totally agree with, but I just think that we need to tweak this. That's why I wanted to kind of table it and look at it a little bit later, and then see if we can remove those small violations and keep in place the big one.

P.O. LINDSAY:

I've got a question.

CHAIRMAN MYSTAL:

Yes, sir.

LEG. O'LEARY:

And maybe the County Attorney's Office can answer this. In some of the extreme conditions that were described by Legislator Browning of no electricity, or a potential of carbon monoxide poisoning, don't we have the ability to move those folks out of there now?

MS. LOLIS:

The way I read the law, and those conditions would fall, I believe, within the State requirements, as far as it being dangerous or hazardous to life or health, that we can take action. But according to State Law, the action that we can take is withholding rent. I think I'd have to look further into what other --

LEG. LINDSAY:

So, in words --

MS. LOLIS:

-- options -- I'm sorry, I apologize, Presiding Officer, but I'd have to look into what other options our government would have, such as condemning a building, or something like that, to get somebody out, but I'm not aware of anything other than withholding rent that Social Services can do.

LEG. LINDSAY:

Fist of all, I mean, condemning the building is totally not within our purview, that's -- in this area it's Town jurisdiction.

MS. LOLIS:

Right, exactly.

LEG. LINDSAY:

My point is, if we found a family that's on assistance, living under dangerous conditions, I mean, wouldn't we offer them alternative housing that's safe? I mean, we're not going to go -- are we going to continue? Are we going to close our eyes to that situation? I mean, what you're saying is we don't have the power to mandate, "Get out of this building."

MS. LOLIS:

All we could -- all we can do under the State Law is withhold the rent from that landlord. Now, I would have to defer to the Commissioner what is done as a practical matter if that comes to the County's attention, but under State Law, that is what they say we can do.

LEG. LINDSAY:

Okay. Then how does this legislation add to that ability we have under State Law now?

MS. LOLIS:

This says any building violation or any -- a violation of any building code, ordinance or regulation, if there is any, DSS must come in and remove that resident or that family of public assistance, put them into emergency housing until another place can be located, and it's a mandate.

LEG. LINDSAY:

And you're maintaining that we do not have that authority to physically remove the family?

MS. LOLIS:

Absolutely.

P.O. LINDSAY:

Okay.

MS. LOLIS:

I'm under both the State and the Federal Constitution.

P.O. LINDSAY:

Okay.

MS. LOLIS:

Plus, even if the government had that authority --

P.O. LINDSAY:

Does the State have that ability -- I mean, does the Towns have that ability under their zoning laws?

MR. ZWIRN:

They can condemn the house.

MS. LOLIS:

The Towns, and that's what these opinions have said from the State in terms of these types of local ordinance, it's for the Town to come in and enforce their building codes and ordinances.

LEG. LINDSAY:

Okay. But they have the ability to condemn the building and tell people they have to get out?

MS. LOLIS:

Yes. And we have the -- we, according to, again, the State, letters that we've received, although we're not permitted to identify the resident as being a recipient of public assistance housing, we can notify a town to advise that there are building -- serious building violation or building violations, for them to do the inspections, but you cannot -- you cannot violate the confidentiality as far as the identity of public assistance recipients.

LEG. LINDSAY:

See, the road that I'm afraid of going down, and probably everybody at the horseshoe will remember this, it was in the Town of Islip just maybe two or three years ago where the Town went in and condemned the whole apartment building and forced everybody out, and there was all kinds of accusations. You know, I'm sure it created a tremendous strain on our department when that happened, because I don't remember how many families, but it was quite a few families that were evicted all at once, and, you know, there was accusations that a developer wanted to buy the parcel and that's why it was done, or whatever, but that's here nor there. But I'm nervous about evicting en masse something like that and causing problems, and especially if the County Attorney's Office doesn't feel it's within our legal boundaries to do that.

LEG. BARRAGA:

But, basically, that's your machine, it's a legal opinion.

MS. LOLIS:

It's a legal opinion, yes.

LEG. BARRAGA:

It's a legal opinion. See, my concern is, for example, let's go back to the same apartment complex, if there were violations of code and people are there and the County's aware of it, and, God forbid, there's a fire and they're all killed, what's our stance then? We knew it, we were aware of it, but we couldn't do anything about it, so we let them stand there in the hope that the Town sent the Fire Marshal in, or somebody else? See, that's the problem with this legislation. Once it's tabled, if it isn't passed, it's pretty obvious what it intends to do, and most people would agree that when you put somebody in a given dwelling, that dwelling should conform to all town codes and building codes.

