

## HEALTH AND 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, 725 Veterans Memorial Highway, Smithtown, New York on Thursday, May 6, 2010 at 2:00 p.m.

#### **MEMBERS PRESENT:**

Legislator Kate Browning, Chairperson  
Legislator Vioria Fisher, Vice- Chair  
Legislator John Kennedy  
Legislator Jack Eddington  
Legislator Tom Muratore

#### **ALSO IN ATTENDANCE:**

Presiding Officer Bill Lindsay  
George Nolan, Counsel to the Legislature  
Alicia Howard, Clerk's Office  
Craig Freas, Budget Review Office  
Ben Zwirn, County Executive's Office  
Greg Blass, Commissioner, SC Department of Social Services  
Dennis Brown, County Attorney's Office  
Ginny Suhr, Aide to Legislator Vioria-Fisher  
Josh Slaughter, Aide to Legislator Browning  
Kara Hahn, Aide to Presiding Officer Lindsay  
Susan Ekert, Aide to Legislator Nowick  
Diana Teta, PhD, Professional/Taxpayer  
Lois McLaughlin, Property Owner/Taxpayer  
John McLaughlin, Property Owner/Taxpayer  
Harvey Lutz, Property Owner  
Kathy Lutz, Property Owner  
Elaine Fieloman, Property Owner  
Carol A. Reith, Property Owner  
Louise Franza, Property Owner/Full-Time Resident  
Thomas Franza, Property Owner/Full-Time Resident.  
Jeff Weiser, Property Owner  
Mary J. Finnin, R.N., Professional Nurse and Taxpayer  
Steve Smith, Timber Ridge Organization, VP of Customer Relations  
Stephanie Weiss, Westhampton Resident  
Fran Kotin, Westhampton Resident  
Adrienne Wallace, Property Owner/Westhampton  
Dr. Karlyn Wood, Property Owner/Westhampton  
Harvey Unger, Property Owner/Westhampton  
Roberta Unger, Property Owner/Westhampton

Lorraine Newmeyer, Resident  
Thomas Buonomo, Property Owner/Westhampton  
Donna Buonomo, Property Owner/Westhampton  
Judy Berey  
David Berey

**MINUTES TAKEN BY:**

Lucia Braaten, Court Stenographer

**MINUTES TRANSCRIBED BY:**

Lucia Braaten, Court Reporter  
Kim Castiglione, Legislative Secretary

**[THE MEETING WAS CALLED TO ORDER AT 2:05 P.M.]**

*(The following was transcribed by Lucia Braaten, Court Stenographer)*

**CHAIRPERSON BROWNING:**

Good afternoon. We will start our Health and Human Services Committee, led with the Pledge of Allegiance, Legislator Viloría-Fisher.

***(Salutation)***

And if I could ask that you all remain standing. Last year I introduced a resolution to establish the month of May as Perinatal Mood Disorders Awareness Month. For many people, they don't -- this is something that is not widely recognized and respected. I'd like to give you a little bit of information.

Perinatal Mood Disorder is a real illness that affects at least one in every ten pregnant women, two in ten women after the birth of a child. Symptoms may include feeling sad, crying, sleep disturbances, appetite disturbances, overconcern, under-concern of a baby, feelings of guilt and worthlessness, feeling overwhelmed, unable to cope, ir -- I can't say that -- anger, loss of interest in things you previously enjoyed, fear of harming your baby or yourself. Post partum psychosis is a severe and rare disorder. One or two in every one thousand births can develop after having a baby. Symptoms usually occur during the first few weeks after delivery, and may include loss of contact with reality, confusion, seeing things or hearing things that are not there.

There are many women and children who have lost their lives to postpartum depression, postpartum psychosis. So I'd like a moment of silence in remembrance of these women and their children, and, also, that, hopefully, some day we will have more respect for this illness. And there's not much more I can say, but I think it is something that has not been respected, and I think there needs to be more awareness. So we are happy here at the Legislature to call today, this month, the Perinatal Mood Disorders Awareness Month.

***(Moment of Silence)***

Thank you. Okay. And before we begin with the cards, we do have a public portion. We have a presentation, but, also, Legislator Viloría-Fisher would like to make a statement.

**D.P.O. VILORIA-FISHER:**

Just very briefly, you know that many months are shared with different -- for different reasons, and this is also -- since 2005 in Suffolk County, May is Melanoma Awareness Month. And I just want to give you five bullet points to remember. Avoid outdoor activities between ten and four, when the sun's rays are the strongest, unless you're wearing protective sunblock or shade. Okay? Seek shade whenever possible. Wear a broad spectrum sunscreen with the sun protection factor of 15 or higher. Wear sun protective clothing and accessories, such as a wide brimmed -- such as wide brimmed hats and sunglasses, and follow the shadow rule. If your shadow is shorter than you are, the sun's damaging rays are at their strongest and you are likely to burn. The number of people who are contracting melanoma and dying from melanoma has been going up, and so we want people to be very aware. Make sure you teach your children how to be sun wise. Thank you, Madam Chair.

**CHAIRPERSON BROWNING:**

Thank you. So we'll begin with our cards. And talking about melanoma awareness, our first speaker is Kathy Liguori.

**MS. LIGUORI:**

Hi. Good afternoon. Oh, it's not on. Do you have to hold it?

**D.P.O. VILORIA-FISHER:**

You have to hold it.

**MS. LIGUORI:**

Okay. Good afternoon. My name is Kathy Liguori and I'm here today to talk about melanoma awareness. I, too, had my "May Day". Last November, I had been diagnosed with a Stage 2-C melanoma. After six hours of surgery, and then after two weeks of recovery, I found out that my melanoma was 4.15 millimeters in depth, and that I was going to need to see an oncologist to have adjuvant therapy of Interferon, which is a chemotherapy-like treatment where you may or my not lose your hair, you would be sick for a year, flu, fatigue-like symptoms, and pretty much can't function.

I then received a call two weeks thereafter as I was making a follow-up visit to my dermatologist, who originally found this on me, that he thought was an infected cyst, in fact, ended up being the melanoma itself and he was surprised. Found out that the pathologist at Stony Brook made a mistake, and that my depth was not 4.15, it was 2.2 millimeters, and it was great news, it changed my prognosis. I was happy about that, but when I saw the report, I also noticed that they made a typographical error about the size of my melanoma. They were supposed to send my melanoma for a Tumor Board review as an extra precaution. And I asked for my melanoma to be sent out again by another doctor, another pathologist, because I didn't have the confidence in it, in the report. It changed to a 2.2, with the -- actually, a 2.3, and the size was the same. I asked for the second opinions. I went back for my visit, went back for the board review, and it ended up that they never sent it out. And I was supposed to start my adjuvant therapy. I didn't have any confidence, of course, and ironically, right after that, that doctor appointment, I came here for the Welfare to Work Commission's press conference with County Executive Levy and Commissioner Blass, and everyone that was here. And if it weren't for Vivian -- Legislator Viloría-Fisher, I would not have known about the Colette Coyne Melanoma Awareness Foundation.

I just come before you because I wanted for melanoma -- for May to be Melanoma Awareness Month. I had no idea. I used tanning beds, and, by God, I really feel that that exacerbated the growth, the rapid growth of my melanoma. It was three weeks that it gained size. Again, I was very lucky. But this is a mayday, and you do have these awareness months, but I've been in the face of the Legislature so much advocating for so many things, and here I am today looking to ask for May to be Melanoma Awareness Month and it already was. Where was the public service announcements within the field, in the County? You're making these declarations and there's no information to be provided. I might not have gone through the traumatic experience that I went through. I may have found that it was a basal cell at that time. I don't know. But I just want -- if we're going to declare awareness, we need to make the public aware. And the tanning beds, we need to protect the constituents. Thank you.

**D.P.O. VILORIA-FISHER:**

Thank you, Kathy.

*(Applause)*

**CHAIRPERSON BROWNING:**

Yeah, Legislator Kennedy.

**D.P.O. VILORIA-FISHER:**

Kathy, come back.

**LEG. EDDINGTON:**

I'm the other Jack.

**CHAIRPERSON BROWNING:**

What did I say?

**D.P.O. VILORIA-FISHER:**  
Kennedy.

**CHAIRPERSON BROWNING:**  
The other Jack.

*(Laughter)*

**LEG. EDDINGTON:**

Kathy already chastised me for my suntan. And I want to tell you that Harvey Weisenberg, the New York State Assemblyman, has been fighting to get dating on the sunblock, because I bought CVS 60 sunblock and got sunburn, which should have never happened. And my contention is that it probably was sitting on the shelf for two or three years. So that we have to all start advocating to support him, because I, having had a -- I had a malignant melanoma removed. I got my 14-inch scar across my back in 2000. And I thought getting a 60 block, going on, white paste, on my face was enough, and I'm willing to bet that it was not -- because it's not dated in New York, it probably was sitting on the shelf when I bought it for years. So that's another thing that maybe we could get together and start supporting that legislation.

**MS. LIGUORI:**

There is a walk on the 15th, it's a week from this Saturday, in Eisenhower Park. I realize that it's not -- in Nassau County, but I'm going to run for my life, and I'd like for all of you to join me, if you can. You can walk, but we need to raise the awareness and we need to bring this foundation here, and we need to walk our -- or walk our talk. If we're going to make it awareness, we need to raise the awareness.

**D.P.O. VILORIA-FISHER:**

Kathy, I just wanted to mention that my office did put out a press release, but sometimes you just can't control what the media puts in their papers, you know. And we did put out a press release that it was Melanoma Awareness Month, and, you know, you can't control what they put in the papers. And, actually, and the hero in helping you was Colette Coyne, when I -- I introduced you to Colette Coyne and she brought you to the right people, so -- and I'm glad about that. It's good to see you.

**MS. LIGUORI:**

Thank you. And I understand, I've met the new Commissioner of Department of Health, and perhaps that this is something that we can initiate with him in getting the awareness out, so thank you.

**CHAIRPERSON BROWNING:**

Thank you, Kathy. And the next card -- next card is Diana Teta. I think I said your name right. I'm sorry if I didn't.

**MS. TETA:**

It's close enough. I just want to thank the Committee and the Chair for allowing me this opportunity.

**P.O. LINDSAY:**

Press the button.

**MS. TETA:**

Oh, God. Okay. For this opportunity to speak before them on the John J. Foley Center.

**CHAIRPERSON BROWNING:**

You have to hold it down.

**MS. TETA:**

Oh, harder? Okay. I support the sale of the John J. Foley Center, and it should be turned over to people with the appropriate expertise in running such a facility.

I attended a meeting in Riverhead, chaired by Presiding Officer Lindsay. I'm sorry, I don't remember the date. But after hearing the hospital staff testify, one could get the impression that John J. Foley was Shangri-La or one big happy Walton Family made up of staff and residents in this kind of tender loving care atmosphere, yet, in May -- I'm sorry, my dates may not be accurate. Yet, in May 2009, I hear the facility is fined \$5,000 a day and placed in immediate jeopardy. I think there were seven to eighteen findings. For example, there were 60 smokers without supervision. And I had this fantasy of an MS patient or someone with Alzheimer's smoking in bed, and I'd like to know what was the total fine paid; I heard \$300,000. Yet, I also hear another story of a patient, and I don't know if this is true, that calls the State somewhere in November or December to complain about the food. The Health Department returns and finds no change in dietary policy or procedure for over 20 years. There has been no menu analysis for over ten years. They want a plan of direction -- correction, and I don't even know if that has happened, because in the summer of 2009, I hear stories of significant weight loss, as much as 20 to 30 pounds in some patients. Someone explains to me that bad nutrition also causes the breakdown of the skin, producing bed sores. I wonder if anybody ever looked at the increase in bed sores.

I hear in September 2009 the Financial Manager suddenly quits. I hear the person who orders supplies is let go or leaves, and that there may even be a stop order on supplies. Over time, staff I think has dropped from four-hundred-something to two-hundred-something, and I wondered how does that affect patient care and staff morale when no one's replaced and you just may be reassigned? So I called the hotline and they tell me, "Oh, sorry, there's no law on the books that dictates staff-to-patient ratio." I would have to have hard-core data that proves --

**CHAIRPERSON BROWNING:**

Mrs. Teta, can you finish up? We're -- your time is up.

**MS. TETA:**

Okay. Three minutes went so fast.

**D.P.O. VILORIA-FISHER:**

When you're having fun.

**MS. TETA:**

Proves that neglect is happening. So I wonder like how many -- what's the staff proportion of Alzheimer patients? How many are really young patients between 45 and 65? I don't want to paint workers with the same brush, but I do know, from being a New York State what I call "silly servant" for 20 years, there's some law of unintended consequences where the dynamics of bureaucracy, unions and working staff interact eventually in a long-term negativity. So, for example, an LPN, and this is in John J. Foley --

**CHAIRPERSON BROWNING:**

Okay. Can you finish up?

**MS. TETA:**

Oh, I'm trying.

**CHAIRPERSON BROWNING:**

Your time is well past. You really need to finish up.

**D.P.O. VILORIA-FISHER:**

She could submit her statement.

**CHAIRPERSON BROWNING:**

You can submit your statement, and Legislator -- actually, Legislator Lindsay has a question for you.

**MS. TETA:**

Okay.

**P.O. LINDSAY:**

Madam, first of all, a lot of -- I don't know where you got all this information from. I don't believe a lot of it is correct, but I will be very happy, if you give me that, that we will get you the accurate numbers of anything that I don't know off the top of my head. I can tell you unequivocally the fine from the State Health Department was nowhere near \$300,000.

**MS. TETA:**

All right. That --

**P.O. LINDSAY:**

Just let me finish. Let me finish. Last year it was a smoking facility. There was a smoking room on the fifth floor. And it is true that the Health Department came in and found that there was too many people in that room and did issue violations to us. The course of correction is now, like many other nursing homes in Suffolk County, has turned into a smoke-free facility, because that's the direction that the State Department of Health is pushing everybody.

The staffing levels, there is 262 patients or beds, of which, depending on the day, we're about 95 to 98% full. The ideal ratio is, I think, one to one, one employee to every patient. Our staff levels there are 258, so we're very close to the ideal ratio. To my knowledge, we've never had 400 employees there, to my knowledge. But if you get me all those detailed questions, we will get you the exact answers.

**MS. TETA:**

Okay. Thank you.

**CHAIRPERSON BROWNING:**

Okay. And you can submit with the Clerk here. And we thank you for your coming out to speak to us. Next is Margaret Bolton.

**MS. BOLTON:**

Hello. My name is Margaret Bolton. I reside in Bellport, and have been employed as a CNA at John J. Foley for fourteen years.

The County Executive still seems to be at his old tricks. He wants John J. Foley sold. Does it hold bad memories for him, or is there hidden treasure at John J. Foley? Each passing day is becoming more and more stressful for myself, my family, my fellow coworkers, and, most importantly, the residents at John J. Foley, not knowing when and if they are going to be evicted. Please, take into consideration that a lot of the residents at John J. Foley were once employed and retired in Suffolk County, paid taxes in Suffolk County, voted in Suffolk County, owned and lived in homes in Suffolk County, and gave it all up for a room, which is now called "home" at John J. Foley in Suffolk County.

For some of them, we are their family, their friends, their brains; we think for them. Their voices; we speak for them. Their eyes; we see for them. Their ears; we hear for them. Their arms; we feed them, and their legs; we walk for them. They depend on us. All they're asking for is a chance. I forget, a con man deserves a second chance, but not a resident or employee of John J. Foley. So the key to solve Levy's problem would be to sell John J. Foley. Well, guess what. A lot of the employees own their own homes. Foreclosure in Suffolk is already up at 8.9%. Imagine what it's going to be at when we lose our houses. Who's going to pay those taxes? Well, Levy has all the answers, at least he thinks so. So my question is, do we have to play cons or be conned to save John J. Foley.

