

**LEGISLATIVE & PERSONNEL COMMITTEE
of the
Suffolk County Legislature
Minutes**

A regular meeting of the Legislative & Personnel Committee was held in the Rose Y. Caracappa Auditorium at the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York on **May 3, 2001**, at 1:30 P.M.

MEMBERS PRESENT:

Legislator Martin Haley, Chairman
Legislator Ginny Fields, Vice Chair
Legislator Jon Cooper
Legislator Michael Caracciolo
Legislator Allan Binder

ALSO IN ATTENDANCE:

Paul Sabatino, Legislative Counsel
Loretta Filosa, Aide to Legislator Martin Haley
Gerard McCreight, Aide to Legislator Jon Cooper
Kristine Chayes, Department of Civil Service
Nicole DeAngelo, County Executive's Office
Fred Pollert, Director, Budget Review Office
Jim Spero, Assistant Director, Budget Review Office
Gail Vizzini, Budget Review Office
Lance Reinheimer, Budget Review Office
Ellen Martin, Presiding Officer Paul Tonna's Office
David Greene, Labor Relations
All Interested Parties

Minutes taken and transcribed by Irene Kulesa, Legislative Secretary

(The meeting came to order at 1:35 P.M.)

CHAIRMAN HALEY:

We will start the Legislative & Personnel Committee with a salute to the Flag.

SALUTATION

CHAIRMAN HALEY:

Come on up, Dave. Anyone else who wishes to speak on I.R. 1384, which was discharged without recommendation in Finance yesterday? Thank you. Yes, Dave?

MR. GREENE:

Well, I think it's fairly self-explanatory. The Detective Investigators in the County arrived at a four-year contract in the absence of arbitration. We think the Legislature should wholeheartedly accept this contract. There's an old frame filter ad, pay me now or pay me later. We believe this is, in terms of gross dollars, much more beneficial to the County than if we were compelled by a rejection of a contract to go to arbitration. So we would hope, we'd have your support in this matter.

CHAIRMAN HALEY:

What did you mean by pay me now or pay me later?

MR. GREENE:

Well, if this was for some reason rejected by the Legislature, it would not be unreasonable to anticipate an arbitrator, for the first two years, would award even greater sums of money. So we think, on balance, given a four-year award, this is in everyone's best interest. It was in the best interest of the Detective Investigators and the best

interest in the County of Suffolk.

CHAIRMAN HALEY:

Anybody else? Any questions? I have a motion by Legislator Caracappa to take 1384 out of order, seconded by Legislator Binder. Can anyone answer? I need to know? This is approximately six hundred thousand for next year?

MR. SPERO:

That's this year's cost, six hundred --

CHAIRMAN HALEY:

Six hundred, I'm sorry. And next year?

MR. SPERO:

Close to six hundred and thirty thousand in total for last year and this year combined.

CHAIRMAN HALEY:

Is this one of the problems -- I'm going to ask your opinion. Is this one of the reasons it got discharged without recommendation, because we didn't have this information in Finance?

MR. GREENE:

Well yesterday, when we came to present it, nobody seemed to want to look at the actual contract for whatever reason. There was some concern about the funding. It's our understanding there's money in the contingency account. But let me be very blunt. Let us make the assumption there was not a penny in the contingency account. I don't think arbitrators care if you have any money in the contingency account or you have any tax revenue. They just issue awards and we have to find some way to pay for it. So when you look at what this contract over four years does, in terms of benefiting the DI's and benefiting the contract, versus what could be possible. I think a bottom line kind of person and someone who is concerned about the tax base would realize this is a much more reasonable solution in allowing a third party, you know, to settle this particular issue.

CHAIRMAN HALEY:

I can't believe I'm hearing you say that. I'm just kidding. Jim, have there been any discussions with the Budget Office concerning how they're going to pay for this? Wait a minute, he's jumping up. I guess he's going to answer that.

MR. SPERO:

When the budget was put together, the 2001 Budget and the contingency account did not include the settlement for the Detective Investigators. There's two ways you can pay for this. There's enough -- if the District Attorney leaves all forty of his vacancies vacant for the remainder of the year, there will be sufficient funds to pay for this contract. And if those positions are filled and to the extent they're filled, then other sources of funds will have to be found to pay for the contract. The main source being the contingency account.

MR. POLLERT:

Last time, when we checked with the Budget Office, the 167's for the vacancies in the District Attorney's Office had not been signed off on, therefore, the intent was that it was supposed to come out of the District Attorney's Budget.