MS. LOLIS:

Again, the intents -- there's no dispute with the intent of this. As far as what legally the County can do, this goes -- this just goes beyond that.

LEG. BARRAGA:

I agree with you, I like the intent. The question is whether or not we legally have the responsibility under current law to do this. I'd like to move this out of committee and let's discuss it around the horseshoe and make a decision then, because yours is a legal opinion; some will take it. I have my doubts, only because of the intent of the legislation. I just don't want to be exposed, the County be exposed, all of a sudden, we had an opportunity to do something and we didn't, and now the media is out there saying, "You know, this bill was there, why didn't you do something? You knew that this was in violation and you chose not to pass a bill or pass legislation to deal with it?"

CHAIRMAN MYSTAL:

Jack.

LEG. EDDINGTON:

I think Legislator Barraga kind of hit it, because that's my -- my perspective is it looks like we're getting legal opinions, but there are people that are in danger, and once we know about it and we don't take any action, I mean, we're at fault. So, I mean, I guess what I'm hearing is that the County can't tell the Town Building Department where we're placing our DSS people.

LEG. BROWNING:

That's right.

LEG. EDDINGTON:

That would be a violation of confidentiality?

LEG. BROWNING:

Yes.

LEG. EDDINGTON:

See, to me, then it's very hard, because the County Executive said to me, "Well, if the Town will tell me the illegal apartments that they have, we won't send anybody there. Well, there shouldn't be any. If they know it, they would not have any illegal apartments. So I hear possible solutions that are not practical, but I don't hear of any possible solutions that we can deal with."

MS. VIZZINI:

The County does not -- these recipients, they are eligible for Public Assistance. They are finding their residents their apartments. The County is not placing them into these -- into these apartments or into these houses. They are eligible to receive financial assistance and that is what the County is providing.

LEG. EDDINGTON:

Right, but there's a network of people that help them find apartments in areas. You know, we all know where it is, you know, where it's located, pockets within Suffolk County that they basically go. They're not going on the North Shore. So what we're trying to say is we know where the problem is, but we have no ability legally to help solve the problem, and that's very hard to tell your constituents. You know, if this -- well, it's the State, it's the Town. It's a problem we're dealing with and this is one way. And I agree with Legislator Barraga, that maybe we should just get it out and debate it and get more feedback Tuesday.

CHAIRMAN MYSTAL:

Legislator Browning?

LEG. BROWNING:

Yeah. You know, like Jack said, I have dealt with this for the past two years and it is so frustrating. And we did have a situation where we had some DSS Inspectors go with the Town of Brookhaven; that got squashed because of confidentiality with DSS clients. I understand that they're not being placed. I know that they're looking for a place to live, and I understand that rather find a landlord who's a slumlord and living in substandard conditions than living in a homeless shelter. But, at the same time, we have too many of these landlords who are taking advantage of DSS clients, and we need to get a message to them that we're not going to allow this to happen, that they have to comply with Town laws, with Town codes, and they need to get that message that their homes have to come up to standard, so that they can live in decent conditions. They're just getting away with it. They're getting away with it every single day, and I'm seeing it. I see it every day.

The ambulance company calls me and they have told me there's one particular home that has been shut down also, they can't even get in. It's a family, I think there's approximately 18 to 20 people were living in this home and children that the grandmother was taking care of. The ambulance company was coming into this home because somebody in the home was OD'ing on drugs, and it's more than one occasion, and they couldn't even get the gurney in, because it was cubicled off. So, you know, what do we do? The Town is not allowed to go in because of confidentiality, the Fire Department can't get in, you know, the Fire Marshal can't get in to go and inspect the home, so now this family has to live like this until, God forbid, a fire or something happens. So, you know, we have to do something and we need to get a message to these landlords.

CHAIRMAN MYSTAL:

Thank you. Mr. Kennedy?

LEG. KENNEDY:

Mr. Chair, I'm just going to disagree in one respect with Counsel in that, again, unfortunately, I know far more about this now when it comes to a Social Service recipient family with a laid-off father and a sick mother and three sick kids out in the street in the middle of a snow storm. And, in an effort to go ahead and find them some emergency housing, as I had indicated before, the Department stepped up to assist, but I was left with getting on the phone at 5:30 at night screaming at a real estate agent to go ahead and fill out the DSS application packet for the new housing that they were attempting to find. So I don't say that we have no role in this, I don't say that we don't have some vetting in the first instance, and there is some actual review process.