*(Applause)*

**CHAIRPERSON BROWNING:**

Thank you, Margaret. Next is Fran Kotin. Fran Kotin or Koetin, I'm not sure.

**MS. KOTIN:**

I'm Fran Kotin. I'm a resident at Westhampton Pines, and we have had a sex offender trailer in our backyard for the last few years. When any of us bought our homes there, we weren't aware of the fact that it was there, but that's "buyer beware" and we understand that. Well, we all know what NIMBY is, but we've had it in our backyard for a long time, and we've dealt with the concerns and the worries, worries about our daughters, ourselves, our granddaughters, our grandsons, and, yet, these people lived in a trailer 90 feet from our backyards. We spend \$150,000 a year on a gatehouse and guards in a gated community with very expensive condominiums, and, mind you, we also vote in this County, too, and we pay very good taxes in this County, and we don't feel like we deserve that -- that we deserve to have another trailer larger than the one that was there. The new trailer came in two nights ago, under cover of night. It wasn't brought in during the day where all could see, it was brought in at night when nobody could notice. Okay?

So we're in a gated community, but these sex offenders are living in a trailer, or are going to be living in a larger trailer now, that's right through the trees. There is nothing to keep them out of our community, just some trees. There's a small fence; they could walk around it, the fence does not go down to the road. So what is the point of an expensive gated community when sex offenders who need to be supervised can walk right into our backyards? They can walk into our pool area. We have no idea who's there. They can say they're landscaping, we have no idea if they are or they're not. People who work on the property do not have uniforms because they do not work for us, they work for subcontractors. We're also a construction site. They could claim to be any one of a million tradespeople. We have no idea who they are.

NIMBY, we all know what that is, now it's time to put it in somebody else's backyard, and don't let them occupy that trailer.

*(Applause)*

**CHAIRPERSON BROWNING:**

Okay. Next one is Steven Smith, and after Steven Smith is Mary Finnin.

**MR. SMITH:**

Good afternoon. My name, again, is Steve Smith. I'm a representative of the Timber Ridge Organization. We're responsible for the development and construction of Westhampton Pines, which is the community that was just spoken about directly adjacent to the sex offenders residence. I'll keep my remarks brief.

First of all, I want to thank you for the opportunity to speak. We take pride in the fact that we've built a community that's inviting and enjoyable to our residents, as well as their families. We have worked hard to develop relationships and bonds within the community and the town. We took an area that was once a drag strip racetrack and converted it into a place where people want to live. Given the extremely close proximity of the proposed additional sex offenders residence, we feel that there is a tremendous devaluation of not only the land that Timber Ridge owns, but also of the properties that are owned by the current residents of Westhampton Pines.

I have some pictures here that I would like to -- I don't know if I can give these to the secretary. These pictures actually show some of the views, what it would look like out the back window of future residents of Westhampton Pines, and how close these sex offenders' trailers really will be to the homes. In some places -- some cases, as close as 44 feet from the back of the actual home.

We understand that there are always objections to overcome when selling homes within any community. We feel that given the sensitivity of this situation, that this objection is nearly impossible to overcome. As a developer, we're currently under no obligation to enclose the community with a privacy fence of any kind, per the Town, but although we're not obligated, we are currently in the process of looking at that potentially. The addition of a permanent barrier would not only come at a huge price tag to us as the developer up front, but also would burden the homeowners in the form of maintenance and upkeep. Based on all of these reasons, we strongly oppose the addition of this residence to house these sexual offenders.

**CHAIRPERSON BROWNING:**

Okay. Mr. Smith, Legislator Eddington has a question for you.

**MR. SMITH:**

Yes.

**LEG. EDDINGTON:**

Yeah. Could you tell me, were you aware of the sex offender trailer there when you built this community?

**MR. SMITH:**

There's a little history. We were aware that the current -- that the current sex offender trailer was in place.

**LEG. EDDINGTON:**

That's a yes, right?

**MR. SMITH:**

Yes.

**LEG. EDDINGTON:**

Okay. I just want -- that really was my question, if you were aware --

**LEG. SCHNEIDERMAN:**

It was not there when this -- wait a second. It was not there when this facility was built. The trailer has been there for three years. This facility has been there for about seven years, right?

**LEG. EDDINGTON:**

Well, I appreciate you jumping in.

**CHAIRPERSON BROWNING:**

Hold on.

**LEG. EDDINGTON:**

But I actually had asked this gentleman a question. I'm not making a judgment on whether it should be or shouldn't be there. I'm trying to make sure I get -- we get a lot of misinformation here. I want to make sure I understand all the aspects, and that's why I'm asking you this question, was it there when you built the community, that's all I'm asking.

***(Negative Response From the Audience)***

**CHAIRPERSON BROWNING:**

Okay. We can't call from the audience. I know we do have --

**LEG. EDDINGTON:**

Yeah. You know, I know that they brought in another trailer so that you could -- the offenders could do showers and all, I understand that, but I'm just saying there was a trailer there, and when you

built this community, the trailer was there.

*(Negative Response From the Audience)*

**MR. SMITH:**

Can I expand on that for a second?

**LEG. EDDINGTON:**

Yeah, sure. I just --

**MR. SMITH:**

Okay. Timber Ridge Homes recently, January 1st of 2009, acquired the assets that were once Pulte Homes' assets. So when Pulte Homes originally built the community it was not in place. However, when Timber Ridge Homes acquired Pulte's assets, we were aware that it was there. So the original residents did not have that knowledge, but Timber Ridge Organization did.

**LEG. EDDINGTON:**

And I guess you've been informing the residents as they now get involved that this is the case?

*(Negative Response From the Audience)*

**MR. SMITH:**

We, as the developer, disclose any information that is requested of us.

**LEG. EDDINGTON:**

Oh, so if they don't ask, you don't tell.

*(Affirmative Response From the Audience)*

I mean, I know there's a large community here. I want to make sure what have they gone through, because it's been there, obviously not people -- it wasn't there when the original group bought in, and you're here saying that it shouldn't be there. And, yet, if you sold people homes and you knew it was there, it doesn't sound like you should be standing there complaining to us. I don't know, maybe I'm not seeing it straight, but --

**MR. SMITH:**

I don't feel that I'm complaining by any means, I'm just -- I feel like I'm trying to act in good faith on behalf of the residents, as well as the organization.

**LEG. EDDINGTON:**

Well, good faith would have been to inform the people, "By the way, before you sign, there's a sex offender trailer 40 feet," or whatever you said.

**MR. SMITH:**

The area that I'm speaking of has not currently been purchased by anyone at this point. I'm sure that as that comes to bear, that question will be asked and we will answer truthfully.

**LEG. EDDINGTON:**

Let me put it this way: I'm sure that you'll inform them. Can I make that assumption?

**MR. SMITH:**

Absolutely.

**LEG. EDDINGTON:**

Okay. Thank you very much.

**CHAIRPERSON BROWNING:**

Okay. I think that's it. Thank you, Mr. Smith. Mary Finnin, and the next one will be Roberta Wagner, I believe -- Unger.

**MS. FINNIN:**

Good afternoon. I'm happy to be here today. First, I want to say that today is May 6th. It's the beginning of National Nurses Week, May 6th through the 12th. And I want to commend all the nurses in Suffolk County for the great work they have done and continue to do 24/7 in providing quality nursing care to the residents of Suffolk County. That being said, I'm sorry to be here today to have to speak on an issue of removing nursing care services in Suffolk County.

I am opposed to the sale of the John J. Foley Health Center -- Nursing Care Center, and I'm opposed to any hearings being held before the public have all the information about who this new vendor is that the County Exec wants to sell to, what's the real property value, and what's the cost benefit ratio budget-wise. I believe follow the money, because that's all we're really talking about with the County Exec, he's not looking at quality care, so follow the money. And I want to know, what's the cost benefit ratio in the big picture of selling this facility, which is available to us in disasters, in emergencies. It had to be used when there was flooding out on the west end and patients had to be moved from another nursing facility there, if we have any kind of a disaster. It is a resource for the County that we own and operate and can use on the East End.

Also, you know, while you're selling that, there's other costs that go into it. I don't know what the real net value is. There is certainly a cost to the County when we lose employees. They're now out of work, they can't take care of their families, children, pay taxes, etcetera. But, in the meantime, the same County Exec wants to spend 20 million on buying the IRS building, he wants to buy a State/County building down there in the Court Complex that us taxpayers already paid for through the State. And, you know, this just doesn't make any sense to me. When you look at what he wants to purchase, I don't think safety trumps health. We have a beautiful facility, you know, down on the corner being built, you know, for police services, and we have a jail that's going up that's going to be state-of-the-art, but the people that are the residents and are here that need our care, you know, are put in jeopardy with these -- this legislation.

So, you know, I just want to speak to that. I don't think there should be hearings until the public has all the information and the Legislature has all the information, and not to do it just to appease the County Exec. Thank you.

*(Applause)*

**CHAIRPERSON BROWNING:**

Thank you, Mary. And, Mary, when I mentioned earlier about post partum depression, in Europe, they use nurses to help women with post partum depression with home visits. That's something I would love to see you guys doing some day. Thank you.

**LEG. EDDINGTON:**

I think I had that by proxy.

**CHAIRPERSON BROWNING:**

Actually, men can have post partum depression.

**LEG. EDDINGTON:**

Absolutely.

**CHAIRPERSON BROWNING:**

Roberta Unger.

**MS. UNGER:**

My husband and I are full-time residents at Westhampton Pines. We originally bought our condo from Pulte and we were never informed that there were sex offender trailers on the property, or right next to the property. We have four granddaughters, ages eleven, eight, six and three years old. Our grandchildren come to visit every weekend and we're frightened and we fear for their safety, as many of the residents in the community are. These are sex offenders. They can -- these convicted sex offenders cannot and should not have more rights than innocent people. They also should not be released into the general public under the guise that they've done their time and now are model citizens. Would you want them in your backyard as your neighbors?

Mr. Schneiderman and Mr. Romaine, we implore you and we support any effort that you deem necessary to move these predators and their trailers out of our community and to a suitable location away from children and senior citizens. We've worked hard and we've also paid our dues in order to live in our community, and we will continue to work hard to keep our community safe for all.

Thank you for your consideration, and, please, keep fighting on our behalf. Do not allow the expansion by putting more trailers and more sex offenders where innocent people are. And, certainly, not informing anybody, you're violating Megan's Law.

*(Applause)*

**CHAIRPERSON BROWNING:**

Mrs. Unger, can I ask you a question?

**MS. UNGER:**

Sure.

**CHAIRPERSON BROWNING:**

Where -- could you tell me where the violation is under Megan's Law?

**MS. UNGER:**

By not telling the people when they buy that there's no -- I don't know.

**CHAIRPERSON BROWNING:**

You need to go on the mic.

**MS. UNGER:**

I can't speak for Timber Ridge because I didn't deal with Timber Ridge, but Pulte never said anything at all.

**CHAIRPERSON BROWNING:**

That's not a violation of Megan's Law. Megan's Law does have a registry, and if you go on the Parents for Megan's Law registry and you put in your zip code -- I actually have Westhampton on here right now. Megan's Law website does have that -- the one sex offender that is registered in Westhampton --

**MS. UNGER:**

That's one --

**CHAIRPERSON BROWNING:**

-- is on the website.

**MS. UNGER:**

One person?

**CHAIRPERSON BROWNING:**

According to the Megan's Law website, there's one sex offender in Westhampton and he currently lives at the trailer.

**MS. UNGER:**

But there are many more there now and there will be coming.

**CHAIRPERSON BROWNING:**

There's none there right now besides one.

**MS. UNGER:**

Okay. But they did bring in another trailer.

**CHAIRPERSON BROWNING:**

I believe they're moving that trailer. We'll talk to the DSS Commissioner --

**MS. UNGER:**

Please do.

**CHAIRPERSON BROWNING:**

-- at some point, but I believe the other one is going to be moved.

**MS. UNGER:**

Thank you.

**CHAIRPERSON BROWNING:**

But that -- and like I said, I think for everybody, I represent the Third Legislative District, the Shirley/Mastics community, Gordon Heights, Bellport. Talk about dumping, in the zip code that I live in, we have 25, so --

**MS. UNGER:**

All in one concentration?

**CHAIRPERSON BROWNING:**

In one zip code.

**MS. UNGER:**

One zip code, but not one concentration.

**CHAIRPERSON BROWNING:**

In your zip code, there's one.

**MS. UNGER:**

But there will be more if these trailers are left there.

**CHAIRPERSON BROWNING:**

Well, I'm just letting you know, right now, in the Westhampton zip code, there's one sex offender and --

**MS. UNGER:**

They're right next to us.

**CHAIRPERSON BROWNING:**

They're right next to me, too. I understand, and I'm not -- I'm not trying to undermine what you're trying to tell me, I sympathize with each and every one of you because I'm a parent of a 14-year-old -- sorry, 15, he just turned 15. It is an issue for all of us. It's not -- it's not something

that any of us want to trivialize that there's a sex offender near any of us. But Legislator Eddington and myself, we share Gordon Heights, and, you know, that -- it is an issue for all of us, and when you want to talk about dumping, it's a problem.

**MS. UNGER:**

Can I just say one thing? How is the builder supposed to complete his job of building the rest of the condominiums? No one will buy in that community and the value will go down.

**CHAIRPERSON BROWNING:**

Well, I think it's important for the builder to have a "buyer beware". And I think the gentleman's here today and I'm sure that -- I would like to think he will do that. But, according to Megan's Law, Megan's Law does not require your builder to notify.

**MS. UNGER:**

No, not your builder, but to be aware of what's in your area, I guess that's my --

**CHAIRPERSON BROWNING:**

Right, right. Legislator Eddington.

**LEG. EDDINGTON:**

Yeah. I just wanted to inform you, and I empathize with you completely, we had 27 sex offenders on two blocks in Gordon Heights, so talk about concentration. But I hope you're aware that I had sponsored legislation and it was approved by the people on this Legislature, to require these people to wear GPS technology. And, also, the Presiding Officer has legislation out to find places equally distributed through the County. So that we do understand your concern and we are trying to deal with it. I don't want you to think we're not. We're just saying that we haven't come up with a solution, so -- but we aren't giving up, we are going to continue shooting arrows at that target. And if we could get them distributed equally and have them on GPS, I think then we'd hit a home run.

**MS. UNGER:**

There's so much undeveloped land, that they don't have to be right on top of --

**LEG. EDDINGTON:**

Listen. I have a -- I love -- the Texas oil rigs would be a great spot in my -- so thank you.

**MS. UNGER:**

You have my vote.

**LEG. EDDINGTON:**

But we are definitely working on it. Please share that with your community.

**CHAIRPERSON BROWNING:**

Thank you. Next, I guess I overlooked Mr. --

**LEG. SCHNEIDERMAN:**

Kate.

**CHAIRPERSON BROWNING:**

Oh, I'm sorry. I'm sorry, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Okay. First of all --

**CHAIRPERSON BROWNING:**

You have a question for --

**LEG. SCHNEIDERMAN:**

I did, but let me -- she sat down. But these people were told that this trailer --

**CHAIRPERSON BROWNING:**

Okay.

**LEG. SCHNEIDERMAN:**

If I might.

**CHAIRPERSON BROWNING:**

Well, no, hold on a minute. We are going to be on the bill. If you have a question for the --

**LEG. SCHNEIDERMAN:**

Then bring her back up and I'll make it in the form of a question. This happens to be my District --

**CHAIRPERSON BROWNING:**

Right.

