

WORKFORCE HOUSING AND LABOR COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Workforce Housing and Labor 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, Hauppauge, New York on February 1, 2006.

MEMBERS PRESENT:

Leg. Kate M. Browning, Chairperson
Leg. Jack Eddington, Vice•Chairman
Leg. Vioria•Fisher
Leg. Thomas F. Barraga
Leg. Lynne C. Nowick

ALSO IN ATTENDANCE:

Presiding Officer William J. Lindsay
George Nolan, Counsel to the Legislature
Ian Barry, Assistant Counsel to the Legislature
Renee Ortiz, Chief Deputy Clerk
Lance Reinheimer, Budget Review Office
Marian Zucker, Director of Affordable Housing

Ben Zwirn, Assistant Deputy County Executive
Jeff Tempera, Director of Labor Relations
Glenn Pichardo, Aide to Leg. Browning
Ginny Suhr, Aide to Leg. Vilorina•Fisher
Robert Dow, Commissioner, Department of Labor
Peter Crisano, Department of Labor
Jeff Tempera, Director of Labor Relations
Marian Zucker, Director of Affordable Housing
Phillip Beltz, Special Projects Coordinator
Marianne Garvio, EVP, CDC of Long Island
Ellen Schuler Mauk, Suffolk County Community College
Cheryl Felice, AME

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary

(THE MEETING COMMENCED AT 2:47 PM)

CHAIRPERSON BROWNING:

We're calling the meeting to order for Labor, Workforce and Affordable Housing Committee. All members please report. Welcome to the committee for Labor and Workforce Housing. It's February 1st and Jack will start the Pledge of Allegiance.

(Salutation)

LEG. VILORIA•FISHER:

Madam Chair, if we ••

CHAIRPERSON BROWNING:

Yes, we may. Yes.

LEG. VILORIA•FISHER:

Thank you. If we could just have a moment of silence in remembrance of _Coretta_ Scott King, the dignity that she brought to a very important issue in our country.

(Moment of Silence)

LEG. VILORIA • FISHER:

Thank you, Madam Chair.

CHAIRPERSON BROWNING:

Do we have some cards? We'll start with the public portion. We'll start with Ellen Schuler Mauk from the Suffolk Community College •• there you are •• Suffolk Community College Faculty Association.

MS. MAUK:

Thank you. And thank you for •• thank you for taking my statement first. I have come today to make a statement with regard to the tabled resolution before this committee, Resolution 1057, dealing with reforming the County sick leave policy for exempt employees and County departments. And I'm coming before you because it's not that this particular provision would appear on the face of it to affect anyone in my bargaining unit or in any of the other County bargaining units. But I want to talk about it as the impact •• as to the impact that it does have on the bargaining units in all of the County departments.

I represent the faculty at the college. And one of the things that you should know about the college is that there are •• there is an administrator's union as well as a faculty union and then there are exempt employees as well as AME employees. Ostensibly this provision affects only the exempt employees which are basically 24 in top level administrators. However, in the college's administrative, exempt administrative ranks, there are several vacancies of those positions, and specifically campus deans who are the people who are in charge of the campuses.

Last year the college did a nationwide search to fill those positions. We had initially, I believe, 24 candidates for those positions. Some of the candidates did not have the experience that we were looking for. Some of the others

who we thought were good candidates, they dropped out of the consideration because of the high cost of living, of coming to Long Island and having to relocate. We knew that that was always a problem. In some of the others where it was marginal in terms of the transition costs that they would have to pay, when they began looking at both the salary and the benefits, that was a great deterrent because at the time the college could not say when they would get a raise or if they would get a raise and they also noted •• noticed that their benefits were lesser than the •• than the benefits of the people that they were supervising. Out of that search that we did last year, we were able to get one campus dean out of nine potential candidates.

Now the •• and so the issue of benefits as well as salary was a major issue.

One of the other aspects in terms of dealing with this, and again, as the faculty we're concerned about the kind of managers and the kind of experience that we have, people in these managerial positions, because while they're not actually teaching, they are guiding a lot of the educational issues at the college. And we want them to be fair, we want them to be on top of their •• on top of all of the issues.

Usually if we don't get someone from the outside we also look to people who are inside, who have been at the college for a number of years, who understand the college, understand the college •• the student population, and understand, you know, how •• the culture of the college.

These people usually come from the Guild of Administrative Officers. Now, the Guild of Administrative Officers have the same benefits that the faculty do. And if they •• under the resolution that is being proposed, if they were to take an exempt administrator position, they would be taking a cut in their benefits. And you are not talking about people who have newly entered the teaching profession or the mid•level administrative positions. You're talking about people who have probably been at the college for 15 years, 20 years. After they had •• they've taught for a number of years, they've served in various administrative ranks and they want to move on.

For them to go into an exempt position where they actually have to take a cut in benefits, it's not worth their while to do so at that point in their career. So we lose very experience, talented, mid•level administrators

from taking these positions because of this kind of a resolution.

Now, in terms of the direct impact on the bargaining unit, there is a direct impact and it has not crossed •• it has not •• let me start again. In terms of ••

CHAIRPERSON BROWNING:

Time is up. If you would like to wrap it up.

MS. MAUK:

Oh, I'm sorry. Okay. All right. In terms of its direct impact, right now we're in bargaining and obviously this is an issue that is at the bargaining table. And if this were to be passed, obviously it becomes this kind of impetus to force it on to the various bargaining units. As a union president I'm not about cutting members' benefits and I would not like to see the Legislature put something into place that would in essence say that unions should cut benefits because managers have benefits cut. So for these reasons I would like you to not approve this particular resolution. And thank you.

CHAIRPERSON BROWNING:

Anyone have any questions? No? Okay. Thank you. Next we have Cheryl Felice, President of AME. You'll have three minutes.

MS. FELICE:

Thank you, Madam Chair, and congratulations on your appointment as Chair of the Workforce Committee and congratulations also to Presiding Officer Lindsay for putting this committee together. I think it was long overdue and one that we hope to enter into spirited debate with throughout the year and hopefully accomplish our goals, our mutual goals together.

So I'm here both as the AME President and also as the Labor Co-Chair of EMHP that serves as the spokesperson for Scope. Those are all our ten unions within the County. And we're here to say that we are against Resolution 1057, reforming sick leave policy, as we believe it is inconsistent with the County's effort to pursue the means to keep workers from leaving Suffolk County. While this resolution is not written for union labor, we

unanimously urge you reject it in its entirety as being anti-worker.

Workers who leave their time on the books already give the County half of what they earn in sick time, yet are given no incentive or compensation for maintaining sick accruals. Introductory Resolution 1057 punitively harms workers who are providing the County with increased productivity. Restricting sick leave payouts upon retirement will discourage workers from keeping any time on the books, increase absenteeism and therefore reduced productivity, slowing down the delivery of services in its entirety.

It is for those reasons that we have stated that we unanimously encourage you to reject 1057. Thank you.

CHAIRPERSON BROWNING:

Thank you. Anyone have questions? No?

MS. FELICE:

Thank you very much.

CHAIRPERSON BROWNING:

Thank you. Presentations. We have Robert Dow, Commissioner for the Department of Labor.

COMMISSIONER DOW:

You'd think an electrician would know how to turn a microphone on, but Renee, thank you very much. Honorable Legislators, Madam Chair, Presiding Officer Lindsay, good afternoon. My name is Robert W. Dow, Jr. I'm the Commissioner of Labor for Suffolk County and I'm here to give you a brief presentation about the Suffolk County Department of Labor and what we do in the department. And also I have to the left of me Pete Crisano, who is our grant development and program compliance •• I would call him guru, and he will give you an outlook on present and future funding. So if I may, and I will be brief.

Our department was started back in 1963 by the Board of Supervisors and the main thrust of the department and what was sought by the Board of Supervisors was to have a Labor Department to be able to act as a neutral

party to go and do labor mediation in Suffolk County and to try to handle labor disputes that would arise in a fashion that would be done as quickly as possible with little or no economic consequence.

The department blossomed into what we are today, which is 188 employees currently. We have an operating budget of approximately, of last year, which was 15.9 million, and currently this year we're facing a reduction and it is a \$2.4 million reduction which leads us to about a \$13.5 million operating budget for 2006.

Our department has •• one of the main functions is employment and training programs. And our department receives monies from federal grants through the Workforce Investment Act and through temporary assistance for needy families. They're federal programs. One of the programs, the _WEA_ program, allows us to provide residents with employment opportunities for underemployed and unemployed individuals. We have a one stop center that is located right across the street from the legislative building.