Now, do I expect DSS to go ahead and be Building Inspectors? They can't be. They're hard pressed to go ahead and take care of the family needs that we have right now. But, once again, all of us have just said on the other side of the equation, we don't want to see people being forced to live in these rat traps that slum lords are slapping three meters on the side of the house with. And so we're struggling to try to go ahead and meet what we can with the power that we have. It's legal, I think we should move it. Let's go ahead, and we have a motion. Let's vote it out.

CHAIRMAN MYSTAL:

We have two motions, a motion to table by the Presiding Officer, which I seconded, and a motion to approve by Legislator Browning, and which was seconded by --

LEG. BARRAGA:

Second.

CHAIRMAN MYSTAL:

By Barraga? Who seconded that?

LEG. BARRAGA:

I did.

CHAIRMAN MYSTAL:

Okay. The motion to table takes precedence. All in favor of tabling the motion? One, two (P.O. Lindsay and Legislator Mystal). The motion to table is not successful. Motion to approve. Two -- I abstained on that motion. So it's four votes for the motion, one abstention.

LEG. LINDSAY:

I voted opposed to it.

CHAIRMAN MYSTAL:

And two, abstention, opposed, no, one no. The motion is approved.

(Vote: Approved 4-1-1-0 Opposed: Chairman Mystal Abstain: P.O. Lindsay)

I.R. 1001-08 - To implement Welfare to Work Commission Recommendations (Romaine).

I think we just heard from Dr. Kubick. I think they're working toward something. I think we need to table this. Is there a motion to table? I make the motion to table.

LEG. EDDINGTON:

I'll second it.

CHAIRMAN MYSTAL:

Seconded by Legislator Eddington. All in favor? No? Abstention? Motion is tabled.

LEG. BARRAGA:

I'm against the motion to table.

CHAIRMAN MYSTAL:

Motion to table, Legislator Barraga is against the motion to table.

LEG. KENNEDY:

I'll oppose the motion to table, too.

CHAIRMAN MYSTAL:

Motion is tabled. Two opposed. Motion is tabled. **(Vote: Tabled 4-2-0-0 Opposed: Legs. Barraga and Kennedy).**

I.R. 1020-08 - Authorizing execution of a Mutual Aid and Assistance Agreement for Epidemiology Disease Control during local disasters and other emergencies. Motion the approve by myself, seconded by Legislator Eddington. All in favor?

LEG. LINDSAY:

I have a question on this. Why are we going with a Mutual Aid, I mean, with Onondaga County? I mean, that's like 250 miles away.

MR. ZWIRN:

I think that's the precise reason why, in case there's a storm in this area, it may not affect a county that's that far away, so we can use their facilities.

P.O. LINDSAY:

I see.

MR. ZWIRN:

Otherwise, if it's too close, then we'd both be in the same situation.

P.O. LINDSAY:

Okay.

LEG. BROWNING:

Okay.

P.O. LINDSAY:

So we're trying to pick a brother or sister county --

P.O. LINDSAY:

Okay. That makes sense.

MR. ZWIRN:

-- a little bit farther away.

LEG. BARRAGA:

So it's mutual, back and forth?

MR. ZWIRN:

Yes.

LEG. BARRAGA:

Like severe snow storms, emergencies?

MR. ZWIRN:

Yeah.

LEG. BARRAGA:

I have a feeling Onondaga County will be using Suffolk County a lot more than reverse.

COMMISSIONER CHAUDHRY:

Yes, there's actually a voluntary agreement and it's required by New York State to have agreements like this in place with other counties, in case there is such an emergency, that all neighboring counties are suddenly occupied and you need assistance from somewhere. It's really for priority disease investigations. That's really what the assistance is for. So all counties are doing this all over the state.

CHAIRMAN MYSTAL:

Thank you. All in favor? Opposed? Abstention? Motion is approved.
(Vote: Approved 6-0-0-0). We have no other motion in front of us.

MR. ZWIRN:

Mr. Chairman, I just want to just put on the record that I did supply you, there are going to be -- we're going to be asking for five --

CHAIRMAN MYSTAL:

Oh, yes. I -- let me mention that. Let me mention that.

MR. ZWIRN:

-- Certificates of Necessity with respect to grants from the Health Department --

CHAIRMAN MYSTAL:

And I did pass it out.

MR. ZWIRN:

-- that are time sensitive, so they'll be before the entire Legislature on Tuesday.

CHAIRMAN MYSTAL:

I did pass that out to all the members of the Committee --

MR. ZWIRN:

Thank you very much.

CHAIRMAN MYSTAL:

-- so they could see it. Okay? Thank you. A motion to adjourn. All in favor? We are adjourned.

[THE MEETING WAS ADJOURNED AT 3:15 P.M.]