**LEG. SCHNEIDERMAN:**

-- that is being dumped on with all these individuals and I deserve a right to speak.

**CHAIRPERSON BROWNING:**

Jay, we all know about being dumped on. Don't tell me you're getting dumped on.

**LEG. SCHNEIDERMAN:**

You know, but there is a difference there, Legislator Browning, because in your situation, yes, you have a concentration of people who have chose to live in that area who are sex offenders, but these people are homeless sex offenders who are being brought out to this community by the County. They didn't choose to live there, they're being collected --

*(Applause)*

-- transported from throughout this County and dumped into this community, as well as by the jails.

**CHAIRPERSON BROWNING:**

Okay. You have a question for Mrs. Unger?

**LEG. SCHNEIDERMAN:**

Okay. Well, I want to -- I wanted really to make that distinction. So were you aware of that? Thank you. That's my question.

**MS. UNGER:**

No, I was not.

**CHAIRPERSON BROWNING:**

And I'll respond to your statement later. Mr. Franza.

**MR. FRANZA:**

Thank you. I don't think you need the microphone to hear me. I can use it, if you want.

**D.P.O. VILORIA-FISHER:**

We need you to use it.

**CHAIRPERSON BROWNING:**

It's in the recording.

**MR. FRANZA:**

I just handed him, the gentleman, what my notes are. I'll skip the first paragraph, it's already been covered.

The pride of democracy attests to the value and the work of each citizen. It is a form of government where all are created equal, where each person has merit and value, and, hopefully, one with equal responsibility, without favoritism, preferential treatment, bias or discrimination. And, yet -- and I am a resident of the Town of Southampton, the Township of Southampton, the Town of Westhampton, and, yet, we, the citizens of Southampton Township, have been asked to shoulder a burden, and, yes, I use the word "burden" deliberately, of maintaining a residence for homeless individuals who have previously been found guilty of being sex offenders.

Currently there are two domiciles for these men, one is in Riverside on the grounds of the County Jail, a short 20-minute walk to the Riverhead schools. The other is in Westhampton, adjacent to a 55-and-over community, one with numerous grandparents fortunate enough to have grandchildren who come to visit, and also a comfortable stroll to the Westhampton Beach schoolyards. My question is this: Why is Southampton the victim of such singular treatment? Suffolk County is divided into ten Towns; Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southold and Southampton. Ten towns, yet only one called upon to bear the burden of all. Ten Towns, yet only one whose citizenry has been coopted to live in uncertainty and fear. Ten Towns, yet only one chosen for individuals convicted of heinous actions to be selectively gathered into a communal society. Ten Towns, yet only one condemned to deal with the disproportionate degree of responsibility.

I fully realize that the placement of these individuals is not an easy task, that as elected officials you are faced with the onerous duty of finding a solution to an almost impossible situation. But this is not why you originally ran to office; to tackle the really tough jobs, to find the answers when others felt there were none. I call upon you -- no, I challenge you. Do not choose the easy way out by just dumping the problem into the laps of residences, backyards and an unfortunate few. Instead, no matter how difficult the charge, search for an equitable solution, one that is shared by everyone in the County, not just the beleaguered residents of Southampton Township. Thank you.

*(Applause)*

**CHAIRPERSON BROWNING:**

Okay. Don't go anywhere. And I will say there are three registered sex offenders in Southampton. Are you aware of that?

**MR. FRANZA:**

I am concerned with the ones who are being assigned to these residences, okay?

**CHAIRPERSON BROWNING:**

Okay.

**MR. FRANZA:**

I am not concerned with -- I am concerned with sex offenders, of course. Those who choose to live wherever, it is a free society, we cannot have any control over that. My concern is where they are being delegated to live.

**CHAIRPERSON BROWNING:**

Well, when it comes to placement of sex offenders, we don't necessarily know that the three that are in your District were not placed there, because many of them are on parole, which is where I have the problem, is the ones who are placed in my District by Parole. So they do not always choose to live in a certain community, sometimes they are placed by a law enforcement agency, which is a problem, but --

**MR. FRANZA:**

You have my condolences and my sympathies on that. My concern --

**CHAIRPERSON BROWNING:**

Well, you may have the same problem in Southampton with those three.

**MR. FRANZA:**

Yeah. My concern is that the Town of Southampton is the only -- the Township of Southampton is the only one that has been given the gift of the trailers.

*(Applause)*

**CHAIRPERSON BROWNING:**

Legislator Lindsay.

**P.O. LINDSAY:**

I'll phrase this as a question to comply with our rules, but on the agenda today is I.R. 1399, which I'm the sponsor of, and it agrees with a lot of the concepts. Up until now, what you said is absolutely true, the housing of homeless sex offenders seemed to be a problem with no solution. What this bill would do would be -- the concept is to locate -- to put these people in shelters with 24/7 security, because I believe that these people are never cured if this is declared an infirmity. I believe they should be watched all the time, that they be in nonresidential settings, and that they be spread around the County, so that the burden doesn't fall on all -- on one town or one community.

**MR. FRANZ:**

Thank you.

**P.O. LINDSAY:**

So those are the concepts in the bill. I hope my bill gets out of committee today and gets to the full floor for a vote on Tuesday.

**MR. FRANZ:**

I noticed the bill, 1300-2010, 1399-2010 that you referenced, and 1502-2010 that are all on the floor for today.

I might add as an aside, I have been informed -- I trust my source impeccably, that numerous sex offenders, or people who were believed to be sex offenders, were congregating by the Pulaski Street School. That one is -- it's outside the one-mile limit from the Riverside Complex, it's 1.1 miles. It takes about 15 minutes to stroll there.

**P.O. LINDSAY:**

But our local --

**MR. FRANZ:**

You're putting -- you're putting in a candy store, which --

**P.O. LINDSAY:**

Let me just say this to you: Under our Local Laws, there's a residency requirement for sex offenders, there's also a requirement that they not congregate around schools or playgrounds. If they are actively on probation, they are -- they have a GPS device on them, and there's a realtime tracking.

**MR. FRANZ:**

Good.

**P.O. LINDSAY:**

And that -- if it's discovered what you say is true, it could be cause for violation of their probation and they could be sent back to jail.

**MR. FRANZ:**

That would be wonderful. Thank you.

*(Applause)*

**CHAIRPERSON BROWNING:**

Thank you. Next is Karlyn Wood.

**MR. WOOD:**

Yes. Good afternoon. I'm also --

**CHAIRPERSON BROWNING:**

You need to hold the button.

**D.P.O. VILORIA-FISHER:**

At the base.

**CHAIRPERSON BROWNING:**

When you see a light on, that means it's working. You have to keep your finger on it.

**MR. WOOD:**

Oh, okay. Sorry. Oh, I have to keep my finger on it all the time. Okay.

Yes. My name is Karlyn Wood, I also live in Westhampton Pines. My wife and I bought our home in the summer of 2008. And, again, I want to amplify, we were not either told by the Pulte Builders that there was a sex offender trailer. In fact, later, after we learned there was one, I inquired at the office of Timber Ridge whether there really was and I was told they didn't know.

The real problem is having people who are so easily -- who can so easily get into our area. All they have to do is walk in, there's no barrier whatsoever. All of us -- most of us have grandchildren and they do come on the weekends and in the summer, they're at the pool. We don't know for certain when someone comes into our pool area with someone else if they are legitimately there, or if they might be someone from one of those trailers. Sex offenders are very, very clever at corralling children. They can separate one child very quickly and be off in no time. This is well-known, and so I really urge you to look at this situation again. The distinction between sex offenders and the general public spread around who live in their own homes and those who are concentrated because they are homeless people in trailers next to schools or adult communities is untenable and it should not continue. You need to do something about it. Okay. Thank you.

*(Applause)*

**CHAIRPERSON BROWNING:**

Thank you. Let me ask you a question real quick. Legislator Lindsay just mentioned about his resolution and to create facilities throughout the County so that not one community is burdened. Would you object to the trailer if there was facilities throughout the County in all ten Towns?

**MR. WOOD:**

Yes, I would object to that. I don't like the idea of trailers. It concentrates them. No matter how many you have, they're concentrated, rather than living maybe one on this street and one on the next street.

**CHAIRPERSON BROWNING:**

No. I'm saying, if -- for the homeless sex offenders, if every Legislative District was to have a facility for homeless sex offenders, no more than six in every Legislative District, would you object to that if the Westhampton one was in your District?

**MR. WOOD:**

Yes, I would.

**AUDIENCE MEMBER:**

Yes. We paid our dues.

**MR. WOOD:**

Yes. I don't want them next to our property.

**CHAIRPERSON BROWNING:**

Thank you.

**MR. WOOD:**

Thank you.

**CHAIRPERSON BROWNING:**

I got my answer.

**MR. WOOD:**

Okay.

**CHAIRPERSON BROWNING:**

Okay.

**LEG. SCHNEIDERMAN:**

If I may.

**CHAIRPERSON BROWNING:**

Next is -- oh, okay. Legislator --

**LEG. SCHNEIDERMAN:**

Well, I will --

**CHAIRPERSON BROWNING:**

Sorry.

**LEG. SCHNEIDERMAN:**

I will point out to you, and I'm not sure if it's in the current version of the Presiding Officer's bill, but there was discussion that the sites would be in nonresidential areas, that they would be more in industrial sites. And this site is a hundred feet, I think, to the nearest door in 200-plus units of residential housing. So I can't see any site selection committee that a site like yours would qualify under a test that was looking for more industrial nonresidential sites.

**MR. WOOD:**

Oh, okay. I understand.

*(Applause)*

**CHAIRPERSON BROWNING:**

Legislator Muratore.

**LEG. MURATORE:**

No. Stay up there, please, if you would, sir. Sir, I just have three questions to ask you.

**CHAIRPERSON BROWNING:**

Legislator Muratore has a question.

**LEG. MURATORE:**

And you can just answer yes or no. I'm not really sure where this is. Is this located next to the Police Range?

*(Affirmative Response From Audience)*

**LEG. MURATORE:**

Is it located next to the impound area where all those rusted, leaking vehicles are polluting the groundwater and everything there?

*(Affirmative Response From Audience)*

**LEG. MURATORE:**

Is that located -- boy, you really got -- you drew a short straw.

**MR. WOOD:**

Yeah.

**LEG. MURATORE:**

And, also, EMS, Emergency Service has their bomb disposal pit there also. So I guess in the summer, you go through a lot of gunshots, a lot of explosions and --

**MR. WOOD:**

Oh, yes, all year-round and on through the night.

**LEG. MURATORE:**

I mean, I guess it's a Town issue, but that they would approve a site plan like that next to an area like that, you know. And so you should know also, I worked out there for a lot of years as a Firearms Instructor, and once in awhile that area catches on fire, too. So, just to put that in your pen, too, okay?

**LEG. SCHNEIDERMAN:**

That makes them feel better.

*(Laughter)*

**CHAIRPERSON BROWNING:**

I think the Town approves the building of that. They're the ones that approve the permits, not the County, right?

**LEG. MURATORE:**

That's what I said. I said it must have been -- you know, how the Town approved that.

**CHAIRPERSON BROWNING:**

Right, right.

**LEG. MURATORE:**

That kind of, you know, conflicts next to -- in that area. I mean, whoa.

**CHAIRPERSON BROWNING:**

Okay.

**LEG. MURATORE:**

And they looked -- I mean, I was there when they started building them and they look really nice, but I don't know about living next to the Firearms Section.

**CHAIRPERSON BROWNING:**

John, did you have a question? No? Oh, okay. I thought you did. Okay. Next speaker, Dot Kerrigan.

*(Shouting From the Audience)*

**D.P.O. VILORIA-FISHER:**

No, please.

**CHAIRPERSON BROWNING:**

Next speaker, Dot Kerrigan. And after that is Stuart Agranoff, I think.

**MS. KERRIGAN:**

Thank you. Good afternoon. My name is Dot Kerrigan and I'm here to speak about the proposed sale of John J. Foley.

The proposed -- if the proposed public hearings constitution attempt -- constitute an attempt to satisfy the Public Hearing requirements of the Mary Hibberd Law, this attempt fails deplorably. The Mary Hibberd Law establishes mandatory procedural prerequisites that must be followed before an initiative such as the proposed sale of John J. Foley can be considered. All tolled, there are 17 mandated conditions. These include the submission of a formal proposal to the County Legislature accomplished -- accompanied by documentations and reports, including a written evaluation and cost and quality analysis, a report identifying expenditures for services under the proposal, a comparison of the proposed level of services to the current level of services, a statement from the New York State Department of Health approving of the proposal and outlining the proposals impact on subsequent State Aid, and written certification from the BRO that the proposal will result in a cost savings of at least 10%.

The Mary Hibberd Law further requires the holding of four public hearings on privatization proposals. However, the statutory text unambiguously requires that these hearings may not be held until a formal proposal accompanied by all prerequisite analysis and documentation has been submitted to the Legislators. "No such public hearings shall be held unless and until," and I'm quoting now from the Mary Hibberd Law, because I want to have it on record, "be held unless and until such written proposal or plan has first been submitted to the County Executive and the County Legislators." No proposal conforming to the requirements of the Mary Hibberd Law has been submitted as of this date, and we've read all the documentations that have been presented before you. So it is AME's, the Union's contention, and our attorneys have reviewed it, that if the public hearings would go forth at this point, they would have to again go -- at another point if it was to follow through, because the public hearings, as in their resolutions proposed, would not qualify under the Mary Hibberd Law. So thank you very much.

**D.P.O. VILORIA-FISHER:**

Thanks, Dot.

**CHAIRPERSON BROWNING:**

Thank you, Dot. And Stuart Agranoff. Am I correct? And after that would be David Berey, I believe.

**MR. AGRANOFF:**

Hi. I'm Stuart Agranoff and I'm at Westhampton Pines, one of the two Resident Directors of the complex there. First, I'd like to provide some clarification on a few points that I've -- maybe I have the facts wrong, but we were talking about Megan's Law before and you said there was one registered sex offender. And it's my understanding of the law that they need not register unless they spend a certain number of nights at a particular facility. So your facts are not correct in the big picture in that you're showing one, but that trailer is constantly filled with bodies there.

*(Applause)*

So, again, it's duping us, it's duping the public by telling us that there's only one offender there.

The second, when you asked the people from Timber Ridge about were they aware, I bought three-and-a-half years ago, close to four years ago, there was no such thing as a sex trailer there. All right? It was brought in. There was an uproar about it at the time. Nothing was done about it. There was a lot of communication. I actually had much communication myself with Mr. Schneiderman, who was at the time very helpful. He was going to add on to the Megan's Bill, which I don't know whatever came of it other than I was told that the agenda was -- got too busy and had to be dropped, which was to add on a restriction in terms of distance for sex offender housing within a certain parameter of -- let's just call it, be it nursing homes, assisted living, 55 communities, equal to the same sort of rights that are provided to children in schools and in playgrounds; is that right, Mr. Schneiderman?

**LEG. SCHNEIDERMAN:**

That bill was submitted. It did not get out of committee, but it was submitted. There was also a bill by Legislator Romaine adding a setback from libraries, which also did not get out of committee.

**MR. AGRANOFF:**

Okay. I don't know -- you asked three questions, Mr. Muratore. Mr. Muratore? Yes, we were all aware that that facility was there. And you asked about the impounded cars, and you asked about the shooting range and all of there. But if any one of you came over to the facility, other than I know Mr. Schneiderman has been there, you would note that as soon as you turn down the road to the County facility, within a quarter of a mile sits this old trailer, and next to it the new trailer. It's not even behind a locked area where the Police Officers going to the firing range or the impound, and it's just an open area. And where I stand now, where you sit is where the trailer is.