The individual can come in and take short term courses. They can sign up for long•term courses if they qualify. There is resume writing, there is job counseling. There is workshops they can participate in. There is a huge job database that an individual can come in and search the database for jobs. And we give little or tremendous assistance based on the needs of the individual that come into our department seeking services.

Along with that there is a business services component of that. On a monthly basis we do between two and four jobs fairs and we hook up with employers that are looking to hire Suffolk County residents. We invite Suffolk County residents to come down and basically they have an opportunity to speak with the employer and decide whether or not they'd like to work for that particular employer. We also do career quests that are very similar to a job fair, but it's mainly specified for a particular field and a particular employer.

We have recently done outreaches to the library system and had a very successful one about two months ago with the Brentwood Library and had

over 300 participants from Suffolk County come to the job fair and we had about 21 different employers participate with us. And so one of our programs, again, is employment in training. Along with that, to aside and it's a similar program, but it is a separate funding stream, is the Displaced Homemaker Program. That's about a six to eight week program that allows individuals that were homemakers at the time to come back into the work field but given a lot of opportunity and services that we provide to get them ready to participate back into the working field.

We have also, and we run this every summer, it's called the Summer Youth Program. Just last summer we had over 500 children participate in the Summer Youth Program. It's a six week program, it is funded by the state. The good news about that program is that it is in Governor Pataki's budget right now for \$25 million throughout the state of which last year we had approximately \$471,000 to this program. It's a six week program. It gives opportunities for kids to go in to do work related things over the summer for six weeks with people like a school district. Some of them are involved with regular clean ups with crews and go out into environmentally sensitive areas, our parks, whether they be County, state, and it's an opportunity for individuals, youths, to experience their first crack at a job for the summer.

We also handle the Suffolk County _PERB_ Board, which is a mini •_PERB_ , and there is three members on that board. That's through our Labor Mediation Unit. And I would like to say that behind me is my Director and Assistant to the Commissioner, Liz _Pearsall_ . Liz, would you stand up a second, please. Liz handles our Labor Mediation Unit. She fields approximately 150 calls a month of labor and employment questions. We also do arbitrations and are assigned to several collective bargaining agreements with unions in Suffolk County to do binding arbitration for them.

We provide also on a monthly basis labor statistics that are from the •• the labor statistic from the federal government that are •• come down to the state and then from the state we do our own analysis and provide labor statistics to about four or 500 people on our mailings.

To wrap up, we also administer two laws. And one of the laws currently we

are very familiar with is the living wage law. It was enacted back in about 2000 and any Suffolk contract that is 50,000 or more is applicable to the law. Basically it requires an employer pay their employees a prescribed amount which is about nine and change an hour with benefits and it is above ten dollars an hour without benefits for living wage. But it's only applicable to Suffolk County contracts of \$50,000 or more.

Along with that, a new law that we're in the process of and have been and will be administering is the Fair Share Medical Health Care Act. The Fair Share Medical Health Care Act was signed by the County Executive, I believe, in November of last year. We are the •• have been given the administrative responsibilities for that law. And currently or in the month of December we sent out approximately 492 •• we call them Christmas cards, but actually they are not. They were to employers that we think could be covered under the law. So basically we sent them out and we are in the process of, with the County Attorney's Office, reviewing our rules and procedures to administer the law and the law has already taken place or already started on the first of this year. But the date for employers that are covered under law is May 1st for us to actually come in and verify that they are starting to adhere to what the law states.

And that's a very brief overview of our department. But I would •• at this time what I would like to do is offer Pete Crisano to give you an overview of our funding streams and •• you know, I missed one, excuse me.

One of our other departments and one of our other units, I should say, and funding streams, and I mentioned before TANF, and that was for summer youth. But we also through a contract with the Department of Social Services run a Welfare to Work Program. It's called our sweat program. It's an extremely important program that requires welfare recipients that are employable to work at least 30 hours a week. So our department, it's located over on Oser Avenue, in a building on Oser Avenue, and we co •locate with Department of Probation and Department of Social Services over there. And individuals come in and must go through our department.

If they are coded to be employable individuals, and they must •• and they have lots of barriers like we all know, and part of them being child care,

transportation. We help them through those barriers. But it is a mandated program that the federal government requires that people that are in these codes that are employable must work at least 30 hours. So they work in all different various work sites and those work sites could be County offices. We have MOU's, memorandums of understanding, with many County agencies, not•for•profit organizations. And those individuals •• those individual employers would, again, hire these individuals and that is another major program of ours.

But more importantly, when you look at our department, about 15% of the department funding comes from the County and about 85% of it is funded through either these two programs, the Workforce Investment Act or the Temporary Assistance for Needy Families.

And so with that in mind, I'd like to turn it over to Pete Crisano and he can give you an update on funding status and he is very well informed about this. And, Pete, if you would, please. Thank you.

MR. CRISANO:

Okay, Bob. Thank you. Good afternoon, everyone. I'll confine my remarks just to the two major funding streams for the moment. First, Workforce Investment Act. Authorized and funded by Congress, the money is sent to the states and their territories using a preset formula. The State of New York receives the money and then distributes it to 33 local Workforce Investment areas of which Suffolk County is one.

This funding comes in three separate streams. It comes in adult, youth and dislocated worker. Adults would be those older folks who have no or very little connection to the labor market, who have no skills. Youth would be economically disadvantaged youth ages 14 through 21. Dislocated workers would be those workers who have lost their jobs and are not expected to return to them due to something beyond their control, such as a severe economic downturn, the auto industry, off•shoring of their jobs, the jobs have gone elsewhere because they •• we can't compete with the labor cost. Or other things that can affect a person's ability to really make a living in his chosen field. And things like outmoded skills, advancements in technology which the workers have not kept up with. They lose their jobs for these

reasons. They become dislocated workers. And again, the funding is passed through on these streams.

Our big problem for the moment is, is that the State of New York and subsequently the County of Suffolk are actually doing pretty well. Our economies are very solid. And one of the elements of the funding formula that helps distribute the money is the unemployment rate. It's how the State of New York's unemployment rate compares to the other states and territories. If we're doing very well we're going to get a smaller piece of the pie, and that's the situation right now. There is a cut at the federal level of about 4.4% in Workforce Investment Act, just a general cut. So the pie is a bit smaller.

What we're expecting to happen and the state is expecting •• has published these as estimates, these funding estimates, is to see the State of New York lose about 18% of their Workforce Investment Act money. And that is primarily due to the fact that the state's unemployment rate vis•a•vis the rest of the country, is doing very well. It shifts the money away from New York State and into those areas that are experiencing economic downturn or have never recovered.

The other element here that •• which we have not dealt with yet because we don't have the information is how Suffolk County compares to those other 33 areas within the state. That same funding formula is used by the state to distribute the money locally, and if Suffolk County is doing very well, then we would expect to be losing a bit more money than the state. So we have estimated that we're looking at a funding reduction in the Workforce Investment Act from 20 to 24%, somewhere in that range. It's very hard to pin down now because we don't have the local funding figures. And, again, we're just dealing with state estimates. This is what the State of New York says they are going to get from the federal government, we take those numbers, we work them out and see where we are locally.

So we're preparing for this and we had anticipated certain downturns in funding. It's been on the boards for quite a while. It's just the beginning, I think, of a downturn in the funding cycle as anyone who listened to the State of the Union speech last night. They're, you know, consolidation or

elimination of another 140 programs, cuts in discretionary funding. We are in the discretionary part of the budget, Workforce Investment Act, so when there are cuts they come from the discretionary part obviously.

The other main source of funding that we have is the TANF Programs, under public assistance. Temporary Assistance to Needy Families. We operate that under a subcontract with the Suffolk County Department of Social Services. We provide the employment assessments, the treatment protocols. We track people on public assistance through their process and try to get them the training and move them back into the labor market and off public assistance. Or in some cases into other programs that provide funding for disability, because they truly are disabled and not able to work, so we move them into other programs that fund them that does not come out of the local coffers.

The issues now with funding on the TANF side is there is a bill now in the House. It is the Budget Reconciliation Bill. And in that bill is contained a lot of changes to the TANF program that may result, and I say may result because, again, it's difficult to tell, in less money becoming available for all sorts of programs for people on public assistance.

The other issues that we have with public assistance, of course, are going to be, you know, what is the County share, how much is the •• how much are the feds going to pay, will the state continue to require that we have a Safety Net Program. That's probably the largest cost to the County in public assistance. But at this point that budget reconciliation bill looks like it's going to pass. It's passed the Senate. It originally passed the House but the Senate made some changes to it so it needed to go back to the House now to get reauthorized.