MR. GREENE:

Let me just point out that -- I don't think if this is rejected, an arbitrator is going to care what our budgetary dilemmas would be. They simply issued an award. They say beg, borrow and steal --

CHAIRMAN HALEY:

I know but that's our concern. This is what I'm primarily concerned with. I'm concerned with the DA trying to foot the whole thing and not be able to hire, because the DA still needs to hire. I understand it's got forty vacancies. Not that he wants to hire forty but he wants to hire some, right?

MR. POLLERT:

Last time, I spoke with Ed Flaherty, he had indicated that he wanted to hire thirty-eight of the forty.

CHAIRMAN HALEY:

Well yes, I would say that too. I'd say I want forty-eight of the forty. You have no indications from Flaherty or from

Budget Office how they plan to pay on this?

MR. POLLERT:

The last time I spoke with Ed Flaherty, he was not aware that the funding was supposed to come out of his departmental operating budget and Ken has been at the County Finance School, so I haven't been able to get in touch with him.

CHAIRMAN HALEY:

Thanks. Joe, do you have a motion? Do you want to defer to prime?

LEGISLATOR CARACAPPA:

Motion to approve.

CHAIRMAN HALEY:

Second by myself. All those in favor? Opposed? That's approved.

I.R. NO. 1384-01 Authorizing the County Executive to execute an agreement with the Suffolk County Detective Investigators Police Benevolent Association, Inc., covering the terms and conditions of employment for employees covered under Bargaining Unit #12 for the period January 1, 2000 through December 31, 2003. ASSIGNED TO FINANCE & FINANCIAL SERVICES AND LEGISLATIVE & PERSONNEL (County Executive)

VOTE: 5-0-0-0 APPROVED

MR. GREENE:

Thank you very much.

CHAIRMAN HALEY:

It may be when they have additional information out of Finance; those individuals will be inclined to approve. Okay, tabled resolution 1111. I'll make a motion to table that, seconded by Joey. All those in favor? Opposed? 1111 is tabled.

TABLED RESOLUTION:

I.R. NO. 1111-01 Directing County Department of Human Resources, Personnel and Civil Service to apply for removal of ceiling on part-time Clerk/Typist earnings. ASSIGNED TO LEGISLATIVE & PERSONNEL (Legislator Maxine Postal)

VOTE: 5-0-0-0 TABLED

CHAIRMAN HALEY:

Okay, I'll accept a motion by Legislator Binder to approve and place on the consent calendar 1268, 1338, 1354, 1355, 1356, seconded by Legislator Cooper. All those in favor? Opposed? Those are all approved and placed on the consent calendar.

INTRODUCTORY RESOLUTIONS:

I.R. No 1268-01 Authorizing certain technical correction to Adopted Resolution No. 1269-2000. ASSIGNED TO LEGISLATIVE & PERSONNEL (County Executive)

VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR

I.R. No. 1338-01 Authorizing certain technical correction to Adopted Resolution No.179-2001. ASSIGNED TO LEGISLATIVE & PERSONNEL (Legislator Brian Foley)

VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR

I.R. No. 1354-01 Approving payment to General Code Publishers for Administrative Code Pages. ASSIGNED TO LEGISLATIVE & PERSONNEL (Presiding Officer Paul Tonna)

VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR

I.R. No. 1355-01 Authorizing certain technical correction to Adopted Resolution No. 920-2000. ASSIGNED TO LEGISLATIVE & PERSONNEL (Legislator Joseph Caracappa)

VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR

I.R. No. 1356-01 Authorizing certain technical correction to Adopted Resolution No. 179-2001. ASSIGNED TO LEGISLATIVE & PERSONNEL (Legislator David Bishop)

VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR

CHAIRMAN HALEY:

We approved 1384. A technical resolution correction to Resolution 204-2001. Motion. It's just changing a name on the member items. Motion to approve by Legislator Cooper, seconded by myself. All those in favor? Opposed? It's approved.

I.R. NO. 1409-01 Authorizing technical correction to Resolution No. 204-2001. ASSIGNED TO LEGISLATIVE & PERSONNEL (Legislator David Bishop)

VOTE: 5-0-0-0 APPROVED PLACED ON CONSENT CALENDAR

CHAIRMAN HALEY:

We're adjourned.

(The meeting was adjourned at 1:45 P.M.)