Now, I did not note -- it was not there when I bought, it was not there when a vast number of families bought. I can tell you, as a Director, I have been advised by a number of -- there's a number of single women on the grounds there that they fear walking in the evenings, and it's a beautiful grounds there, and at nighttime it's absolutely beautiful, but they're very uncomfortable doing so. And the only reason of discomfort is not because it's dark and there's limited lighting, it's because this trailer is there, and all hours of the night and the wee hours of the morning, taxis are coming and dropping people on and off. So it's a little misleading to say we have only one offender that's registered.

**D.P.O. VILORIA-FISHER:**

Thank you.

**LEG. MURATORE:**

Madam Chair.

**CHAIRPERSON BROWNING:**

And I can clarify that.

*(Applause)*

**LEG. MURATORE:**

Madam Chair.

**CHAIRPERSON BROWNING:**

An offender has ten days to register. Once they have been there ten days or more, they have to be registered, so that --

**MR. AGRANOFF:**

But to make the statement there is only one is misleading.

**CHAIRPERSON BROWNING:**

That's the Megan's Law law.

**MR. AGRANOFF:**

I understand --

**CHAIRPERSON BROWNING:**

Legislator Muratore, you had a question?

**LEG. MURATORE:**

The point I wanted to bring out for the residents is how much more can you put up with? You know, you've got the gunshots, you've got the explosions, you've got the -- you know, the rusting vehicles polluting the groundwater, now they do this to you, too. That's what I'm trying to bring up here. It needs to stop. You've done enough. You know, you put up with enough. You bought it knowing the range was there. You probably bought it knowing that the impound area was there. But, you know, now more --

**MR. AGRANOFF:**

But, you know, as the expression, "Buyer Beware."

**LEG. MURATORE:**

I know.

**MR. AGRANOFF:**

You know, as you said to me, "Buyer Beware".

**LEG. MURATORE:**

But that wasn't there when you bought.

**MR. AGRANOFF:**

That wasn't there.

**LEG. MURATORE:**

Right, that was not there.

**MR. AGRANOFF:**

The firing range was there.

**LEG. MURATORE:**

Correct.

**MR. AGRANOFF:**

And the impound, so, I mean --

**LEG. MURATORE:**

I understand that.

**MR. AGRANOFF:**

No one here -- no one here is complaining --

**LEG. MURATORE:**

And that's the point I was trying to bring up.

**MR. AGRANOFF:**

No one here is complaining about that.

**CHAIRPERSON BROWNING:**

Okay.

**LEG. MURATORE:**

Correct, I know that, and no one is.

**CHAIRPERSON BROWNING:**

Thank you.

**MR. AGRANOFF:**

What we're complaining about --

**CHAIRPERSON BROWNING:**

Thank you.

**MR. AGRANOFF:**

-- is that it's not acceptable.

**CHAIRPERSON BROWNING:**

Next one is David Berey.

**MR. BEREY:**

Thank you for allowing me --

**D.P.O. VILORIA-FISHER:**

Please press the base of the mic, so that --

**CHAIRPERSON BROWNING:**

Push the button. When you see the light --

**MR. BEREY:**

Is that working now?

**CHAIRPERSON BROWNING:**

See the light.

**MR. BEREY:**

Okay. Is that working now? Can you hear me?

**CHAIRPERSON BROWNING:**

If the light is on --

**MR. BEREY:**

The light is on.

**CHAIRPERSON BROWNING:**

-- it means your mic is working.

**MR. BEREY:**

Okay. I'd like to -- I'd like to make a short statement, and then I have a question and I have a follow-up observation.

I perused a large amount of documentation that I saw pertaining to this issue, issued by the County and whatever other organizations. And my interpretation of what I read is that you are changing -- what is happening is the procedure is being changed from unsupervised locations to these other locations. And my interpretation is what we are experiencing is a change from a very, very bad solution to a very bad solution. And when I read things like this, I tend to have the reaction about why people tend to be cynical about political decisions, that there isn't a good solution, which leads me to my question. My impression is that there are, and I can't give you the number, but I'm sure you have the number, hundreds of thousands of acres of open land in Suffolk County. So if someone will please try to explain to me why it is that these residences have to be placed within shouting distance of people when we have all this open land, which is accessible and something could surely be raised.

And my last comment is, before you answer that question, is what, unfortunately, happens all too often when a situation like this occurs, a decision is made, action is taken, an unfortunate incident occurs where someone is harmed, hopefully, in a minor way, but very often very seriously, at which point politicians throw their arms up, point their fingers and say, "I didn't make that decision," and action -- and after articles appear in the newspapers, action is taken. So I offer you a challenge to find a solution that is satisfactory to all, a good solution, not just a very bad solution.

If someone could comment to me about the open land issue. And, as a peripheral thing, I want to try to find out -- I'm trying to understand, who's jurisdiction is this decision? Is this a County decision or is this a Town decision, or is it both, or --

**CHAIRPERSON BROWNING:**

Okay. I guess we really are not supposed to answer your questions, but, you know, Legislator Viloría-Fisher says it's everybody's. It's --

**D.P.O. VILORIA-FISHER:**

Well, actually --

**LEG. KENNEDY:**

Madam Chair, can I --

**D.P.O. VILORIA-FISHER:**

We're required by the State to provide a place for homeless people to go. That's a requirement by the State. And, as far as the open space, we can't just send them into the woods, you have to have a place for them to go, otherwise, we would be sanctioned by the State. Those are -- I'm answering your questions. Those are the honest answers to those two questions.

**MR. BEREY:**

Excuse me. When I say "open land", I didn't mean to imply that they have to be surrounded by thousands of open acres. What I'm saying is with all the open land, much of which is near residences, but not right next door to residences, I would think it should be possible to find locations that are not quite so close on all this open land that we have where there's not a threat that someone can walk off, and, within two or three minutes, long before they can be detected as having walked off, cause a problem. If, in truth, they are being monitored, if they were a safe distance away, they would be monitored, they would be detected and potentially apprehended before they could do some harm. That's what I meant when I said "open land". I didn't mean to imply they'd have to be put in the middle of thousands of acres of woods.

**CHAIRPERSON BROWNING:**

Thank you. Next is Christopher DeStio. And that's the last one.

*(Applause)*

**MR. DESTIO:**

Good afternoon. My name is Chris DeStio. I'm an employee of the John J. Foley Nursing Home. I have here 18 copies I would like to -- maybe the Legislative Clerk, maybe pass it out. The Legislators that aren't here, if it's possible, they can get this, I'd appreciate it. These are some of the numbers that I have been working on, me and a few of the people that help me out here, and these to me are pretty solid numbers. And I'm sure the Budget Review definitely needs to look at these, but they're very interesting.

Sixteen million dollar bond on the facility. So you subtract 36 million, you're looking at a 20 million dollar net so far. Suffolk County's responsibility to retirees, or what my understanding is, 2.5 to three million per year. So let's say you times 2.5 by five years, so you've got 12.5 million dollars. Now, 50 more people will be forced into retirement, so that will bring the number up significantly. So, if you use the three million dollar number, so that's three million times fifteen -- times five, so now we're down to a balance of five million dollars from 36 million. The lag payroll, I feel I got this number down pretty solid, and I used 250 employees. That's a \$450,000 deduction. So now we're looking at \$4,550,000. The sick payout for 50 employees who are eligible for retirement, that comes out to a quarter of a million dollars. And the other 200 employees will lose their earned six time. And, me, myself, I have 400 sick hours on the books. Earned vacation payout for 250 employees, one million dollars. Comp time payout, every six months, so that is still yet to be determined.

This one here I still scratch my head on this one, is that it says there's a -- if there's a bond on the newly constructed PT extension in Adult Day Care, that should be added as a deduction also. I'm not sure if I'm not getting a right answer with this, but if there is a bond on that, that's a large deduction right there.

And what will it cost the County for the residents that will not be absorbed into the new facility and will be transferred out of Suffolk County. A very interesting point, and I think the Legislators should look into this.

So the total balance that I have here after the proposed sale, from 36 million dollars, I have \$3,300,000 from the sale of a 36 million dollar nursing home, which was originally built -- I believe the capital project started in 1992, and just the building was 39 million dollars. So if he's turning around and selling it for 36 million dollars, not including the land, I think that's a major problem.

I'd just also like to mention one thing. We lost one of our supervisors inside of the day care facility, Renee Pelletier, she passed away and she will be missed.

And I'd also like to mention one thing, too. It's my understanding, we never had a CO on our adult day care facility, if I'm correct on that assumption, and I wonder under whose guidance that happened at. You know, if it was County Executive Steve Levy, if he -- you know, I'm sure he was overseeing a lot of this. I find that kind of appalling that you don't get a CO for a Physical Therapy department extension in adult day care. If I'm wrong on that, I stand to be corrected.

And I just have one more thing to say. I can't help but listen to the people behind me with the sex offenders and everything, and I do have a -- I do have an idea. Why don't you grab all the trailers and dump them off across the street in the Dennison Building. There's no schools there, and you know something, there's no --

*(Applause)*

And I think that's an appropriate spot. Thank you.

*(Applause)*

**CHAIRPERSON BROWNING:**

Thank you, Chris. And Chris is a Mastic Beach resident, so he knows about sex offenders.

**LEG. KENNEDY:**

Madam Chair.

**CHAIRPERSON BROWNING:**

Presiding Officer has a question first.

**P.O. LINDSAY:**

Chris, first problem with across the street, there's a day care facility in the building, so that doesn't work.

**MR. DESTIO:**

I didn't know that. I didn't know that. Sorry. I was just making a kind of a lewd statement.

**P.O. LINDSAY:**

I know. And as far as your list of things here, I'm not saying that you're wrong on any or all of these, it's something that Budget Review now is taking in a lot of these things. They are going to do a report on the whole thing. And, hopefully, I'm going to ask my colleagues to table the public hearings again until we have all the documents we need to make an open judgment about this.

**MR. DESTIO:**

I thank you very much. Can I just make one more comment? I know my time is up.

**CHAIRPERSON BROWNING:**

Sure, Chris.

**MR. DESTIO:**

The prior -- there was a prior speaker here. I just wanted to say one thing. I believe we were up to -- the most was about 310 to 320 employees, we never had 400 employees. And under the County Executive's guidance before the Legislators took the bull by the horns to control the spending at Foley and stop the bleeding, you might have certain issues going on there, but we've corrected a lot of those major issues. Now we're running more efficiently than we ever have in the 400 years that it was in -- running as a nursing home.

**CHAIRPERSON BROWNING:**

Chris, how long have you been working at John J. Foley?

**D.P.O. VILORIA-FISHER:**

Four hundred years.

**MR. DESTIO:**

Four hundred years.

**CHAIRPERSON BROWNING:**

Feels like it?

*(Laughter)*

**MR. DESTIO:**

I've been out there 13 years, and I also work part-time to make ends meet at another -- at a private facility also. So, when I come here, I just don't come up here to showboat, I honestly feel I come up here because I feel I'm accurate with a lot of things that I do say to you people, and my concern is really the residents. That's the primary goal, is to make sure the residents are always taken care of and not listen to misconceptions of what you read in Newsday. Thank you.

**CHAIRPERSON BROWNING:**

Thank you.

**LEG. KENNEDY:**

Madam Chair.

**CHAIRPERSON BROWNING:**

Oh, I'm sorry, Legislator Kennedy.

**LEG. KENNEDY:**

I have one question that Mr. DeStio brought up. And he always does come up to the podium well prepared, well informed, and I think he speaks well, not only on behalf of the facility, but the workforce and the residents. But Mr. Presiding Officer eluded to this, and I'm going to ask Budget Review specifically that when it comes to the characterization of the debt on that facility, I would very much like to know, as would all of us around this horseshoe, I believe, what type of a debt structure are we looking at? Do we have a construction bond associated with the facility only? Do we have subsequent debt issuances that facilitated the Adult Day Care facility, as well as the expansion associated with the Physical Therapy facility? And what then is the total amount of debt that is in place? And what is the remainder of the debt periods, and do they run concurrent or are they staggered? You know, much of what needs to be looked at as we evaluate these persistent efforts towards sale of the facility is the fact that the capital --

**CHAIRPERSON BROWNING:**

John, can we get to the question?

**LEG. KENNEDY:**

Yes. The capital -- well, it's through Chris for BRO. In a short period of time, most of the debt will be retired by and through reimbursement from the State of New York, and there's little characterization of that, that we are enhancing our holdings, as well as keeping the facility. That's it, Madam Chair.

**CHAIRPERSON BROWNING:**

Thank you. I don't know if you have the answer.

**MR. DESTIO:**

Thank you for your time. Thank you very much, everybody.

**CHAIRPERSON BROWNING:**

Thank you. There was, sort of, but not really.

**CHAIRPERSON BROWNING:**

That is all the cards we have. And I do apologize, Mr. Hassig, you've been sitting here for quite some time. Donald Hassig, Director of Cancer Action New York, has a presentation on dioxins and dioxin-like compounds in the U.S. food supply. If you would like to continue, begin. I would appreciate it. Thank you.

**MR. HASSIG:**

Well, thank you, Legislator Browning. I want to express my thankfulness to have the opportunity to speak to your Committee of the Suffolk County Legislature. We've made a similar presentation to numerous other county governments in New York State. I'm very happy to be making a presentation to your County Legislature, and that is because I am very hopeful that it may be the case that your County Legislature will do far more than the other County Legislatures have done. Many of them have, you know, been educated. Saint Lawrence County, because that is where we're based, has actually taken some steps. They do an education program on bringing to an end one of the significant dioxin sources, which is open waste burning. According to the U.S. EPA's dioxin inventory, there's about -- that's the main source of dioxin that's being released into the

environment.

Let me give you a little bit of background on how I came to have expert knowledge in this matter of dioxin exposure and cancer risk. In 1997, our county was not doing anything to interdict of a waste burning activity and there was -- I live in the farm country, in my day I was a veterinarian. We raised cattle, part of the farm community. Went to college, graduated Summa Cum Laude in Biology and Chemistry, and it was just kind of this situation where just something comes and just presents itself. I had no interest in open burning. We had actually done it on our own farm. I didn't know anything about dioxins in the food supply. It was this matter of encountering this trash burning getting kind of way out of control where these big farms were burning large quantities of plastics in one place and there would be just fumes in the air for days on end. It was very concern-raising. It was this good fortune that right during the year of 1997, when this just kind of came to a head from my personal experience to this, that the U.S. EPA, and New York State DEC, and New York DOH had published a paper, or a report actually, quite a lengthy report, on an evaluation of the emissions from the burning of this household waste, this solid waste in barrels, which is largely the way they do it. They burn it in the 50 gallon drums or in refuse heaps on the ground. And it was determined that the emissions from that kind of burning were just such -- much -- so much greater than other kinds of combustion. It was because of the low temperature of the fire, the compaction of the waste, possibilities of moisture. You know, you throw stuff down on site, it doesn't stay dry.

So we had this good data, this good information to begin to make use of, and then, as we focused on the open burning and the existence of this primarily dairy production area, where all this animal fat food is being produced, the foods like cold fat dairy, like say milk, and cheese, yogurt, all these foods that contain animal fat, and it became apparent that this truly was an issue with not the animal fat in Saint Lawrence County, it certainly is part of the problem, but this is a national issue, it's a New York State issue, it's a matter of all the animal fat. This isn't just some of the animal fat that happens to be produced nearby where this -- these open burning practices takes place, or where dioxins enter the environment from other sources in the past, this is a matter of the overall levels of dioxins and dioxin-like compounds in the U.S. food supply being such that a significant amount of cancer risk is imposed.