The real danger in that bill is that if that bill gets passed the bill allows the department, the Federal Department of Health and Human Services, to make changes to the program via the regulatory process rather than legislation. So you get a lot less opportunity to stop changes that you do not agree with. You don't really get a lot of input. You can comment on regulations, but, you know, they accept them or they don't accept them. So it is a danger. It is something they tried to do with the Workforce

Investment Act several years ago, make the changes through regulations rather than legislation. And again, you get caught on the downside with regulatory changes because you don't have the opportunity to review them ahead of time. All you have the opportunity to do is to comment, and again, those comments may not •• may or may not be acceptable.

So those are the two main pressures that we are going to have. It's difficult to look right now. For Workforce Investment Act the final allocations or our planning estimates will be out at the end of March. We're working now only with estimates provided from the feds to the state. We've run our numbers and our numbers are •• we have a rather sophisticated way of analyzing this stuff, so our numbers normally come out pretty good. So we're fairly confident we know what we are looking at and we're prepared to meet that challenge.

Some of the other programs that the Commissioner mentioned, Displaced Homemaker, that is a state program. That is not in the state budget this year. So the Displaced Homemakers are now out there lobbying to see that it gets included back in that budget. Luckily some are _TANF_ laws. That \$25 million, that's a big help to us. It provides a lot of jobs for a lot of kids for the summer.

Some other small programs, Trade Adjustment Assistance Act, provides some staff money for us to deal with people who are certified by the U.S. •• by the State Department of Labor as having lost their job due to off •shoring. That would be Trade Adjustment Assistance, the old _NAFTA_ kind of thing. It's a separate program, it's tracked separately, it's operated separately, so they give us the money to pay staff to do that.

Actually, I think that really hit on all the major parts of the funding. The news is not good but it's not just not good for us. It's not really good for any of the social side or the discretionary parts of the budget. So if anyone has any questions.

CHAIRPERSON BROWNING:

Presiding Officer Lindsay has a question.

P.O. LINDSAY:

Yeah, for Commissioner Dow. The Fair Share Health Care Act, have •• are we seeing any sign of anybody challenging that?

COMMISSIONER DOW:

Not as of yet. Like I had said, we sent out letters to what we think are covered employers or who may be covered employers in Suffolk County. We have gotten some questions on we'd like to see the rules and regulations, which again, like I expressed we're working with the County Attorney's Office to make sure that they think that they're in line, because I know there was a concern over possible litigation over this law. We had a request from, I believe it was Target, on just minor questions, but still, there •• I think looking at the law and trying to ascertain, you know, what it means to them and possibly some of them how can we get out of this or where are the exemptions for it.

P.O. LINDSAY:

In the enforcement of it, is it •• how do you envision that taking place?

COMMISSIONER DOW:

Well, the •• I think enforcement is and monitoring is a big part of it and the monitoring process to assure that they are following the law is going to be somewhat difficult. There are staffing requirements to it. And, you know, as we're here as a department speaking to the Labor Committee, there are staffing requirements that are going to be needed.

Currently I have a Director who is willing to take on the challenge and she has done an excellent job so far. That's Brenda Rosenberg. She is also the Director of the Living Wage Unit, so we have kind of combined the Living Wage with the Fair Share Medical Health Care Act. But we do see that there are going to be some administrative costs to monitoring and enforcing.

And then not only that, we're well aware of employers that come in and out of our County that may be here for a certain amount of time and all of a sudden they decide that Suffolk County isn't where they want to be and they leave and then new employers come in. So there is a constant monitoring of are these existing people or who are the new covered employers also. So

it's somewhat •• we're figuring out what the administrative cost is going to be based on the needs that we're going to have for individual classifications of workers that are going to be go out and monitor, look at somebody's books.

You know, one of the requirements to be a covered employer is if your profits are over a billion dollars and three percent of them •• now, when you say a billion dollars to an individual •• you know, you are going to have to have somebody of some sort of a classification that's of a •• almost to a CPA or an accountant to actually monitor somebody like that. Or have a comfortable feeling of going into somebody's office with a slew of accountants proving that they really don't want to follow the law or they are trying to circumvent it, and this individual is going to have to do it. So there are some problems in •• that we see as the monitoring and the enforcing of it. I don't know if that's exactly what answers your question, but.

P.O. LINDSAY:

In terms of that standard, I don't know of too many privately owned companies that would have a billion dollars in profit. I think almost exclusively they would be publically owned companies and ••

COMMISSIONER DOW:

Yes.

P.O. LINDSAY:

•• they have to report that to the federal regulators, their profits. I don't know whether that would take a sophisticated accountant to find that. I think we could probably just dovetail with the federal reports that are mandated.

COMMISSIONER DOW:

Right, through the security exchange, I believe, the _Edgar_ site has the reporting on corporations. You know, because we have looked at •• well, actually, you know, to go a little further into the exploration of how we got to the 492 people, when you define groceries, groceries is also pet food. So we're actually looking at does a _Petco_ also fall in line with that because, you know, that's part of what the definition of groceries are that are

perishable and non-perishable. They are products, health and beauty aid products. So we also looked at 7-Elevens because of the fact that a 7-Eleven is all groceries, it doesn't meet the other two criteria, but it may meet the criteria of the billion dollars and we're not sure.

And so rather than deciding, we blanketly sent out more responses to people we thought may fall under that covered employer status, and then they are going to come back to us. But so far, to answer another question, is that we haven't gotten a lot of response. We've got maybe five or six phone calls so far out of all the letters that we've sent.

I would mention, too, and if I may here, that I know that Brenda is interested in working with the Presiding Officer because Bill was the sponsor of the Legislature or the law and we're •• when she gets back, she's on vacation this week, we'll be calling you because there are some administrative questions and intent of the legislative intent that she'd like to go over with you and just as a heads up as we're talking.

P.O. LINDSAY:

Okay. Just one other. Living wage, enforcement is by complaint?

COMMISSIONER DOW:

Yes.

P.O. LINDSAY:

Right. How is that going?

COMMISSIONER DOW:

Well, we get complaints but sometimes, you know, based on the law, the employee may be working for •• like an example, an employer may be working for a company and the company has a contract for Suffolk County, but the company has segregated the employees into having employees that are working on the County contract receiving the living wage where individuals that work for that company that aren't working on the contract aren't receiving the living wage because they are not part of that company's contract and that has become somewhat of a complaint that we received from individuals. And they just don't understand the law. There's a lot of

people out there that think that the living wage applies to everybody in Suffolk County. Particularly employees, not employers.

But the enforcement is •• has gone fairly well and we do a monitoring process. And as we receive new contracts that are •• meet the criteria or the threshold of \$50,000, we go and monitor them. There are a lot of questions that are fielded through the Living Wage Unit and that are answered. And, you know, I think the biggest change that we have this year was the •• to stop the exemption for the child care providers and that criteria has changed.

And I want to thank the previous Legislature for having the insight into putting additional funds into that contingency fund, knowing the analysis that our department did and knowing that those •• they'll be a lot more employers seeking that hardship and of yet we are I think in the process, but I could ask you that question, is that have you received as of yet any resolutions for people taking the contingency fund out yet. Because the last report I saw with Brenda there was no monies taken out of the fund as of yet. But we expect a lot to come out of it due do to the fact that that exemption has now been stopped.

P.O. LINDSAY:

To my knowledge we haven't received any. That's it. Thank you, Madam Chair.

CHAIRPERSON BROWNING:

Okay. Legislator Vilorina•Fisher

LEG. VILORIA•FISHER:

Thanks for coming down, Commissioner, but I have to tell you that you made me do a 360 degree turn on something. I started out, I had written in my notes to ask you about the Displaced Homemaker Program because I think it is such a terrific program. I did a 180 degree because I was worried about it and in your presentation it sounded as if it's an ongoing program. But then, Pete, you said the funding's no longer there. So I'm back to where I started. Please tell me, is it on going program or not?

MR. CRISANO:

It's currently operating. It has a different program year. It operates from November 1st through October 30th. So last November 1st we got the money to operate the program. That'll go through October of this year. However, in the current Governor's budget there is no provision for Displaced Homemaker funding.

LEG. VILORIA • FISHER:

Okay. In other words, so it's time to advocate.

MR. CRISANO:

Yes.

LEG. VILORIA • FISHER:

Because we have done this before.

MR. CRISANO:

Yep.

LEG. VILORIA • FISHER:

I have worked with the Displaced Homemaker people and we've worked on advocating that it be put in the •• you know, that Legislators support it. So that's where we are. So the good news is it's still operating, the bad news is the Governor doesn't have it. But the good news is that we can advocate for our Legislators to put it back in, right?

COMMISSIONER DOW:

Yes, and it would be through October of this year.

LEG. VILORIA • FISHER:

Very good. Second question. You mentioned that your budget has \$2 million less. Is that because of the _WEA_?

MR. CRISANO:

Yes. Primarily that's from the _WEA_ cuts that we're projecting.

LEG. VILORIA • FISHER:

Okay. Third question. Again, going back to Congress, when you are talking about the budget, are you talking about the Personal Responsibility Act and putting less money into _TANF_ and making people work longer hours?

MR. CRISANO:

Yes.

LEG. VILORIA • FISHER:

The Welfare to Work. Is that where a lot of the money is?

MR. CRISANO:

Right. Originally that •• all that Welfare to Work stuff came out of the Personal Responsibility Act.

LEG. VILORIA • FISHER:

Right.

MR. CRISANO:

But that's being replaced now with this budget reconciliation which will change some of those tenants.

LEG. VILORIA • FISHER:

So it's no longer •• that term Personal Responsibility Act, is no longer being used in that budget line?

MR. CRISANO:

No. They're using the term Budget Reconciliation Act. I don't know if •• they might have attached Personal ••

LEG. VILORIA • FISHER:

But isn't that covering child care also?

MR. CRISANO:

Yes. Yeah.

LEG. VILORIA • FISHER:

Okay. And there are cuts in that as well, which affect our Welfare to Work.

MR. CRISANO:

There's supposedly an additional \$200 million over the next •• for each of the next, I think until 2010, put in for child care. That is what they needed to do to get, I believe, _Olympia Snow_ to vote for the bill.

LEG. VILORIA • FISHER:

Good for her.

MR. CRISANO:

They had to do something. But that, based on the usage of child care, because if you are expanding the work activities for the parents, you are going to expand the cost of child care.

LEG. VILORIA • FISHER:

Exactly.

MR. CRISANO:

So it does not appear that \$200 million would be enough to really implement the program the way it is going.

LEG. VILORIA • FISHER:

We don't wind up with a net gain on in, in other words.

MR. CRISANO:

Exactly.

LEG. VILORIA • FISHER:

Because if the parents are being required to work 30 or 35 hours a week, then you have to provide more child care for them in order to •• to meet that gap.

MR. CRISANO:

Right.

LEG. VILORIA • FISHER:

Okay. That's another letter. EITC, last year we worked together on EI •• earned income tax credit and you had a good program going with Social Services. Do you have any numbers on how much money came back to Suffolk County because of our efforts?

MR. CRISANO:

You know, I had it but I didn't bring it. It was •• I think earned income tax credit was in the 80's and ••

COMMISSIONER DOW:

Eighty•three thousand something.

MR. CRISANO:

And then there was child care credit and there were some other things that • we did all of the credits. The program is in operation •• in fact, today is February first. I believe it starts today. We already have people over having their taxes prepared for '05.

LEG. VILORIA • FISHER:

So you have the _Vita center_ set up and going?

MR. CRISANO:

Yes, ma'am.

LEG. VILORIA • FISHER:

And going. Okay.

MR. CRISANO:

And going. Getting calls and making appointments.

LEG. VILORIA • FISHER:

You know, I worked with the people at Stony Brook on the earned income tax credit but they really didn't do a follow•up to see how many of their employees received, you know, went through it and got money back. So I

don't have the numbers on that, but if we could get the numbers if we do it again this year.

MR. CRISANO:

Sure.

LEG. VILORIA • FISHER:

We'll feed them back to you so you can add them to your overall numbers. It's a really important program. Thank you.

CHAIRPERSON BROWNING:

Any more questions? No? Okay. Thank you for coming today.

COMMISSIONER DOW:

Yes, if I may, Madam Chairman, thank you. I just would like to offer we did this, I believe, last year and I know with a new Legislature if I could work with the Presiding Officer on setting up a date sometime in early April when you have a Legislature in session here and during your break we'd like to welcome you over to the One Stop and we could give you a brief tour and you can see the •• what we do for underemployed and unemployed Suffolk County residents. We'd invite your aides over also and it's a pretty good session that we can at least give you as much information as possible so that you can relate it to your constituents.

And we have been, unfortunately, and I call it unfortunate, but we have been called the best kept secret in Suffolk County when comes to the One Stop. And that is something that we're trying to change because of the fact that it is such an important piece that helps individuals in Suffolk County to come into and it's just a wonderful place. And, again, we'd like to have you over, so I will be discussing that with Presiding Officer Lindsay on a date and how we can work that out. But thank you very much.

CHAIRPERSON BROWNING:

Thank you.

LEG. VILORIA • FISHER:

Can I just say one more thing?

CHAIRPERSON BROWNING:

Go ahead.

LEG. VILORIA • FISHER:

I have sent constituents to the One Stop Program and it's really, really very helpful in getting people back on the employment rolls and really for people's self-esteem when they have lost their jobs and, you know, they feel like they are going to work and they are getting professional help.

And also in the networking, I have seen people from the Labor Department go to Chambers of Commerce meetings and speak with employers and that's a very good presentation, too. And if people haven't seen that in their own districts, I would reach out to the Labor Department to, you know, mention that you have, you know, a big Chamber of Commerce and you'd like to see that there.

CHAIRPERSON BROWNING:

Thank you. Okay. We'll start with the tabled resolutions.

Tabled Resolutions

1057 (Reforming County sick leave policy for exempt employees in any County Department, Office or Agency for cost containment on prospective basis). I believe Legislator Eddington has a question first.

LEG. EDDINGTON:

Yes, I would. We had a couple of presentations from union representatives and I would like to have somebody from the County Executive to step forward and give me a rationale for the County's reasoning and just kind of cost benefit analysis of •• of what we're talking about here.

MR. TEMPERA:

Good afternoon. Jeff Tempera, the Director of Labor Relations for Suffolk County. The rationale behind this is a simple one. Sick time is for legitimate illnesses. It's not a golden parachute, it's not an insurance policy. This is something that if somebody is ill, they have sick time

available for their use. This bill doesn't affect that in one bit.

What it does effect is that the time is available for use, but not •• it shouldn't be available in the amounts that it is upon retirement for somebody. If somebody's legitimately ill, let them take the time, that is not a dispute by anybody here. And I think when we came before this committee last time around there were concerns, there was confusion with regard to the way the bill was written. And there was concerns that it was confusing and I think we tried to address those concerns. We tried to simplify it, apply the portion of the bill that deals with the prospective accruals and that's, I think, important to note here.

This bill does not affect any accruals that any exempt employee has on the books right now. In effect it will only be prospective accruals and it will change the payout on retirement from 90 for 180, to 90 for 360 days on the books. I'll defer to the Budget Office as to the numbers or Allen Kovesdy.

MR. KOVESDY:

Hi. Good afternoon. My name is Allen Kovesdy. I'm Assistant Budget Director. I want to apologize for not being here last time. I know there was some confusion.

I did a little chart that will show over a period of time the cumulative effect of the liability that the County will have and the money the County can save. It doesn't say who's going to retire in a given year. Is just shows the effect of savings, I did it over from zero to 12 years, that can be accumulated. What I did, and I'll just wait until you get a copy of it, hopefully I made enough.

What I did is I took an employee of grade 28, step nine, approximately \$80,000 as an example because there are lot of attorneys and commissioners in here. And I said they make \$44 an hour under the current basis. And the \$44 would become \$44.66 when they move up a step. And I moved step movement for the first six years. After that I stopped the stop movement and I just went up three percent. And I said if they took three sick days a year and banked seven, what would be the effect, cumulative, of this. And instead of having 49 hours, which would be seven hours for a day

times seven hours, they would accumulate only 24 hours and the value of that savings to the County would be \$1,094 at that one spot in time for year one if they were eligible to retire.

I took •• I know that Lance had done a good job. He had approximately 500 and change people. So I took •• I used 500 to keep it in line. And I said if all those 500 people on an average took this amount, the County would have in its bank in year one a liability of \$273,000. I'm not saying that we would save \$273,000 because people would have to meet the criteria, but that would be the savings in the first step of the bank. And took that and I went all the way through and you'll see the salaries go up over a ten, 12 year period, approximately three, four and a half percent a year. And if you took it, after ten years you get close to \$4 million, which was what I had written originally on the impact statement. And if you take it to a dozen years, it comes to over \$5 million.