So, now, with the background, I'd like to start into this PowerPoint. And forgive me if I'm not great at running that along with the speaking, because I usually just talk. You know, I thought it would be useful to just have some of the details before the Legislators. This -- pretty much all of the information that I will be presenting on, it's either contained in the U.S. EPA's Dioxin Reassessment and that Exposure on Human Health Reassessment of 2, 3, 7, 8 Tetrachlorodibenzo-p-Dioxin and Related Compounds. That's the name of the EPA's dioxin reassessment. They have been in the process of reassessing dioxin exposure and adverse health effects since 1991, April of 1991. So we are 19 years out, counting a month, you know, 19 -- we're more than 19 years since they began to reassess dioxins. That means partly that they're slow, but it also means that they're doing this huge job. The dioxin reassessment is several thousand pages long. It's a review of many, many, many pieces of scientific literature, and that brings up a good point. We must begin to make use of, to the extent that the public is knowledgeable about these matters, to make use of scientific research, not to do -- it's good to continue to do more scientific research, but we must -- I think it's actually more important that we would make use period of the scientific research that has been already conducted. And, certainly, by the early 2000s, there was a really good basis for educating the general public about dioxin exposure and cancer risk.

So let's just start with how are Americans exposed to dioxins and dioxin-like compounds. In the U.S.A. EPA Dioxin Reassessment, they estimate that over 95% of the dioxin exposure of the average U.S. resident, regardless of where they live, you know, just consuming the foods that's in the supermarkets. Ninety-five percent of the exposure comes from consumption of animal-fat-containing foods, fish, dairy products containing animal fat, and meats, and eggs.

To give you some sense of where the highest amounts of exposure were to be, say if a person was to consume all the animal fat they consumed, and consuming an average amount of animal fat, it

was all coming from freshwater fish and shellfish, then they would have a much higher dioxin exposure, because you'd see this 2.2, that's 2.2 parts per trillion in that food, in that -- in the fish, the freshwater fish. And then it drops down to .57 parts per trillion in the marine fish and shellfish, but still considerably higher in the marine fish and shellfish than say milk or dairy. Truly the -- if people were consuming a lot of freshwater fish and then the marine fish and beef, then there's certainly -- and pork, so for that matter -- those are the higher, and I put them in red -- the numbers that are in red, those -- and the food that's in red, those are the ones where you'd be overdoing it, you know, you'd be getting -- if you eat, you know, more than that kind of animal fat than other kinds, there's a difference in how much dioxins and dioxin-like compounds are in the various animal fat sources. This is just to make the point this trash burning is a real problem in New York State.

We banned trash burning in October of 2009 because in Saint Lawrence County, they have been doing this educating about eliminating the problems to about 2003. We've seen a really good result there, but then I traveled to other counties, like Clinton County, which is a dairy production area, and Oswego County, which is a dairy production area, and they make the point to me that they see this practice continuing to the extent that you will see barrels sitting there in the daylight, you know, right out in the open burning away and it's -- there's usually an Environmental Conservation Law Enforcement response, if someone complains. But sometimes the complaints don't get made because this -- kind of this culture of this being an acceptable practice. It took a lot of educating, truly, in Saint Lawrence County to create the situation where that ban would be effective in reducing activity.

This is a picture that was taken in Saint Lawrence County on a dairy farm. I think it was back in about maybe like 2000, early 2000's. That's a very large pile of solid waste that's burning, and the smoke is carrying the dioxins and dioxin-like compounds out into this. There's a cornfield in the background there, and we were actually fortunate enough to have a photographer who worked for Greenpeace come up and do this photography, and they used this photography in an exhibit that was put on the Stockholm Convention. It is an international -- international piece of -- not coming up with the right word right at the moment, but it's a convention. It's an international document. Basically, the idea was it was to reduce the presence of these chemicals in the environment.

Some of these chemicals that they're dealing with, like PCBs, were deliberately manufactured, and then the dioxins, they have these inadvertent byproducts of combustion, and the whole idea is to minimize releases to the environment so that these chemicals won't be in the food supply, because, truly, if I don't -- you know, if I run out of time before I make this point, I think I'll just jump in and make it now in the middle of this PowerPoint. We're not talking about only dioxins and dioxin-like compounds, which include PCBs, certain PCBs and furans, and many, many dioxins other than just that Tetrachlorodibenzo dioxin. There are 200 dioxins, various congeners with various toxicities. But the point is our food supply now does not only contain dioxins which are persistent organic pollutants, but in 2006, Dr. Arnold Schecter at the University of Texas School of Public Health, he published a paper that made it clear that Americans have higher levels of PBDEs, these polybrominated diphenyl ethers, which are flame retardants, and they're not dioxins, they're not dioxin-like, they're just another persistent organic pollutant, because, truly, the whole story here is that it is these carcinogenic persistent organic pollutants in our food supply, in this animal fat, just like the dioxins are, to various extents, that is the issue.

You know, even if it was only dioxins and dioxin-like compounds, the amount of cancer risks, which we'll, you know, go on to elucidate here in this PowerPoint, would be sufficient to be reasonable to call upon. You know, if you're running an education campaign that was supposedly based in science, it would be a good plan to encourage those that you're educating to consume little or no animal fat. But when one takes into account the presence of the PBDEs, the other PCBs that are not dioxin-like, the old pesticides like DDT and its breakdown products, this DDT, other pesticides that are lipophilic, this is all a matter about chemicals that are in our environment that are lipophilic, that don't stay in one place, they move around. Sometimes they are, you know, vapor phase, sometimes they're solid phase, sometimes they're semi-volatile, depending on the conditions. So we need to take into

account the fact that lots of science has been accumulated for decades now on not on dioxins and dioxin-like compound in the food supply, but these polybrominated diphenyl ethers and pesticides and take some action.

Now, it is possible to quantitatively assess the amount of cancer risk that's imposed by dioxins, and that's been done by individual research teams throughout the world, and it's also been done by U.S. EPA by looking at those research papers. So the question is, what quantity of dioxin and dioxin-like compounds are Americans exposed to? Because that's -- you see, that's the very most -- you need to know that before you can do any -- the risk assessment is meaningless if you don't know -- have some estimate of how much -- it all comes down to you don't have the disease problems. There isn't any cancer risk from dioxin exposure unless there's dioxin exposure, and you need to know how much because cancer risk as imposed quantitatively. A certain amount of exposure causes a certain amount of risk. The answer to that question is that in the 2003 draft of the U.S. EPA Dioxin Reassessment, it is stated that the average American is exposed to approximately one picogram of dioxin TEQ, and that's Toxicological Equivalent Quantity, and that takes into this matter of there being 200 dioxins and these PCBs as well per kilogram body weight per day. And my question is what quantity of cancer risk is imposed by that -- a certain -- any amount of dioxin exposure?

**D.P.O. VILORIA-FISHER:**

Excuse me, I apologize.

**MR. HASSIG:**

Go ahead.

**D.P.O. VILORIA-FISHER:**

Do you think you could try to make it more in laymen's terms? Some of us are getting a little bit lost. I know the scientific data is very important, but if you could just condense a little bit more in laymen's terms. I think you're losing some of us.

**MR. HASSIG:**

Okay.

**D.P.O. VILORIA-FISHER:**

Thank you.

**MR. HASSIG:**

I'll try. This is how I always do it, so maybe I can't.

**D.P.O. VILORIA-FISHER:**

Maybe we're dumber than other people.

**MR. HASSIG:**

I wouldn't say that. You just -- you probably care more about it. You just want to be convinced. Maybe, we can just -- you know, what we were talking about, they didn't even say anything. I'm glad you brought that up. What is it that you want clarification on, is it the amount of exposure?

**D.P.O. VILORIA-FISHER:**

Just in general. What's happening is that -- is the point that you're making that we're -- Americans are eating too much fat, and so we're building up dioxins, that our animals are exposed to pollutants in the atmosphere? Are you -- is the bottom line that you want us -- I don't think that we do a lot of garbage burning in Suffolk County.

**MR. HASSIG:**

Yeah, exactly.

**D.P.O. VILORIA-FISHER:**

We definitely do not do it. Is incineration a problem? You know, you've mentioned a great many chemicals, which we could probably skip all of the longer names, because, you know, basically, we could just call them dioxins.

**MR. HASSIG:**

Okay.

**D.P.O. VILORIA-FISHER:**

And there are many groups within that -- in that category.

**MR. HASSIG:**

Okay. There are these persistent organics pollutants. They call them POPs for a very, you know, kind of simple way of describing all these chemicals. They are present in all of the animal fat in all of the industrialized nations of the earth. They're present in many cases in higher levels in the animal fat that's produced in our country, and they're present in our -- Americans' bodies at higher levels than in many other countries because of the presence. We get our exposure to these chemicals from consuming animal fat. There are two issues, how much is in the animal fat and how much of it we consume. We can't do a whole lot about how much is in the animal fat immediately, but we certainly can do a lot about how much we consume, because it's an individual behavior. And my whole point is, our organization's whole point is that the public would be greatly benefitted by having it made known to them the fact that these chemicals are in our food supply, that they impose cancer risk, significant quantities of cancer risk based on the current -- you know, the state of knowledge science, and they can do something about it simply by reducing their consumption of animal fat. That's the short story.

**D.P.O. VILORIA-FISHER:**

I'm glad we got there. Okay. So we should eat less meat?

**MR. HASSIG:**

Certainly should eat less meat because the fat is impossible to, you know, just separate out to any great extent. It's a good plan to say, if you're going to eat meat, to cook it in a way that the fat drips out of the meat, rather than being held right there, like a rotisserie or something like that that would cause the fat, as the meat heated, to drip out. Dr. David Carpenter with SUNY Albany's Institute for Health and Environment, that's something that he looks at as a -- you know, a benefit. And if you're reducing your animal fat consumption, to eat lowfat and no-fat dairy products. There's no-fat cheese, there's no-fat yogurt, there is no-fat milk. It is in the fat where these persistent organic pollutants are present. If you're eating no-fat milk, you're not eating any persistent organic pollutants, and your exposure is -- you know, from that source is zero, and then that means that your cancer risk is greatly reduced.

Just to get back, you know, a little bit into the science, I just want to make this point, that this work has been done. You know, it's not just that we have these generalities and these kind of like somewhat a simple story to tell, it's a very specific story based on hundreds of, you know, hours of research and many, many publications.

There were factory workers back in the 1950's who were exposed to dioxins as a contaminant of a pesticide manufacturing process. The epidemiological studies were done with those factory workers. It was determined that for all cancers combined, the ones that had the higher dioxin exposure had the higher quantities of all cancers combined in that part of the cohort. And so, basically, what they did, they just -- you know, if you want to think about it really simply, they plotted the high-exposure factory workers and how much cancer that group had, then the medium-exposure factory workers, and we're talking dioxin exposure, and how much cancer was in that group, and then the lower exposure, and you just get, you know, a plot, just so it's something that's visual, and it turned out to be fairly linear. And it would be reasonable to conclude, based on some other studies, that this is a linear matter, that the amount -- the more dioxin exposure, the more cancer risk. And it looks like

there's no threshold, which means that you can extrapolate all the way to down to zero. And the truth of it is the exposure that American's receive, average, you know, not factory worker, just people consuming animal fat, it's close to that low end of what the factory workers were exposed to from this dioxin contaminate in their manufacturing process.

So there's not a -- there's not a lot of smoke here, there's not a lot of mirrors here, it's pretty well nailed-down science. And the real problem, the real problem is not that we don't have the science, it's that we're not getting the educating done. And I was riding here on a bus coming from Smithtown and I had a conversation with one of the women that was riding, a Smithtown resident, Suffolk County resident. She was saying she was very concerned about the high breast cancer rates here. I said that was why I had come down here to do this presentation, because, see, the point is your County has a Cancer Awareness Task Force, it has an Education Committee, subcommittee. You guys are poised to make use of this science for the good of the public by just using this knowledge to educate Suffolk County residents about dioxin exposure and persistent organic pollutant exposure cancer risk, so they can do something about reducing their animal fat consumption.

The other counties aren't even close to where you're at. It will take them probably years just to get it together enough to have a Task Force, let alone start educating on this particular source of exposure and risk.

I -- let me finish this PowerPoint up real fast, but I'll probably run my ten, twenty minutes. You've had an awfully long meeting, so I'm not going to punish you with this. So how many cancer cases are caused by dioxin exposure in the U.S.? And this is nothing exact, but it's based on the state of the knowledge science and it's approximately 308,000 every 70 years, average lifetime, lifetime exposure, that's the kind of sense we're talking about. And based on that one picogram per kilogram body weight per day amount of exposure, and that one in one thousand cancer risk club slope factor, it's pretty simple, it's just arithmetic. You just multiply the cancer risk slope fact that you got from the epidemiology by the amount of exposure and you get it, boom. There's the amount of cancer, it's one in one thousand. And if you do one in one thousand, or 308 million, you come up with 308,000. It's a lot of people.

And the fact of the matter is -- I just want to make this one last point and then I'll give it up. The point is it's not one in one thousand. That is an underestimates by any reasonable kind of look at the current science. That one in one thousand came from 1990's data. They have not taken into account any of this matter of gestational exposure and this matter of the increased susceptibility which is predisposed for female offspring. And these are in animal studies, but in precaution, even if we were just talking about dioxin, one would conclude that the amount of cancers are in excess of 308,000 for the U.S. population, because the cancer risk slope factor is not one in one thousand, it's more than that, because that was only looking at adult male exposure, and gestational exposure is clearly a more sensitive matter. The amount of cancer risk that is seen in animal models with gestational exposure is -- would lead one to conclude that we would be more -- the amount of cancer cases that are caused by dioxin in the U.S. are certainly more than this 308,000 every 70 years based on the science. And so all that means to you is that you've got a better reason for educating your Suffolk County residents that are concerned about a one in one thousand cancer risk, and, remember, that's only for dioxin. They don't know how much cancer risk is imposed by the PBDE exposure, the other PCBs exposure, the DDT exposure. The point is the animal fat with these persistent organic pollutants imposes more cancer risk than one in one thousand.

**D.P.O. VILORIA-FISHER:**

Thank you.

**CHAIRPERSON BROWNING:**

Thank you. Anyone have any questions? Okay. I guess, Vivian, thank you for your questions. And I do -- we do have your information. We appreciate you coming and giving us this information. And every Legislator has your information if they want to follow up with some questions later. Thank you

very much.

**MR. HASSIG:**

Well, thank you. It's been nice talking with your group.

**(Applause)**

*(The following was transcribed by Kim Castiglione, Legislative Secretary)*

**CHAIRPERSON BROWNING:**

Okay. We will start with the agenda. We have tabled resolutions.

#### **Tabled Resolutions**

***1129, A Local Law to ensure the integrity of prescription labels in Suffolk County. (Cooper)***

**D.P.O. VILORIA-FISHER:**

Motion to table for Public Hearing.

**CHAIRPERSON BROWNING:**

Motion to table for Public Hearing, Legislator Viloría-Fisher. I'll second. All in favor? Opposed? Abstentions? Motion is tabled. **(Vote: 6-0-0-0)**

***1199, Establishing a Heroin Epidemic Advisory Panel. (Horsley)***

**CHAIRPERSON BROWNING:**

I'll make a motion to approve. I believe --

**D.P.O. VILORIA-FISHER:**

Second.

**CHAIRPERSON BROWNING:**

-- he made his amendments?

**MR. NOLAN:**

(Nodded yes).

**CHAIRPERSON BROWNING:**

Okay. I'll make the motion to approve. Second, Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? It's carried. **(Vote: 6-0-0-0)**.