That's the liability that the County would accumulate over time if every single person was eligible and every single person left in a given point. But this just shows the value of compounding the money over a period of time and the savings that would accrue to the County if •• on this basis.

Assuming people started work in their 30's, they worked for the County and make the County a career, we would accumulate a lot more money and it would be worth a lot more. If people only work for the County for few years and left before they reached retirement age, they would fall off this chart. This is just a way of showing how the money accumulates over time and how we get to such a high number.

And I just took this and I just took an average salary, the number of people Lance had, 585, this just uses 500. It uses a grade 29 off •• middle of the road off the current management scale and takes it forward that way. So it's a liability that the County would incur if everyone would use it. I can't tell you, I don't know how many people are going to be 55, who are going to work to age 55, 60, or what. But this just tells you how this adds up over time. And again, I'm sorry I didn't provide this for your last meeting. I know there was a lot of confusion and Jeffrey got the brunt of it.

CHAIRPERSON BROWNING:

Legislator Barraga.

LEG. BARRAGA:

Good afternoon. I'm looking at, I guess, basically three sets of figures as it pertains to the savings associated with this particular bill. One set is 1.4 million. I guess it is a ten year old figure predicated on everybody who has the possibility of retiring in this exempt category doing so. Another one is our own Budget Review people phase•in, a much smaller amount over a five year period, and then, of course, what you have just given us now, these newer figures.

Putting the figures aside, I really would like to talk a little bit about the merits of the issue. And in the private sector, at least in the year 2006, sick time is for sick time. If you are given ten days of sick time and you use six days, you'd better be able to verify that you were sick six days. The four days remaining, no one is going to give you a paycheck for those unused days.

Now, this bill basically says or under existing law, but it is prospective, as you pointed out, I guess up until we pass this, for every two unused sick days you get a day's pay up to 90 days. All right. This will go from 90 days to 360 days based on four unused sick days you get a day's pay.

MR. TEMPERA:

Correct.

LEG. BARRAGA:

Well, you know, that's something that just doesn't exist any longer in the private sector. And certainly years ago these kinds of programs were applicable in the public sector because of the disparity in salaries. That really doesn't hold true any longer. I mean, one or two speakers before talked about how someone in a collective bargaining unit would not take a position in an exempt position less they lose benefits. The question is are they going to have a _deth_ of quality people? Are there still eight or ten or 15 people that are fully qualified that are willing to take that position? Maybe the problem is the salary associated with the exempt position should be adjusted with Civil Service as opposed to the benefits.

I will give you another another example. I mean, when someone runs for the County Legislature or the Assembly or the Senate, in those elected positions there is no sick time. There is no vacation time. Now, if there is somebody out there who's doesn't want to run for that position because of that because particular problem, I have never run into a person like that. There's usually for any given elective office 10 or 20 or 30 people who want to run for the office for many, many different reasons. So, this is a modification but still in all, you can, I guess, if you have enough unused sick time still at the end of your time, wind up with a check for 90 days.

MR. TEMPERA:

Correct. And if I may address a couple of your comments. I've been around the County for a number of years. When this resolution was originally passed, exactly your point was contained in the resolution. There was no pay out for sick time after 1989. Any accruals on the books, any time you earned, which has been called the Rizzo bill, Resolution 659 of 1988, there was no payout for additional sick time.

In 2001 a resolution put forward by the former administration, Resolution 655 of 2001, changed that policy and changed the policy for sick time accruals that you have on the books and future accruals would be paid at the 90 for 180. The County Executive has looked to change this and has put forward several bills over the last couple of years and this was a bill that he put forward as a compromise to try and recognize that there were people on different sides of the fence on this and to try and treat everyone's wants and wishes and come up, though, with a policy that set the tone that there needs to be change with regards to the sick leave system.

And I agree with you that people who have time on the books, it's not time for them to take for any reason, any want that they have. It's for a legitimate illness. And if they don't use it for a legitimate illness, it's not to be abused. I know you heard someone say before, one of the union leaders say it's going to result in additional sick time off. Well, if it is an additional •
• if someone is taking a sick day off and they're not sick, they'll be subject to discipline by the County and through the various departments. That's not the intent of this bill. It's not the intent of the different programs we have

out there. But it is the intent to recognize that sick time is for a legitimate illness.

LEG. BARRAGA:

On the flip side of the issue, certainly this bill doesn't affect any collective bargaining units. But certainly I can understand from a union's perspective how in the future, you know, the County Executive in negotiations with the union will refer to this particular piece of legislation in an effort to change the sick time patterns associated with that collective bargaining unit that currently exists. All right. I understand how that is a feasibility. That's something that's going to have to be dealt with between the County Executive's Office and the respective union.

MR. TEMPERA:

It's not a feasibility. It's a reality. It's been done in the past it's ••

LEG. BARRAGA:

No, I'm not asking for a comment.

MR. TEMPERA:

Well ••

LEG. BARRAGA:

If I do I'll ask. You know, just relax. The other thing, too, is that, and I say this in all fairness to the unions. I received a memo in opposition to this particular bill from a union that has been very, very good to me all the years I was in the Assembly. But the way I operate, and I can't speak for my other colleagues, don't give me this memo the day of the meeting, 15 minutes before the committee starts. If it's a really important issue, get to me a month ago before I locked in my vote and became a sponsor of this bill. Would a meeting with me change my mind? I don't know, but at least it could have been an open discussion as opposed to a memo that I just got 30 minutes ago.

So I'm sort of sending a message not to this particular union, but to all of the others. If you want to •• if you have an important issue coming up and

it is going to go through committee and in three or four weeks this is going to be a major problem, come and see Tom Barraga. Call me up, come down to the office. We sit, we talk, and let's see before I make a commitment on a bill, because once I make a commitment I am not prone to flip the other way. Thank you.

CHAIRPERSON BROWNING:

Legislator Viloría•Fisher.

LEG. VILORIA•FISHER:

Thank you, Madam Chair. Twice in one day you took some of my arguments there, Mr. Barraga. I have to say that I listened to the speakers earlier and I have several points that I think are important to point out here.

Last year we passed a resolution to work on the pay for exempt employees because of the very argument that was posited here earlier that there were people, especially in the college, who's weren't willing to move out of their administrative positions into exempt positions because they would be getting a cut in pay and we had a resolution which worked on pay equity, if you recall. It was a little bit controversial and the newspapers hit us on that. And then more recently we had the step increase resolution. And so we have addressed the issue of, as Legislator Barraga mentioned, well, if we want to attract them let's give them more money and we have made the pay scale such that the exempts are getting more money.

With regards to benefits, the comment was made that someone wouldn't want to move out of a bargaining unit into an exempt position because they were losing benefits. We have very generous benefits in this County. We have enviable benefits in health insurance, health insurance that you carry with you after retirement, which as a retired teacher I did not have that as a retired teacher, health insurance that I took with me. We had to pay into a health program after retirement. We have generous sick leave and vacation time as well as our New York State retirement plan. And so I don't believe that in attracting an employee, I don't believe that the pay out of sick time at the end of retirement is going to be a big bait for attracting.

And I just have to say something about this that has always bothered me. I

was a union member all my life. And as a teacher, there were payouts. And I had chosen, with only about ten or 12 years left until my retirement, to change jobs because I would be teaching a course that I wanted to teach. And so when I left my job I didn't have enough years to collect the incentive for sick time so I never collected on sick time. I just want to say that for full disclosure.

But it bothered me as a young teacher that the men I worked with always had a lot more sick days that they accumulated than the a women who stayed home when their children were sick. And I know that there are men who stay home sometimes when their children are sick, but for the most part none of the women that I knew who had families had as many sick days accumulated as the men who had families. And I see this as a gender issue as well. Sick days are there for you to use if you're sick or if you have family illness. I don't think it's a retirement benefit. I philosophically completely agree with this. I would actually agree if it were no payouts for sick time. This is a good compromise bill and I fully support it. Thank you.

CHAIRPERSON BROWNING:

Legislator Nowick.

LEG. NOWICK:

Yeah, I just had a few questions about the bill that maybe •• I read it over and over and there is parts of it I don't understand. I'll just start with some of my questions. As an aside, do union members receive payout's for sick time now?

MR. TEMPERA:

Yes.

LEG. NOWICK:

And at the rate of?

MR. TEMPERA:

At retirement or death they receive payments at the 90 for •• 90 •• 180 for 360, excuse me. One for two.

LEG. NOWICK:

One for two.

MR. TEMPERA:

One•eighty for 360. One•hundred and eighty days if they have 360 days accumulated.

LEG. NOWICK:

One for two. Okay. And right now the exempt employees are that way as well.

MR. TEMPERA:

The exempt employees are at one for two, but at a lower threshold. The exempt employees are at 90 for 180.

LEG. NOWICK:

Ninety for 180.

MR. TEMPERA:

Still the one for two, but half of what the unionized employees get.

LEG. NOWICK:

Okay. So •• all right. That was just as an aside. Now, I wanted to know how many hours in total can be accumulated for sick time for payout purposes right now. Is there •• right now is there a limit?

MR. TEMPERA:

You can accrue all the hours that you're able to over the years. The only limitation is on the payout of sick time on retirement. There's no limitation on anyone that they can only accrue up to a certain amount of hours per year.

LEG. NOWICK:

Right. But if you accrue it and you don't use them ••

MR. TEMPERA:

They ••

LEG. NOWICK:

Up to how many hours, though, can you get a sick time payout.

MR. TEMPERA:

If you're talking ••

LEG. NOWICK:

Right now, exempt employees.

MR. TEMPERA:

Exempt employees you would be paid for 90 days for 180 days on the books.

LEG. NOWICK:

Okay. Now •• so if an exempt employee has, let's say 360 days accumulated for years and years, and that employee retires, and please bear with me because I find this a little confusing ••

MR. TEMPERA:

That's okay.

LEG. NOWICK:

•• and that person does retire right now.

MR. TEMPERA:

They would be paid for 90 days.

LEG. NOWICK:

Still 90 days.

MR. TEMPERA:

Correct.

LEG. NOWICK:

Okay. But now •• so if it changes and that employee has 180 days, they retire, then they'll be paid for how many days.

MR. TEMPERA:

If they're, and again •• do the math, Allen ••

CHAIRPERSON VILORIA • FISHER:

Forty•five.

MR. TEMPERA:

Thank you. What's happening is ••

LEG. NOWICK:

Okay.

MR. TEMPERA:

What's happening is it is prospective days.

LEG. NOWICK:

Okay.

MR. TEMPERA:

So you have to remember that it's going to take someone time. If they have time on the books already ••

LEG. NOWICK:

It's still one for two?

MR. TEMPERA:

It's going to be frozen. It's one for two. And it's ••

LEG. NOWICK:

Now, does that clock start ticking again? They have 180 days, it is frozen.

MR. TEMPERA:

Correct.

LEG. NOWICK:

Now the law changes, prospective. Does that clock start ticking again one, two, three, four or does it go from the 180 they already have.

MR. TEMPERA:

There is a provision in the resolution that recognizes that there were two caps in the past, and I apologize, this does get confusing. There was one cap, there are several caps, under the Rizzo Resolution 659 of 1988. For instance, I'll use myself as an example. I was an exempt employee in •• on December 31, 1988. My sick time was frozen as of that date, computed as to a dollar amount, payable at a one for four rate. That's one cap. That still exists. Someone who came on afterwards, after December 31, 1988, and was promoted into it had their sick time frozen, computed as to a dollar amount. It's payable at a one for two rate. That cap is still there.

Now, you also have Resolution 655 of 2001, which set a cap of 90 for 180. That cap remains. So the combination of the two caps remain, but you cannot exceed those two caps by any additional time you would accrue in the future.

LEG. NOWICK:

So one person retiring after many years could be going into several different categories.

MR. TEMPERA:

Myself. Yes. I'm not •• I'm getting old, but I'm not at retirement yet.

LEG. NOWICK:

Right. Well, we know you are not that old.

MR. KOVESDY:

We can only hope.

MR. TEMPERA:

Unlike Allen.

LEG. NOWICK:

You know, one of the things that concerns me a little bit with today's presentation is the difference between these numbers and the numbers that we received from Budget Review. It's like just two different worlds.

MR. KOVESDY:

It's two different approaches. I don't ••

LEG. NOWICK:

Well, I know •• well, that concerns me, two different approaches. It's such a gray, it seems like such a gray area. To me, I don't have answers. Between the two of these, one saving after five years two million dollars, I can't follow it, and another one after five years saving \$84,000. I would not be able to, if this was my money, my life savings, I wouldn't be so sure about either •• the figures or so far apart. I'm not sure.

CHAIRPERSON BROWNING:

Can we get Budget Review?

MR. KOVESDY;

First of all •• I'm sorry •• I don't disagree with Lance's numbers, first of all. The Budget Office doesn't disagree with his numbers. But the County, when it does its books, has to show a liability on its books. When we do the annual report, the auditors come in. We have to show a liability, whether it would be for an exempt employee or a regular employee, and part of that liability is a payout.

This is showing the County's liability. It's not saying that on any given year ten people are going to leave or 20 people are going to leave or 50. What Lance did, is he took an average of people who are over 55 years of age and would retire. I just said this is a liability that the County would show on its book. If ••

LEG. NOWICK:

So would this be like a total liability worse case scenario liability, yours?

MR. KOVESDY:

It would be total liability but over time the County would have this liability to

payout. It just adds up geometrically over time. Lance may be absolutely correct that next year it may only cost the County 28,000 or 30,000 dollars if a certain amount of people with ten years experience over 55 do it. But the liability for a young person to come to the County and exempt, a young attorney who works for the County, who goes to work for the County Attorney or the District Attorney, this is what would accumulate. And if they make their career with the County, at the end of that time, if you add them all together, this would be the liability that the County has. It's two completely distinct approaches to it.

If I was doing the budget for the County of Suffolk, the number that would be put in for any given year would be closer to Lance's number than it would be for my number. But if you look over a period of time what the liability to Suffolk County will be, this is what the liability would be. I have no idea who is going to retire at age 55, 56, 57 or if someone is going to ••

LEG. NOWICK:

Okay. Just to make it more simple for me, if I was to say to both of you, talk amongst yourselves, tell me how much can we save •• is it closer to the 84,000?

MR. TEMPERA:

If I can interrupt. Lance just before you do it and ••

LEG. NOWICK:

I just want to know what's more accurate.

CHAIRPERSON BROWNING:

Can we let Budget Review respond.

LEG. NOWICK:

Yeah.

MR. TEMPERA:

You've been in my job. You know what goes on here.

MR. REINHEIMER:

This is confusing, and Allen did a good job of ••

MR. TEMPERA:

Confusing us.

MR. REINHEIMER:

•• defending Budget Review and defending his own numbers, and it is two different perspectives. One is a contingent liability, and Allen's right, the County financial statements have to disclose what the contingent liability is on terminal pay for all employees, including the exempts. This is what they carry on the books. That's one approach.

Our approach is when we talk about the financial impact, the savings, what are the actual dollars that the County is saving in any given year, and we identified employees by age, years of service and assuming five percent of those eligible, I think there were 95 that would be eligible in 2006, the number of days they would be paid out under the current system versus the new system, it's a nominal savings. So one is impacting the budget. We will save an estimated \$4,000. Allen is saying but the liability, contingent liability in the books is going to be another number. So, there are two different approaches to it and it makes it confusing. That's the best I can •

•

LEG. VILORIA • FISHER:

Lance, you're saying the biggest hit is the contingent liability; right? That's the biggest hit we can take.

MR. REINHEIMER:

The financial statements include terminal pay, right. That's the contingent liability, yes. That's on the books and that's a real number, the best Allen can figure it out is, you know, it is reasonable. I just got this, too, 15 minutes ago, but his numbers make sense, they are reasonable. They are based on •• we have about 550 exempt employees. So it is a reasonable estimate.

LEG. NOWICK:

So his numbers are for more for liability. Your numbers are more for what

you think more accurately ••

MR. REINHEIMER:

One is budget, one is financial statements.

CHAIRPERSON BROWNING:

Okay. Presiding Officer Lindsay.

PRESIDING OFFICER LINDSAY:

My question •• don't give up the mike, Lance, all right, because you're the guy I want to talk to. The County Executive's numbers with these millions of dollars is assuming that all 534 employees are going to stay with the County until they retire. Am I correct?

MR. REINHEIMER:

It appears that way, yes. It appears ••

PRESIDING OFFICER LINDSAY:

It has to be. It has to be. Come on.

MR. REINHEIMER:

In a word, yes. Yes.

PRESIDING OFFICER LINDSAY:

In fact ••

MR. REINHEIMER:

Not everybody retires.

PRESIDING OFFICER LINDSAY:

How many people in the exempt category spend their entire career with the County?

MR. REINHEIMER:

That's a question that I can't answer because we don't track that.

PRESIDING OFFICER LINDSAY:

Well, how did you arrive at the \$3,000 dollar figure, then.