***1229, Adopting Local Law No. 2010, A Local Law prohibiting the sale of aerosol dusting products to minors. (Horsley)***

**CHAIRPERSON BROWNING:**

I'll make a motion.

**D.P.O. FISHER:**

Motion to table.

**CHAIRPERSON BROWNING:**

Motion to table for Public Hearing, Legislator Viloría-Fisher. I'll second. Sorry, Legislator Eddington seconded that. I'm sorry, I'm rushing. But all in favor? Opposed? Abstentions? It's tabled. **(Vote: 6-0-0-0)**.

**1300, Maintaining a common sense policy for housing sex offenders that protects and safeguards public safety. (Stern)**

**D.P.O. VILORIA-FISHER:**

Motion to table.

**CHAIRPERSON BROWNING:**

Legislator Viloría-Fisher made a motion to table.

**LEG. EDDINGTON:**

Second.

**CHAIRPERSON BROWNING:**

Legislator Eddington, second. All in favor? Opposed? Abstentions? It's tabled. **(Vote: 6-0-0-0)**

**LEG. KENNEDY:**

On the motion, Madam Chair.

**CHAIRPERSON BROWNING:**

Okay.

**LEG. KENNEDY:**

I'm just going to ask if at one point we're going to be able to question the Commissioner about how it is that this new greater version of the trailer wound up under the dark of night out there in Westhampton. We don't have to do it on the reso right now.

**D.P.O. VILORIA-FISHER:**

I don't think we heard that.

**CHAIRPERSON BROWNING:**

Commissioner, could you --

**P.O. LINDSAY:**

Can we get through the agenda?

**LEG. KENNEDY:**

Okay.

**P.O. LINDSAY:**

You know, I don't mean to cut short the questioning, but I have already missed one appointment already and I got two others coming up. This meeting has went on for so long.

**CHAIRPERSON BROWNING:**

As always. This committee is always long. Okay. Where were we.

**MS. HOWARD:**

There is a first and a second.

**CHAIRPERSON BROWNING:**

We were on 1300. We did that one.

**D.P.O. VILORIA-FISHER:**

We have a motion and a second. We need to call the vote.

**CHAIRPERSON BROWNING:**

Oh, I thought -- okay. So all in favor? Opposed? Abstentions? Okay. Motion has carried. It was a

table. Yes, the table is good. *(Vote: 6-0-0-0)*

***1337, Authorizing public hearings and a Legislative Office of Budget Review Analysis on a proposal to provide services at John J. Foley Skilled Nursing Facility through an entity other than Suffolk County Government. (Co. Exec.)***

**LEG. KENNEDY:**

I'll make a motion to table.

**LEG. EDDINGTON:**

Second.

**CHAIRPERSON BROWNING:**

Motion to table, Legislator Kennedy; second, Legislator Eddington. All in favor? Opposed? Abstentions? It's tabled. *(Vote: 6-0-0-0)*

**CHAIRPERSON BROWNING:**

***1352, Adopting Local Law No. 2010, A Local Law banning the sale of certain synthetic cannabinoids to minors in Suffolk County. (Schneiderman)***

**LEG. SCHNEIDERMAN:**

Cannabinoids.

**CHAIRPERSON BROWNING:**

I knew I was going to say it wrong. You closed the Public Hearing, right? Okay. So do we have a motion? I guess I'll make the motion. Legislator Muratore made the motion.

**P.O. LINDSAY:**

Could I ask, I mean, I know I want to move along, but I'd like to know what a cannabinoid is.

**CHAIRPERSON BROWNING:**

There you go.

**LEG. SCHNEIDERMAN:**

I could try this. It is actually cannabinoids. I didn't know how to pronounce it either. I had to listen to a tape from the inventor of the subject. Basically it's a substance very similar to it THC, which is the narcotic in marijuana, and it was produced originally for research in, drug related research, things like glaucoma and other medical purposes. Somebody else manufactured it and started spraying it on to incense, smokable herbs, potpourri, which is being marketed under several different names, K2, Spice. It can be purchased on the internet, in head shops, all over the place. It is about ten times more potent than marijuana, and it's perfectly legal right now and it shouldn't be. This bill would ban the sale to anybody under 21 and that's basically it.

**CHAIRPERSON BROWNING:**

Jack?

**LEG. EDDINGTON:**

I'm wondering why the sponsor limited it to minors. I mean, this is a substance that you -- I mean, as a drug educator I'm concerned.

**LEG. SCHNEIDERMAN:**

This is a debate we can have. There are a lot of substances out there that are readily available, including cough syrup, for example, where they can be used in a method other than how they are labeled. Nail polish, model glue; model cement can be inhaled. So we don't typically say okay, we are going to take the protect off the market. Adults are adults, but certainly we want to protect children. Reddi-whip, it's a great product, but it also contains nitric oxide and kids inhale that. We

could ban it in Suffolk County, but I think it's better to protect our kids and that's why I wrote it that way. There is actually a national debate about whether these laws should be to minors only or banned completely, but it is a misuse of the product.

**LEG. EDDINGTON:**

I guess because my question really is, is there any other practical use? The other products that you mentioned have a practical side. What other practical use is this other than to get high?

**LEG. SCHNEIDERMAN:**

They are supposedly being sold as incense or potpourri, though I do question why this synthetic marijuana substance is being sprayed on to them. It's a legitimate point, I think's a fair point for discussion. I tend to feel that adults can make informed decisions, but, you know, I'm open to that discussion certainly.

**CHAIRPERSON BROWNING:**

Dr. Tomarken.

**DR. TOMARKEN:**

I just wanted to -- thank you, Madam Chairman. I just want to correct a statement that it is not a narcotic. It is a synthetic form of marijuana, which is not a narcotic, so please don't mix it up.

**LEG. SCHNEIDERMAN:**

I'm sorry, Dr. Tomarken. Can you explain the difference?

**DR. TOMARKEN:**

A narcotic is an opiate. Like heroin, that's an opiate derivative. These are from the opiate plant. THC, marijuana, is not of that derivative. It is a -- comes from a completely different plant and has different effects on the brain.

**LEG. SCHNEIDERMAN:**

THC attaches to the cannabinoid receptors in your brain. So does this substance, and that produces apparently a hallucinogenic type of effect.

**DR. TOMARKEN:**

Right, but narcotics are a pharmacological classification of drugs of which THC and cannabinoids do not fit. They are in a separate category. That's all I'm trying to clarify. So when you think of vicodin or methadone or heroin, they're narcotics. THC and cannabinoid, synthetic cannabinoids or any cannabinoid, is not.

**LEG. SCHNEIDERMAN:**

I appreciate the distinction. The literature, though, often refers to this substance as a narcotic.

**DR. TOMARKEN:**

It can have narcotic-like effects, but it is not classified as a narcotic.

**LEG. KENNEDY:**

Madam Chair, if I may.

**CHAIRPERSON BROWNING:**

Go ahead.

**LEG. KENNEDY:**

Doctor, I have no desire to start to talk about things like medical marijuana or things along those lines, but have -- and I'm going to mangle it -- cannabinoids been utilized under prescriptive purposes for folks that have glaucoma, cancer or other types of illnesses that may possibly benefit from THC administration?

**DR. TOMARKEN:**

The original ones, yes, not the synthetics. So marijuana as we know it has use for glaucoma. It is used for terminal cancer patients to help increase their appetite, and that's the compound that has been found to be effective for certain limited medical conditions, not --

**LEG. KENNEDY:**

So the THC is distilled in pill form but this synthetic does not have that same effect.

**DR. TOMARKEN:**

There is no evidence -- it's never been studied and it has no -- at this point no medical indications.

**LEG. KENNEDY:**

Thank you.

**LEG. SCHNEIDERMAN:**

I just wanted to point out an interesting aspect of this product. It apparently does not show up in the urine tests either, that -- maybe because we're just not looking for it, but.

**DR. TOMARKEN:**

Once it becomes synthetic it has a different chemical compound, so yeah, you'd have to devise tests to find it.

**D.P.O. VILORIA-FISHER:**

How is this going to be enforced?

**CHAIRPERSON BROWNING:**

Yeah, how are you going to enforce this? You're not enforcing it?

**LEG. SCHNEIDERMAN:**

The bill is not so much different than the salvia ban that we recently did. We've, I think, banned an awful lot of substances or the sale to minors. We did with Robitussin because of the robo-tripping thing.

**D.P.O. VILORIA-FISHER:**

Right. They have to keep it behind the counter.

**LEG. SCHNEIDERMAN:**

This bill follows the same protocols that were contained in those other bills. It bans the sale to minors.

**D.P.O. VILORIA-FISHER:**

Can you just remind me of the protocol. They have to keep it behind the counter like cigarettes?

**LEG. SCHNEIDERMAN:**

George, do you have it?

**MR. NOLAN:**

It just bans the sale of the product to minors. It is an unclassified misdemeanor, so the Health Department is really not involved in enforcing the law.

**CHAIRPERSON BROWNING:**

So basically if I go into a store that sells that and I see that they're in violation, I can call the Police Department and they can go check on it and -- okay.

**MR. NOLAN:**

They would be the ones to enforce it, yup.

**CHAIRPERSON BROWNING:**

The same with a lot of other things. Okay. Thank you.

**LEG. SCHNEIDERMAN:**

The State is also considering a ban as well, so.

**CHAIRPERSON BROWNING:**

Okay. I believe we had a motion to approve and a second, right?

**MS. HOWARD:**

No second.

**CHAIRPERSON BROWNING:**

No second? Okay. I'll second it. All in favor? Opposed? Abstentions? Good job. Motion passes.  
*(Vote: 6-0-0-0)*

### Introductory Resolutions

**CHAIRPERSON BROWNING:**

*1391, Amending the 2010 Adopted Operating Budget to reallocate funding for new initiative, the Heroin Treatment Program for Young Adults. (Kennedy)*

**LEG. KENNEDY:**

I'll make a motion, Madam Chair.

**CHAIRPERSON BROWNING:**

Motion to approve, Legislator Kennedy. I'll second it.

**LEG. KENNEDY:**

Thank you.

**CHAIRPERSON BROWNING:**

Question.

**P.O. LINDSAY:**

Yeah.

**CHAIRPERSON BROWNING:**

The Presiding Officer has a question.

**P.O. LINDSAY:**

Maybe you can clarify for us, Legislator Kennedy. This initially was part of a bigger reallocation bill that was going to fund the -- an electronic medical records program. It was the money that we allocated to keep the Central Islip Health Center open until we got approval from the State. After we got the approval I initially made the attempt to reallocate the money back to the places where we took the money from. The Health Department came forward with a bill that they didn't -- they didn't want to allocate it all back, that they wanted to move some of it into this heroin program with this new, I guess it's a drug that that they use or whatever, and this electronic medical records program. So you've taken just this piece.

**LEG. KENNEDY:**

Yes. As a matter of fact, you've summarized it and given a good synopsis to what the genesis is, Mr. Presiding Officer. What I had done, actually myself and my staff, we met with folks in the mental health section of the Health Department to understand the methodology that was going to be utilized for the introduction of the suboxone program tailored exclusively for adolescents. Took a look at what was being allocated towards the drug counselors that were being brought on,

understood why actually it does appear that our County Health Department, buying through the methadone program, probably is the best suited agency to administer this program because of the multiple years of experience with administering the methadone program and because of the high susceptibility of relapse with the adolescents, and the need to engage them very intensively in the first instance, then work to transition them into outpatient programs.

It certainly clearly has merit. There were also questions we had about the cost factor. We talked about what was necessary to implement, which at this point probably looks like I guess June, July, August. The 225 seems to be a number that the mental health section was comfortable with. And ultimately I asked for a reporting back requirement to us, because, clearly, I'm hoping that this is very successful and we'll be, I presume, wanting to see full year operations for this in 2011. So that's the reason that I took the opportunity to do some work on what was put forward by the administration.

**P.O. LINDSAY:**

Then, through the Chair, Dr. Tomarken, do you agree with this resolution and if you do, what about the rest of the allocation --

**D.P.O. VILORIA-FISHER:**

The electronic records?

**P.O. LINDSAY:**

Yeah. And some of it went back to where we took the money from as offsets, as I recall, as well.

**DR. TOMARKEN:**

Right. That bill, or that resolution has been -- the parts have been separated out. Legislator Kennedy has presented a bill that is almost identical, a few minor differences. We have no objection. We favor this. We have an at risk population that we need to get this program out to immediately. We have been working on this for several months. Frankly, I don't want to see another death certificate coming across my desk for an overdose that might have been treated by this treatment program, so we're all in favor of it.

**P.O. LINDSAY:**

And the rest, the other components from that bill will be coming to us in the form of a resolution?

**DR. TOMARKEN:**

Yes.

**P.O. LINDSAY:**

Okay. Thank you very much.

**D.P.O. VILORIA-FISHER:**

Just to ask it again, and that includes the electronic records piece? This bill does not, but the electronic records --

**DR. TOMARKEN:**

This bill does not. Each one of the three components have been separated out into separate resolutions.

**D.P.O. VILORIA-FISHER:**

Okay. Thank you, doctor. So we have a motion to approve and we have a second?

**MS. HOWARD:**

Yes.

**D.P.O. VILORIA-FISHER:**

Okay. All in favor? Opposed? Motion to approve is carried. *(Vote: 6-0-0-0)*

*1398, Authorizing transfer of surplus laboratory instrumentation and equipment to the State University of New York at Stony Brook. (Eddington).*

**D.P.O. VILORIA-FISHER:**

I'll make a motion to -- oh, it's your legislation. I'll make a motion to approve. Seconded by Legislator Eddington. All in favor? Opposed? I.R. 1398 is approved. *(Vote: 6-0-0-0)*

*I.R. 1399, Ending the voucher system and directing the Department of Social Services to develop a comprehensive plan to house homeless sex offenders. (Lindsay)*

**P.O. LINDSAY:**

I'll make a motion to approve.

**D.P.O. VILORIA-FISHER:**

I'll second -- seconded by Legislator Eddington. And I would like to be a cosponsor if I'm not already on as a cosponsor, Alicia.

**MS. HOWARD:**

I'll put you down.

**LEG. KENNEDY:**

On the motion, if I can just for a second, Mr. Chair.

**D.P.O. VILORIA-FISHER:**

Let me just let the Chairwoman know where we are.

**LEG. KENNEDY:**

Okay. We had some conversation with -- about this bill, Mr. Presiding Officer, and I applaud you for trying to step in to what has been an extremely difficult void for sure. There has been amendment to the bill. Counsel, can you tell me what would this bill do?

**MR. NOLAN:**

First, it terminates the voucher system, and then it directs the Department of Social Services to develop a new plan or program for dealing with homeless sex offenders. The resolution says that the program to be developed should be equitable and cost effective and provide some oversight of sex offenders. The recent amendments state that DSS will seek out shelter providers to provide the emergency housing for homeless sex offenders, and that they'll be responsible for siting the shelters, but that as part of the program no more than one shelter will be placed in any town or Legislative District and that no more than six offenders can be housed at any one of the shelters. And that plan is supposed to be presented to us and the County Executive within 30 days.

**CHAIRPERSON BROWNING:**

What I'd like to do is maybe if the Commissioner could come up, because this is, you know, this is strictly just the homeless sex offenders we're talking about, and maybe the Commissioner can come up and give us some information. Ben, you want to go ahead?

**LEG. KENNEDY:**

Well, I have one question as far as term for the Chair -- for Counsel. So no more than one shelter per town, that meaning township, meaning there would be a maximum of ten?

**MR. NOLAN:**

That would be the maximum, yeah, based on that. So you can't put more than one per town or one per Legislative District.