MR. REINHEIMER:

I looked at the people that we had on board in October •• I mean December, and I saw •• I used either their longevity date or their •• their longevity day for years of service ••

PRESIDING OFFICER LINDSAY:

Okay.

MR. REINHEIMER:

And their date of birth for age.

PRESIDING OFFICER LINDSAY:

Of all people •• of all the people that were in this category, you looked to see how many qualified, that's at least ten years of service and ••

MR. REINHEIMER:

And at least 55.

PRESIDING OFFICER LINDSAY:

And at 55 years of age and you came up with ten people out of 535.

MR. REINHEIMER:

Ninety•five people were eligible, five percent, so about five people would retire in any given year. That would save starting •• 2006 they get ten sick days. The difference between the old and new system is two•and•a•half days. Two•and•a•half days at the average payout came out to \$4,000. It's one way to look at.

PRESIDING OFFICER LINDSAY:

Which do you think is the more realistic way to look at it?

MR. REINHEIMER:

Well, one •• there is no easy answer.

PRESIDING OFFICER LINDSAY:

You don't have to answer it.

MR. REINHEIMER:

One is budget.

PRESIDING OFFICER LINDSAY:

You don't have to answer it.

CHAIRPERSON BROWNING:

Okay. Ben has a comment.

MR. ZWIRN:

Thank you, Madam Chair. I think the numbers are in lot of different places, what could be if everybody retires. But I think Legislator Viloría•Fisher and Legislator Barraga have hit, I think, what the County Executive's reasoning was on this. It's the policy. It's •• and you enunciated it very well. It's not just about the numbers. There will be a savings. There's no question that there will be a savings going forward. But the question is, is the use of sick time for people who are sick.

I think it's a good message to send to the public. I think it's a good message, then people in the private sector saying that, you know, we recognize that it's tough living out here and that people who are in the exempt categories •• I mean, like myself. I came back to this not for the sick days, certainly, but because of the opportunity to do public service again. And the salary could have been lower. We come here for other reasons other than to take advantage of sick leave, as Legislator Viloría •Fisher has stated. So I think that, I say this to Legislator Nowick, who is concentrating so much on the numbers, it is as much about policy.

CHAIRPERSON BROWNING:

Do we have any more questions? Okay. Would anyone like to make a motion?

LEG. VILORIA•FISHER:

Motion to approve.

CHAIRPERSON BROWNING:

A motion to approve.

LEG. EDDINGTON:

Second.

CHAIRPERSON BROWNING:

Motion is Legislator Viloría•Fisher, second is Legislator Barraga. All in favor? Any opposed? Any abstentions?

LEG. NOWICK:

Abstain.

CHAIRPERSON BROWNING:

One abstention. Yes? Okay. Legislator Nowick. I guess we all have approved 1057. **(Vote: 4/0/1/0 Abstention: Legislator Nowick)**. Shall we go next?

Introductory Resolutions

1075 (To evaluate County properties for workforce housing purposes).

Introduced by Legislator Alden.

LEG. VILORIA•FISHER:

Explanation.

CHAIRPERSON BROWNING:

Yes.

LEG. VILORIA•FISHER:

May I ask Ben for an explanation of this?

MR. ZWIRN:

The bill is sponsored by Legislator Alden. The Director of Affordable Housing for the County is here, Marion Zucker, and I'd ask her to come up and just give some comments. I don't want to speak for her, but I think she'd like to have an opportunity to talk to the sponsor on this so they can work the language out so it will accomplish, I think, what he would like to do. Is that fair?

MS. ZUCKER:

That's fair. Ben basically said it. There's a number of provisions in the resolution that I think are too broad. It asks for a review of every single property owned by the County. I think that we know for a fact that there are certain properties, small, unbuildable properties that aren't appropriate for workforce housing.

What I'd like to do is to reach out to Legislator Alden and try to craft a bill that •• that asks us to look at properties that are above a certain size, probably five acres and above and perhaps look to have a little bit more time to meet the requirements of his bill.

It was something that the Workforce Housing Commission had asked that Planning Director to pursue and I had reached out to Tom and Pat Zielenski to see if they had started work on it. But they apparently hadn't had a chance to do that. So we will work with Legislator Alden to make this bill something that hopefully will identify some sites for us.

LEG. VILORIA • FISHER:

Actually, I had a more specific question because I think this is a terrific resolution on the face of it because I think we should identify properties. But I had questions about what inventory of properties. I mean, clearly if we have acquired something for open space that can't be part of that inventory. Is it just those properties that we've come by because of tax default? Is that the inventory that we're looking at? And if that's the case, then that's a much smaller universe of properties.

MS. ZUCKER:

That's why I think we should work with Legislator Alden to clarify those

questions.

LEG. VILORIA•FISHER:

All right. So you have the same questions, is that what you're ••

MS. ZUCKER:

Yes.

LEG. VILORIA•FISHER:

Oh, okay. Okay.

MR. ZWIRN:

We ask that it be tabled.

CHAIRPERSON BROWNING:

So we're looking for a motion to table this?

LEG. VILORIA•FISHER:

Yeah, if that's what Marian is saying then, yeah, I'll respect that. Because I would like to cosponsor this with Legislator Alden. I have talked about it with him. But if there are serious questions about how to execute it, then I'll make a motion to table.

CHAIRPERSON BROWNING:

Okay. I would also have liked to have cosponsored that with him, but •• so we're taking a motion to table, Legislator Vilorina•Fisher. Second?

LEG. BARRAGA:

I'd like to vote against the motion to table.

LEG. NOWICK:

Second.

CHAIRPERSON BROWNING:

Do we have a second?

LEG. NOWICK:

Second.

CHAIRPERSON BROWNING:

Okay. I'm calling the vote. All in favor of the tabling?

LEG. BARRAGA:

Yes.

CHAIRPERSON BROWNING:

All in favor to table?

LEG. BARRAGA:

No, no, I'm sorry. I vote against it.

LEG. VILORIA • FISHER:

And there's one opposed.

CHAIRPERSON BROWNING:

One opposed. Two opposed.

LEG. VILORIA • FISHER:

Oh, I thought you seconded the tabling.

LEG. BARRAGA:

No.

CHAIRPERSON BROWNING:

No, they don't want to table.

LEG. BARRAGA:

I'm against the motion to table. And what are we voting now? To table?

LEG. EDDINGTON:

To table.

CHAIRPERSON BROWNING:

To table. So we can talk to Legislator Alden.

LEG. BARRAGA:

That's what happens when there's more of you than us.

LEG. VILORIA • FISHER:

And just for the record we're in support of this.

MS. ORTIZ:

Madam Chair, can you call the roll on that motion, please?

CHAIRPERSON BROWNING:

Yes, call the motion again?

LEG. VILORIA • FISHER:

Just say the numbers I think is what she means.

CHAIRPERSON BROWNING:

Okay. The motion to table was three and two opposed. Motion carries.
(Vote: 3/2/0/0 Opposed: Legislators Barraga and Nowick). Okay.

1084 (Authorizing planning steps for implementation of Suffolk County Workforce Housing Program at SCTM No. 1000 • 122.00 • 02.00 • 023.001). I believe Marian Zucker, you would like ••

MS. ZUCKER:

Yeah, I'd like to make a brief presentation to the committee if that's okay.

CHAIRPERSON BROWNING:

Sure.

MS. ZUCKER:

You have before you today IR 1084 which is a planning steps resolution. Planning steps resolution allows us to move forward with the beginning steps to acquire a piece of land. In this case, a seven and a half acre site in the Hamlet of Mattituck, that I believe is appropriate for workforce housing. In fact, was one of the sites that were submitted by the Town of Southold to the Workforce Housing Commission.

I have with me today Marianne _Garvin_, the Executive Vice President of Community Development Corporation of Long Island, one of the preeminent nonprofit affordable housing developers on Long Island. And Philip Beltz, who oversees housing for the Town of Southold.

As I said, the site under consideration is a, well, I said seven and a half, but it is actually a 7.4 acre site in the Hamlet of Mattituck. It's been identified several times over in the last few years as a site appropriate for workforce housing. It's a half a block to the shopping district in the Hamlet of Mattituck. It's less than a quarter mile to a major employment center for the North Fork Bank, and about a half a mile to the Mattituck train station. The Hamlet of Mattituck also in the outlining areas has seen of lot of acreage preserved for open space and farmland development rights.

We were before the Town Board late last year in November and got their conceptual approval to move forward which is when I put in the planning steps resolution. Since then there has been a change of two members of the Town Board. Jim Morgo and I met recently with the new Supervisor, Scott Russell, got his blessing to move forward as well as met with John Romaine, the new Legislator in the North Fork and got his support also to move forward.

While this is a planning steps resolution and the details of the ultimate development still need to be worked out over the next few months, I did ask Maryanne and Philip here with me today to give you some sense of the development in its current stage and the steps we've taken at the Town level to get us to this point. Philip?

MR. BELTZ:

Good afternoon. I'm going to speak to actually two on what I would consider organic factors that support the development for the CDC site in Mattituck. First is the Town Board Commission, what was known as a Hamlet Study, that began in July of 2004, it actually ended with reports disseminated in September, 2005. Hamlet stakeholders were either self-identified or appointed by the Town Board. They were community members that either live in the community, respective hamlets, or have

businesses in the hamlets.

We met for approximately 13 months. As Special Projects Coordinator I facilitated the meetings and also took minutes and met with people individually as well. And everyone was asked really three tasks. One was to draw finite boundaries to what is the Hamlet Center for the respective aid, hamlets that were utilized for the study. And then it was to create a \"_halo\"_ zone which is a planning term for hamlet \"_locus\"_ which is like a floating lozenge area that will absorb greater density. Part of this density was to accept and understand the necessity of workforce housing.

So eight hamlets met over a period of 13 months. They drew finite lines to what were their hamlet boundaries because in the past they have been defined in a very nebulous way as approximately a half mile from the post office when, in fact, that would take you to the middle of a vineyard or somewhere else that wasn't really the actually hamlet. So they draw the Hamlet Center. Then they developed the \"_halo\"_ boundaries to provide for housing. Some hamlets actually even picked specific sites that they felt would be appropriate for affordable housing and obviously these were sites that were vacant.

And I'm happy to say the Mattituck stakeholders are quite engaged in the process and they had identified the site well back, I'd say probably like almost a year ago. And we had at the time another •• several developments that were possible opportunities for development and when CDC came forth with this proposed site, I held a meeting in the town human resource center in December. And the •• every stakeholder came to that meeting despite that it was holiday season and they met with the CDC and they unanimously endorsed the site, thinking that it was absolutely appropriate.

And the one thing I would just like to highlight is that they said that they weren't as concerned about the density, but what was very necessary is the actual design and how it fits in with the community and the CDC has done really an extraordinary job to build what are like some cedar shake, shingled cottages and it was well received.

And the last formum of support through the town is we have an independent body, the Housing Advisory Commission, which is actually borne out of our housing fund legislation. This group of ten members from different hamlets and skills, they also met with the CDC. I had them meet with them in the end of December and they unanimously support it as well.

So the community members are really very much behind this. They think that it's something that is really well designed and certainly is well needed in the Town of Southold.

MS. GARVIN:

I'm very happy to be here today and delighted to talk with you about the cottages at Mattituck. What we have proposed to the Town Board and the to all the stakeholders in the town that have an interest in workforce housing is a development of 24 single family homes that blend very nicely into the community, and half of which will have accessory apartments.

There actually was a public hearing last night on the rezoning application and there was overwhelming support from the community for this rezoning. They were not able to actually vote on it because we're still in the SEQRA process, but I'm happy to say the town has been extraordinarily cooperative and fast tracking our proposal. And part of that is •• part of that urgency is because CDC is in contract to purchase the property and we have only a very short period of time to make our decision about purchase subject to rezoning. So it is my hope that in a few months we'll be able to do that.

The •• we have over the last couple of months had meetings with all the significant stakeholders in the community including the school board, the fire department, the Chamber of Commerce, and we've held six hour open house where residents could come, including the surrounding property owners and the families that have signed up for this affordable housing on the housing registry with the Town of Southold. It's been a very cooperative venture and we are really looking forward to a successful affordable housing development and we are seeking your support.

CHAIRPERSON BROWNING:

Thank you.

MS. ZUCKER:

I'll take questions in a second. I just want to say two things. One is that we've identified two funding sources in the planning steps resolution. We had approximately \$3.1 million dollars left over in the affordable housing account, but with Patchogue moving forward that might be depleted and our funds for acquisition are now going to be coming out of the multifaceted fund. That's the two capital budget numbers that are included in the resolution.

Also, I'm hoping you're getting a sense of how much it takes to put together an affordable housing development. If any of you are on the Environment Committee, planning steps resolution, you see a piece of land, you say hey, yeah, we'd like that for open space. This takes us months to get here. And what I'm hoping to do is to try to streamline once we get to this point to be able to then acquire a site as soon as possible. This planning steps resolution will let us order up the appraisal. CDC is moving forward with all of it's town approvals at the town board level and at the planning board level and we hope to be back here if you pass this resolution and it is passed out by the full Legislature, we hope to be back here before the end of the summer with a final acquisition resolution as well.

CHAIRPERSON BROWNING:

Okay. Any questions?

LEG. VILORIA • FISHER:

No. Motion to approve.

CHAIRPERSON BROWNING:

No? I guess motion to approve, Legislator Vilorina • Fisher.

LEG. NOWICK:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Nowick. All in favor? Any opposed? No abstentions? I guess the motion carries. **(Vote: 5/0/0/0)**

MS. ZUCKER:

Thank you.

CHAIRPERSON BROWNING:

Okay. Next one. Introductory Resolution **1139 (Amending the Suffolk County Classification and Salary Plan and 2006 Operating Budget in connection with a new position title in the Department of Public Works (Public Works Capital Project Manager))**. Ben, you have something?

MR. ZWIRN:

Madam Chair, this is creating a new position. I know that may be of some shock to anybody who's been working with Steve Levy since he's become the County Executive. But this is a •• we have had some questions from the Legislature and even from the County Exec's Office about getting capital projects done, some projects that are very dear to the Legislature, and we want to get these projects moved along. So this is a Civil Service title that would be added. It would be somebody hired probably from the municipal ranks, working for another municipality, who has the engineering background to specifically oversee all the capital projects that are going on to make sure that •• if anybody has a question on one •• sort of an overseer to work with the Commissioner of Public Works and also be conduit between the County Exec and the Legislature to get some questions answered on an expedited basis.

We have been frustrated, along with the Legislature, on the length and time that capital projects seem to take and we're hoping that by adding somebody to have a •• strictly overseeing the capital projects in general in addition to the Commissioner, and again, it is a Civil Services position, that this would be helpful, especially with the jail project coming along, with all the other projects that are in the pipeline.

There are about three or 400 million dollars worth of capital projects that are pending in Suffolk County at the present time and there is a great deal of frustration as to getting some of these projects moved in a timely manner and we are hoping that this position would help do that.

CHAIRPERSON BROWNING:

Legislator Nowick, you have a question?

LEG. NOWICK:

Just so I read this right. The money is already in the budget, right? It was just ••

MR. ZWIRN:

Yes.

LEG. NOWICK:

•• something that wasn't filled before.

MR. ZWIRN:

That's correct.

LEG. NOWICK:

Okay. Thank you.

MR. ZWIRN:

And Civil Service was here. Christine Chayes had to leave to pick up her child at school, but Civil Service is on board and is supportive of this.

CHAIRPERSON BROWNING:

Okay. Legislator Viloría•Fisher has a question.

LEG. VILORIA•FISHER:

There is no existing list for this, although it's •• you anticipate that the person eventually will hold a permanent position would be someone who will have taken the exam and then you will go to the reachable person?

MR. ZWIRN:

Correct.

LEG. VILORIA • FISHER:

Okay.

CHAIRPERSON BROWNING:

Any more questions? Can we take a motion?

LEG. BARRAGA:

Motion.

CHAIRPERSON BROWNING:

Motion Legislator Barraga. Second by Legislator Eddington. All in favor?
Any opposed? Any abstentions? Motion carries. **(Vote: 5/0/0/0)**

Introductory Resolution 1146 (Amending the 2006 Operating Budget in connection with the consolidation of County Department of Information Technology Services).

MR. ZWIRN:

Madam Chair, if I might. This is a County Executive sponsored bill. We would ask that this be tabled for a cycle so that we can still work out some of the changes.

LEG. NOWICK:

Okay. Motion to table.

CHAIRPERSON BROWNING:

Motion to table, Lynne Nowick.

LEG. VILORIA • FISHER:

Second.

CHAIRPERSON BROWNING:

Second Legislator Viloria•Fisher. All in favor? Opposed? Abstentions?
Tabled. **(Vote: 5/0/0/0)**

Motion to adjourn.

(THE MEETING CONCLUDED AT 4:17 pm)
_ _ DENOTES SPELLED PHONETICALLY