**P.O. LINDSAY:**

Just to explain my rationale, and we've all struggled with this problem, and up until now I think any solution that's come down the pike, and I'm sure that the people are still in the audience would agree with me, has been a failure.

**LEG. KENNEDY:**

Absolutely.

**P.O. LINDSAY:**

And I think some of the reasons for the failure is that the burden of housing these people has been concentrated in one area, whether it be in Southampton, the attempt in Babylon, and I think that isn't right and it isn't equitable.

The other part of it is I don't think -- the voucher system I'm much opposed to. Giving these guys just \$90 a day and telling them to go find a motel room without any supervision whatsoever I think is just asking for tragedy. So I think, if I had my way, these people would be confined civilly. There would be civil confinement; they'd be in jail for their entire life. This is about as close to it as I can get to it, that they be in a congregate shelter, that they be supervised 24/7.

**LEG. KENNEDY:**

Again, as I said, I applaud you bringing this forward, Mr. Chair. As a matter of fact, I couldn't agree with you more. I think the civil confinement process in the State of New York has been an abysmal failure. As a matter of fact, despite the fact the law is on the books there's been no effort to go ahead and embrace it, and clearly it's once again left us at a County level to have to fend with something that's clearly a State issue.

Will -- the Department of Social Services is being charged with a task with a tight time frame. Will that plan come back to us prior to implementation or is this our only shot at this?

**P.O. LINDSAY:**

No, the plan will come back.

**LEG. KENNEDY:**

Okay.

**P.O. LINDSAY:**

But the selection won't, the locations won't. That will be left up to the vendors, to the shelter providers.

**LEG. KENNEDY:**

Okay. I appreciate the explanation. Thank you.

**CHAIRPERSON BROWNING:**

Vivian.

**D.P.O. VILORIA-FISHER:**

Commissioner, I just have a question about -- I think this is the best idea I've seen, but I have a question about something that you had brought up when we spoke about supervision, 24 hour supervision, and about whether we can force people to live under 24 hour supervision. Or is this law -- does this law allow us to do that because it's actually the shelter that has someone there 24/7 and not the individual people who are going into the shelter.

I know I just said a couple of different things, but do you get what I'm asking?

**COMM. BLASS:**

Yes, but before I answer it I would beg the indulgence of the committee if I could make a brief

statement about the bill and then respond directly your question, Legislator Fisher.

**D.P.O. VILORIA-FISHER:**

Sure.

**COMM. BLASS:**

I want to thank the Presiding Officer and Madam Chair as well as all of the members of the Health and Human Services Committee of the Legislature for this opportunity to speak on the issue of homeless sex offenders and sheltering them. The task of housing homeless sex offenders with any community support is impossible, and to confront the obvious obstacles to a workable solution for this problem is a daunting task for the Legislature.

There are over 950 registered sex offenders living in communities throughout Suffolk County, and on any given night, there are between 15 and 20, sometimes 25, homeless sex offenders whom constitution of the State of New York requires this department to house. It's an inescapable, constitutional, legal obligation.

The State on the other hand, has been irresponsible as we all know, and has been mentioned by the sponsors of this bill. They have an irresponsible policy of releasing sex offenders into homelessness, which is just plain wrong. The administration of the County Executive and this department are working against this unconscionable practice and we would welcome the Legislature joining us in this fight, and we will discuss ways on how we can do that.

While we are housing just a tiny fraction of the County's total population of sex offenders, the department has spent countless hours developing various options to shelter this population in compliance with State and local laws, always with the best interest and yes, the safety of County residents in mind. Thus far, every option the department has attempted or explored has met with fierce opposition from the Legislature, from municipalities and conflicting decisions from the courts even.

For example, the department was ordered by one New York State Administrative Judge to provide shower facilities for those residing in our temporary trailers. That was a court order and that's the explanation behind the trailer that's at Westhampton. It is not a larger trailer. It is larger in size, it has the same capacity of beds, but it also has showers. The intention was not to have trailers, plural, at that site, but to replace one with the other with the same capacity and the same use, which is an overflow use. Earlier this week another judge issued a temporary restraining order at the request of Southampton Town, which temporarily prevents us from following the first court's decree.

Additionally, we continue to be squeezed from all sides by New York State in trying to deal with a mandate to house homeless sex offenders. While the State orders us to house these offenders, we were notified earlier this week, as we were waiting for the hard copy to provide it to Legislator Eddington, the sponsor of the bill, that the State will not allow us to have the added ability to track where they are located through a GPS system.

This Legislative body currently has conflicting proposals before it. We hope to phase out the trailers, to use instead a voucher system. I.R. 1300 seeks to continue the trailer system and to end the voucher system. I.R. 1399 seeks to end the voucher system, but hopefully will offer Legislative guidance as to what method the Legislature would prefer as an alternative. Let's not forget the department met with considerable Legislative opposition and community opposition when we explored the concept of developing a shelter system in nonresidential industrial areas.

It remains our belief, very sincerely, that the most workable plan for the department to meet the specific mandate is the voucher system that we proposed, especially owing to the fact that the increasing number of laws restricting where sex offenders may reside actually increases the number of them who become homeless whom we must then house. Nonetheless, this voucher system is

used by the majority of the county departments around the State. There have been no incidents of safety violations in any of them, and homeless sex offenders find their own temporary housing within the confines of those local restrictions. Most of them, by the way, are also on supervised probation or parole.

The Department of Social Services is prepared to cooperate with any specific detailed initiative this Legislative body may develop and agree upon. Absent that, we request that the Legislature allow the department to meet its State mandate through the voucher system.

In any event, on the question that Legislator Viloría-Fisher posed I would say this. Restricting individuals beyond what State and Federal law requires is a very tricky proposition. And if you're going to have 24/7 supervision, that's not confinement, that's security, that's allowing them to have treatment, that's allowing them to have testing, but it is not prohibited by law to provide them an environment that also features security. The question is what if they choose not to go anymore? That is what -- there's a gray area. Our practice has been to provide security and to call the police if any of them choose to violate it. So far, that hasn't happened.

**D.P.O. VILORIA-FISHER:**

Okay. So if the State also mandates that we -- I have it, I'm just not close enough. Sorry. The State mandates that we provide shelter for homeless sex offenders. And if we were to offer someone, let's say from the Town of Brookhaven, shelter in the Town of Brookhaven, in accordance with 1399, and that individual refuses to go to that shelter, are -- is the County then relieved of the State mandate to find shelter for that person?

**COMM. BLASS:**

If the person seeks, under the present system, under the State Law of our being required to house the homeless, if any homeless person calls for shelter -- and we accept calls up until and no later than 11 p.m. on any given night. If they seek shelter, we have them picked up, we have them transported, and we let them stay where we provide the shelter, if they choose not to accept it our mandate is over. That's also true of the voucher system. If they say that they don't want to take money to go to a motel, then we are -- our obligation is finished. But the regulation of homeless sex offenders is still governed by Megan's Law, still governed by their requirement to register that -- wherever they're living.

**D.P.O. VILORIA-FISHER:**

Thank you.

**P.O. LINDSAY:**

Could I just clarify one thing about the question that you asked?

**CHAIRPERSON BROWNING:**

Yes.

**P.O. LINDSAY:**

The Congregate Shelter Providers, which is a group of not-for-profits that we use now, they operate single shelters, they operate family shelters. To my knowledge, when a family or an individual checks into one of their shelters they have to sign an agreement, and it's a very stringent agreement. They agree to participate in programs, of job search, of home search, of counseling if they have a mental illness, which I think these folks do, and that they agree to be supervised 24/7. And that they agree to no locks on the door, to periodic drug test, periodic alcohol test, and they do it voluntarily and it seems to work. Nobody seems to challenge this and we're fulfilling our commitment to offer them housing.

I just don't agree with the voucher system because, I mean, I had an incident in my District. There was two or three homeless sex offenders in a motel. The owner of it didn't even know it, didn't even know it. And he said, Mr. Lindsay, you know, what would happen if I put a family in the room next

door and something happened? I'd get sued and lose everything I own. So I just think that's a bad policy to kind of stick our head in the sand and give these people \$90 and let them go anyplace they want.

**CHAIRPERSON BROWNING:**

Jay.

**LEG. SCHNEIDERMAN:**

I think we can all agree this is a very complex and emotionally charged issue. As a father of a seven and an 11 year old child, I can't imagine if the County were to locate a trailer full of dangerous pedophiles next to my house. I don't think I'd be nearly as polite as any of the people who are here today.

I appreciate the complexities of your job, Mr. Blass. You're trying to comply with State mandates, you have to house these people. You have to comply with County residency restrictions. You have a complex job on your hands. The last time, though, that DSS developed a plan it was to move these individuals throughout the County in these trailers and we saw the beginning of that plan appear in Westhampton in a trailer that's still there three years later, and the second trailer out in Riverside in the jail parking lot, and then that plan be abandoned. So I don't have a great trust right now in terms of DSS plans. And one of my questions that -- as I turn to the Presiding Officer and asked a question about implementation, it's one thing to develop a plan but to then to see that plan implemented.

You know, one thing this bill does is it shuts down the voucher system. I don't like the voucher system either. It seems to be right now the only tool you have to start moving people out of these trailers. But if there is a true good faith effort to actually get rid of these trailers, and I think that is your hope, I think that is our hope. However, we're witnessing a larger trailer coming in, so it's on one hand to say we're going to get rid of these trailers and then bring a new one in. I could see certainly how the public would feel that they were not being told the complete truth here.

I do want to applaud the Presiding Officer for stepping into this issue. It's a difficult issue. I've been imploring this Legislative body to provide relief. This is three years my District has had to house all the homeless sex offenders for the County. It is not fair and it is a terrible thing in my District to have this burden. And it's easy to walk away from it, and hopefully we are not going to do that. We are going to solve this. We as a Legislative body did not create this problem; we did not vote to put the trailers where they are. This was the DSS and the Administration that made this decision. We have an opportunity to correct it and I'm pleading with you to do so.

I do have some questions about the bill as it's written. Again, it closes the voucher program. It does not set a date to decommission these trailers. It sets a 30 days to have a plan, but it says nothing about when that plan would be implemented. We've mentioned 24/7 security, but the bill itself does not say 24/7 surveillance.

We've talked, you and I individually, about not siting these in residential areas, but there's no guidance within this bill that says that these would be sited in nonresidential areas. So I thought that language would be important. I understand, and we had this conversation that you had to make a deadline for amended copies, but I think that would be important.

And the other thing, the bill doesn't say specifically that these new sites will comply with the County's own residency restrictions, the quarter mile setbacks to schools, playgrounds and day care centers. And I think there might be some mention, this bill would be helpful too.

So I wanted to give you an opportunity and I would repeat any of those things, of course, Mr. Presiding Officer, but why were those items not placed in the bill?

**P.O. LINDSAY:**

First of all, the housing of homeless sex offenders, as you so aptly pointed out, is the responsibility of the Executive Branch, all right? I don't want to circumvent that responsibility. I want to guide it, push it, mold it, and that's what we're trying to do with this bill. I don't want to take that responsibility totally away from the Executive Branch. They have a responsibility and a duty to implement such a program.

The parameters that you talked about is my understanding of what we're looking to set up, but I'm anxious to see the final plan as well, and then we'll -- I'm sure we'll be working with the department to craft something that is the best we can do with it. I don't think anybody's going to be totally satisfied with it, but certainly it's better than the situation that we have now.

**LEG. SCHNEIDERMAN:**

My fear in passing this bill is we are now giving the site selection, and I think we need to do this, to these congregate care providers. But I want to make sure as we do that we have some basic guidelines and safeguards in place in terms of where those sites may or may not be.

**P.O. LINDSAY:**

First of all, you have County laws. We can't -- this can't circumvent the existing County laws on the books and that's not only implied, I mean, you know.

**LEG. SCHNEIDERMAN:**

I can work with that, as long as the quarter mile setbacks to schools, day care centers and playgrounds are in place.

**CHAIRPERSON BROWNING:**

You can't move that. John.

**D.P.O. VILORIA-FISHER:**

Would you mind yielding just for a second so I could just say one quick thing? Jay, I think if we went further, too much further than the laws that we have right now regarding the restrictions, remember that's why the law that you had placed in committee, and Legislator Romaine, regarding the libraries, that we were concerned that we would be creating an exclusionary area, exclusionary zone and then all of our laws could be overturned by justice. So I think that working within the parameters we have that the congregate shelters would have to work within those and that would safeguard.

**LEG. SCHNEIDERMAN:**

To me that's fine. As long as the County's own residency restrictions are followed. I think those are fine guidelines.

**CHAIRPERSON BROWNING:**

John?

**LEG. KENNEDY:**

As I read through the bill, and I don't want to read too much into this for specifics, again, I think Mr. Presiding Officer is right, that we should be driving some of the policy part of this and the Exec does have the ultimate administrative responsibility. But I can't help but just like yourself, Mr. Chair, while I didn't necessarily have the experience with homeless sex offenders, the Commissioner, the Deputy Commissioner and I just spent an hour-and-a-half yesterday at a family congregate facility in my District about a half mile away from here that is perpetually full and has, I think, a capacity for about 18 or 19 families. There's issues with the neighborhood and we're trying to work through those, but I just want to make certain that facilities like that won't now be blended where it will have individuals in the single homeless sex capacity now integrated into those types of facilities.

**CHAIRPERSON BROWNING:**

That's a residential community so no, you can't.

**LEG. KENNEDY:**

Okay. All right. This area, although, you know, it seems logical, I'm looking for the, you know, hit me over the head overtly with it.

**CHAIRPERSON BROWNING:**

Do we have something to hit him over the head?

**MR. ZWIRN:**

Can I volunteer?

**CHAIRPERSON BROWNING:**

Oh, that's not nice. Go ahead.

**MR. ZWIRN:**

If I might jump in. I just very briefly want to explain why the trailers were put where they were originally. It was a small population. We were ordered by the State to find housing for homeless sex offenders. The County Executive on his own -- we had to find County owned property to put those facilities up. The first one, the second were at the Riverside Riverhead County Jail on the grounds. Originally we wanted to put them behind the barbed wire of the jail. The Office of State Corrections said no, because these individuals had served their time in prison and now they were out and you couldn't put them back behind locked doors. So we found the next safest place, we thought, was on the grounds of the jail in Riverhead, and we put a trailer there and they had to get past a Sheriff's guard post before they could get out on to the street. They're not there during the day, they're only there in the evenings.

We also had a trailer at Westhampton Beach because the BOMARC facility was there, the County owned it, there was law enforcement that passed back and forth going through to the pistol range, the impound yard was there, so we put one there.

The original thought was to try to move these trailers around the County, and it became increasingly clear that that was going to be very problematic because nobody wants these facilities anywhere, not the people in Westhampton, not the people in Riverhead. There isn't a place here who would say welcome. To speak to Legislator Schneiderman's concern, if you were going to go by just the County's guidelines, then these facilities that we have now comply. They comply with the County and State guidelines where they're located.

We tried to have supervision. There are guards there that watch these individuals when they're there at night. They're not just free to walk out if they were going to leave, especially in Westhampton. The Southampton Town Police were called and they would escort them out of the Westhampton area if they were going to leave, and it happened, I think, once or twice. Somebody went to a diabetic shock and they took him to a 7-Eleven, I think, in Manorville so he could get a candy bar and then they brought him back to a DSS center.

We have done everything we can to try to keep the community safe and we have. I mean, as critical as everybody is of the system, and we understand the criticism, it has worked. We haven't had any incidents, knock wood. It's always on borrowed time but it has succeeded.

The County Executive wants to work with the Legislature on this. One of the things that we suggested early on out in Riverhead when people came was to try to find, you know, different locations in different Legislative districts. It's very hard to do it. We tried to build a little bit of a shelter in an industrial area in East Farmingdale, which is a completely industrial area. When the word got out that we were looking at that site, over 1,000 people turned out at Farmingdale High School to show their unhappiness, and this was after the County had notified everybody that we

weren't going to pick a site in East Farmingdale. One thousand people came out just to make sure that that decision was going to stay.

It is a very difficult problem. And we're going to face it here. We just ask you to work with DSS. We came up with a voucher system which other Counties use to try to disperse them and not guide them. Now, what's going to happen is because of all the different restrictions they may all gravitate to one or two hotels or motels in the County and we're right back to square one. The County Executive supported civil confinement. Governor Spitzer then signed the civil confinement bill. It has not worked or lived up to its expectations, so these people are getting out.

The GPS issue that Legislator Eddington tried to -- well intentioned. We may not have the ability as the Commissioner states. The State may not let us do it. They served their time. We are sympathetic with the people in Westhampton and Riverhead. I mean, this is not something that we look forward to as government officials saying, you know, this is what we're going to put in your neighborhood. This is about the worst thing we could possibly do. We need the Legislature's help, we need the town's help. If we can find locations that are acceptable, and I think they should have to be acceptable to the Legislature, even though I know you want to do it with private entities, I think ultimately the Legislature you're going to be responsible for it, we all are.

**D.P.O. VILORIA-FISHER:**

That will never happen.

**MR. ZWIRN:**

Well, I don't know if we're going to be able to find sites.

**P.O. LINDSAY:**

Well, you are going to be back to square one, because if you propose ten sites, I guarantee you there'll be ten Legislators that say no.

**MR. ZWIRN:**

I don't disagree with you, Presiding Officer.

**P.O. LINDSAY:**

Try this idea out, that's what I'm asking you all to do. Give it a try. Anything you've tried so far, Ben, I'm not saying that it wasn't well intentioned, hasn't worked.

**MR. ZWIRN:**

Well, I would agree that we certainly haven't made any friends doing it. And again, our intention was to try to spread it out across the County. We wound up, because we didn't have that many in the population so we just kept the two trailers that we had. It was enough except in rare instances when we had more than that, and then usually it was a level one sex offender, which is the most -- as bad as they are, the least offensive would wind up in a hotel, or if there was a woman who was classified as a sex offender they would wind up at a hotel somewhere, usually out in Riverhead somewhere.

We'll work with you. It's not something -- it's not us versus them. We would like to try to find a solution working together. I know it's something we're going to have to wrestle with for -- not just us, every municipality in the State of New York, because as the Commissioner said, there's over 950 living among us, and we're talking about a population of about 25.

**CHAIRPERSON BROWNING:**

Okay. You know, I know we do have a couple of more people, but I kind of held off. Jay talked about the nursing homes, the senior complexes and the library. I didn't support the library, and I can tell you, during one of my campaigns in my election it was used against me. And the reality is I'm one of the prime sponsors of the quarter mile law. That was one of the first things that I introduced when I come into office. And when we're running for elections, I can tell you every

election that I've been in, they hammered me on sex offenders. I'm responsible for having sex offenders in my community. I can show you the literature. It was horrendous what they used. The reality is you can do a quarter mile law with the libraries and you can't live within a quarter mile of a library, but it still doesn't say he can't walk in. He can walk into the library. So it was a silly piece of legislation, it was ridiculous.

That's one of the problems that we have here now in Suffolk County is that this issue has been used as a campaign piece against their opponents and I think it's despicable. When I first ran -- the issue was an issue in my District when I ran the first time. I didn't use it against my opponent because I knew my opponent cared about it just as much as I did. But I'm getting sick and tired of, you know, the campaign literature against opponents because they're placing sex offenders, they're responsible. No we're not. There's not one of us that doesn't care about the issue. We all care about the issue and none of us want it in our backyard. The Shirley/Mastics people don't want it, the Gordon Heights people don't want it, but we are more than burdened.

And again, to respond back, you know, I have dealt with parole and they are putting them in my District. They're not choosing to live there, they're being placed there, and there are many of them that are. I can tell you 25 -- I live in Shirley. There's 25 in my community. There's 10,000 children in my school District. Is that fair to them? Absolutely not. There's about 15 in Mastic, there's more than 25 in the Mastic Beach area, Gordon Heights. It's horrendous the numbers in Gordon Heights. So to say that you don't want them in your backyard and put them somewhere else, that's not fair to the other communities.

So I think what Legislator Lindsay is trying to do, he's trying to be fair. You know, people in my community say we're willing to take our fair share, but we don't want them all. And then other communities are saying we don't want them at all, send them somewhere else. Well, that's not fair. It's really not fair to the other communities. So I think this is an effort, a really -- I think finally a real attempt, but around this horseshoe I can guarantee you next year it's going to be a campaign issue. And I think every single one of us try to work on it but it's just -- it's not fair to the communities and I think it needs to stop being a campaign piece. Stop hammering your opponents. And, you know, if you do do something on the issue, it's okay to say this is what I've done. I'm doing everything I can, but I can't fix the problem alone. And yes, the State needs to do more. The civil confinement is something that needs to happen. I believe Legislator Eddington has something to say.

**LEG. EDDINGTON:**

Yeah, I just wanted to piggyback on what said you said, Legislator, that, you know, that I think we have been very proactive in the last six months trying to deal with this issue. As my Legislature -- my legislation tried and so is the Presiding Officer's. And I do remember when I talked to the Commissioner that we already know the voucher system is going to be targeting, because we know that you give a list of motels that people can't go to, and so very shortly -- when I asked could I have the list they could you said I can't do that, but very shortly they will have a list of where they can go, and again they will all be targeted to a certain area.

I think what we're trying to do is not wait until that happens, that we'll deal with it in a more effective and fair way. And when I say the word fair, I've learned very clearly in the last six years, nobody wants you to be fair, they want you to support their side. But I think the Legislature is really trying to say we want to be fair. Legislator Browning is saying the downside of being fair is when your campaign comes and they beat you up, but I think we really are trying to say we're not making this political. We want to help the people in Southampton and we want to help the people in Gordon Heights. We want to the help the people in Brentwood. We want to help all the citizens of Suffolk County. So I'm going to support Legislator Lindsay's efforts and I think we should all get on board. Thank you.

**CHAIRPERSON BROWNING:**

I'm sorry. Vivian.

**D.P.O. VILORIA-FISHER:**

It's okay. I have a question about the logistics of the voucher vis-a-vis this legislation, and I'll put it to Counsel or the Commissioner or to the sponsor. My understanding as I read the legislation was that this will put an end to the voucher system, but that it would be phased out as we implement this system? Because you can't end a voucher system and not have a place to put them yet. Can somebody answer that question?

**P.O. LINDSAY:**

I can.

**D.P.O. VILORIA-FISHER:**

Okay. Bill.

**P.O. LINDSAY:**

The voucher right now, and correct me if I'm wrong, Commissioner, but we only have about four people on vouchers. Is that correct?

**COMM. BLASS:**

It's not even. It's half that.

**P.O. LINDSAY:**

Okay. So we only have two people. So it's --

**D.P.O. VILORIA-FISHER:**

Okay. All right.

**P.O. LINDSAY:**

Mainly because we haven't approved the increase in petty cash to put more out on vouchers.

**D.P.O. VILORIA-FISHER:**

The second part of what I wanted to say is that a gentleman earlier said that there's a very, very bad plan and then there's a very bad plan. Well, this is something where there's really no good plan, because this is a tough situation. But what we're trying to do is get to the least bad plan with this, because we'll all have a shelter, a congregate shelter, in our town wherever it is. And, you know, one of the good things that the people from Westhampton have is that your builder is willing to put a fence up on, you know, on his nickel so that at least there's that right now, while we have the trailer there. He mentioned that. Yes, he did. They are looking into putting a fence.

**SPEAKER FROM AUDIENCE:**

We're looking into it.

**D.P.O. VILORIA-FISHER:**

I gave you more credit. But the point is everybody is looking into trying to do something to alleviate it. This is, I think, the best of all possible plans that I've seen. My only concern is when we have the congregate shelters chosen that the media will find them and splash them, if they can, in the paper and on T.V. and get the neighbors, the surrounding -- if they can find it.

**P.O. LINDSAY:**

They have to be reported on Megan's Law, I mean, which they are -- you know, if people -- if there is a sex offender that's in your neighborhood, it's there now.

**D.P.O. VILORIA-FISHER:**

It's there, but what I'm saying is I feel that you can wave a red flag in the papers because somebody -- it's reported in Parents for Megan's Law, but you have to be actively looking for something -- for it on the website. If it's thrown out there that it's in your neighborhood by the newspapers or the T.V., it gets the people up in arms and they feel that they've been targeted. So

I'm hoping that that will not be the case.

**LEG. KENNEDY:**

Madam Chair, I have one more question for the Commissioner, if I may?

**CHAIRPERSON BROWNING:**

Go ahead.

**LEG. KENNEDY:**

Let's go back to the total number that we have of individuals in this category again. About 24, 25 right now?

**COMM. BLASS:**

Right now actually it's been 21 the past few days, but this is the lighter time of year. We have been up to about 30, as many as 31, but that's why we've been using the voucher system to the limited extent. We've used the trailer primarily in Riverhead. The trailer in Westhampton has been an overflow, and contrary to suggestions, its bed capacity is not changing and when the court issue is resolved it will still be one trailer, larger only because of showers, not because of beds.

**LEG. KENNEDY:**

Madam Chair brought up a couple of points. One of them was about the fact that parole, New York State Parole, has been consistently apparently discharging individuals. As a matter of fact, there was an effort some time last year, if you recall, tentatively to purchase a home in an area in my legislative District. While we wrestle with what we have to do at our governmental level, it occurs to me we do have some ability to deal with the State, and for that matter, the City Office for Corrections when somebody comes in seeking some kind of assistance. Do you find out where it is that they were released from or how recently they've been released? And if, in fact, we are experiencing somebody who was a Suffolk County resident, got convicted, did their time, and is returning to Suffolk County or are we receiving somebody who's being exported from another part of the state?

**COMM. BLASS:**

I'll let Deputy Commissioner Hernandez answer that.

**LEG. KENNEDY:**

Sure.

**COMM. BLASS:**

With the Chair's permission.

**CHAIRPERSON BROWNING:**

Go ahead, Ed.

**MR. HERNANDEZ:**

The Department of Corrections is required to send notice to the local District that somebody is being released into homelessness. It lists the name of the person, the correctional facility they came from, the offense that was given, the supervising parole officer and the parole officer that will be responsible for that person. Their notice is supposed to come out in as much time in advance. I mean, occasionally we do get only 24 to 48 hours notice.

**LEG. KENNEDY:**

In that notice, does it give anything about what the individual's residence or domicile was at the time of conviction?

**MR. HERNANDEZ:**

No, it does not, but we did a study of all the sex offenders that stayed at the trailer in 2009 and

found only three or four that were not Suffolk County residents.

**LEG. KENNEDY:**

And what did we do with the three or four who were not Suffolk County residents?

**MR. HERNANDEZ:**

According to our mandate we house them.

**LEG. KENNEDY:**

I am going to make a suggestion to Madam Chair, maybe I'll do it off record, but I really would like to see an opportunity for us to have some dialogue with State parole as well.

**CHAIRPERSON BROWNING:**

Oh, I had one already. It was not pleasant.

**LEG. KENNEDY:**

Maybe you'd like to invite him to a committee meeting.

**CHAIRPERSON BROWNING:**

I had one already. It was by no means pleasant. I got the whole -- it was a Director from Parole. She was a Regional Director and her responsibility is the Reentry Director and it was a very loud meeting in my office and not helpful at all. "Where am I going to put them?" That's what I kept getting. Well, you know, even if they committed their crime in this County, even if it's not where they lived, they can come back here. It's unbelievable the responses I got. It was horrible.

And, again, there is another issue. I know that you're talking about them coming out of jail. You know, a lot of these sex offenders are transient. They'll live in a home somewhere. I know for a fact they move around. There is a new State website that tells you when a sex offender moves to your community, but it also tells you when they move out. It's a very good website. We track sex offenders like there's no tomorrow in my District. But at the same time, you know, being that they are transient, I know that some of them can be living in a residence at one point and then wind up -- maybe they've gotten evicted or something, but they can wind up homeless even though they've been in a residence. So they're not necessarily coming out of jail and being homeless. They could have already lived in a community and be homeless. You know, that's another issue. But they move around a lot, I tell you that.

So we can move on, I guess, with the -- I guess we had a motion and a second. All in favor? Opposed? Abstentions? Motion carries. 1399 is approved. **(Vote: 6-0-0-0)**.

***1436, Amending the 2010 Adopted Operating Budget to accept and appropriate 100% State Aid from the New York State Office of Mental Health to Family Service League for Suicide Prevention activities. (Co. Exec.)***

**D.P.O. VILORIA-FISHER:**

Motion.

**CHAIRPERSON BROWNING:**

Motion to approve, Legislator Fisher.

**LEG. EDDINGTON:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Eddington. And place on the Consent Calendar. All in favor? Opposed? Abstentions? Actually, I'd like to be a cosponsor on that. **(Vote: 6-0-0-0)**

***1437, Requesting legislative approval of a contract award for general dentistry services for the Department of Health Services, John J. Foley Skilled Nursing Facility. (Co. Exec.)***

**CHAIRPERSON BROWNING:**

I'll make a motion to approve, second, Legislator Eddington. All in favor? Opposed? Abstentions? Motion is approved. **(Vote: 6-0-0-0)**

***1474, Adopting Local Law No. 2010, A Local Law authorizing the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility. (Co. Exec.)***

**LEG. EDDINGTON:**

Motion to table.

**D.P.O. VILORIA-FISHER:**

Second.

**CHAIRPERSON BROWNING:**

Motion to table, Legislator Eddington. Second, Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? It's tabled. **(Vote: 6-0-0-0)**.

***1502, Directing the Department of Social Services to close the sex offender trailers. (Schneiderman)***

**CHAIRPERSON BROWNING:**

Do we have a motion?

**LEG. EDDINGTON:**

Motion to table.

**CHAIRPERSON BROWNING:**

Motion to table, Legislator Eddington. I'll second it. All in favor? Opposed? Abstentions? And again, to say this is -- we share your concerns and we are going to work on a solution for all of us. However, the motion to table I'll second. All in favor? Opposed? Abstentions? It's approved. **(Vote: 6-0-0-0)**

***1506, Authorizing public hearings and a Legislative Office of Budget Review Analysis on a proposal to provide services at John J. Foley Skilled Nursing Facility through an entity other than Suffolk County Government. (Co. Exec.)***

**P.O. LINDSAY:**

I have a question, though. What is the difference between 1506 and 1337?

**CHAIRPERSON BROWNING:**

I was going to say what's the difference between the two?

**MR. NOLAN:**

One says we have to do all the stuff in 30 days and this one says as soon as possible or something along those lines.

**LEG. EDDINGTON:**

Motion to table.

**CHAIRPERSON BROWNING:**

Motion to table, Legislator Eddington. Second, Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? The motion is tabled. **(Vote: 6-0-0-0)**

***PM.08, Authorizing an additional appraisal for the John J. Foley Skilled Nursing Facility.  
(Pres. Off.)***

**CHAIRPERSON BROWNING:**

Motion, Presiding Officer Lindsay. Second, Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? The Procedural Motion is approved. **(Vote: 6-0-0-0)**

With that, motion to adjourn by Legislator Eddington, and Legislator Viloría-Fisher, second. We are adjourned.

**[THE MEETING WAS ADJOURNED AT 4:41 P.M.]**