

LABOR, WORKFORCE AND AFFORDABLE HOUSING COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE
Minutes

A regular meeting of the Labor, Workforce and Affordable Housing Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on January 28, 2010.

MEMBERS PRESENT:

Leg. John M. Kennedy, Jr., Chairman
Leg. Kate M. Browning, Vice Chair
Leg. Thomas Cilmi
Leg. DuWayne Gregory
Leg. Vivian Vilorio-Fisher

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
Barbara LoMoriello, Deputy Clerk
Joe Muncey, Budget Review Office
Jill Moss, Budget Review Office
Ben Zwirn, Deputy County Executive
Ali Nazir, Aide to Leg. Kennedy
Ginny Suhr, Aide to Leg. Vilorio-Fisher
Maxvel Rose, Aide to Leg. DuWayne Gregory
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Michael Pitcher, Aide to Presiding Officer
Jeffrey Naness, Counsel to Suffolk County Public Employment Relations Board
Elizabeth Pearsall, Deputy Commissioner of Suffolk County Department of Labor
Diana Pfenhaur, PERB appointee
All other interested parties

VERBATIM MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 1:15 PM

CHAIRMAN KENNEDY:

Let's convene, if we can, please. And we will all rise for the Pledge of Allegiance led by Legislator Viloria-Fisher.

SALUTATION

Thank you everybody.

Good afternoon everybody and welcome to the first meeting of Labor, Workforce and Affordable Housing Committee for the year. We do not have any cards in front of us and we have one resolution before us for an appointment to PERB. Any comments from the Committee? Any questions?

D.P.O. VILORIA-FISHER:

Yeah. Why is my name in teeny tiny letters?

CHAIRMAN KENNEDY:

Let me see. Where would that be?

D.P.O. VILORIA-FISHER:

On the agenda.

CHAIRMAN KENNEDY:

You know, all I can tell you, Madam Legislator, is that I'm working out some legislative aide issues soon to be resolved. My sincere apologies. Okay. All right.

LAUGHTER

INTRODUCTORY RESOLUTION

So then let's turn to the agenda. We have **introductory resolution 1050, approving the appointment of Diane Pfadenhauer as a member of the Suffolk County Public Employment Relations Board. (Co. Exec.)** I believe that we have an agenda in front of us. I'm sorry, a resume in front of us. And we have Ms. Pfadenhauer with us today. Welcome, Counselor, how are you? And why don't you just tell us a little bit about, I guess, why it is you want to be on this board? We're happy to have you here today. Thank you.

MS. PFADENHAUR:

Thank you. I've always had an interest in Labor Relations and Human Resources. And that's pretty much been my life's work for the last 25 years so this is another opportunity to participate in, you know, the resolution of and the, you know, the support of the County where I live and the, you know, the opportunity to serve.

CHAIRMAN KENNEDY:

Okay. And I see that you mention more than two decades of work in this area. I assume that you have some familiarity with terms and conditions of employment across the board certainly with ASCAP. I guess you must be familiar with direct compensation, contractual matters, benefits associated with membership, operations and collective bargaining organizations, collective bargaining agreements, things such as that. You're familiar with what will be before PERB? You

know, we have a number of different CBO's here in the County of Suffolk. I believe it's 11. And at any one time there may be issues associated with infractions with the collective bargaining agreements, things such as that. And you feel comfortable that you'll be able to deliberate them and operate on the board?

MS. PFADENHAUR:

Yes, I do.

CHAIRMAN KENNEDY:

Okay. And our PERB here in Suffolk County actually functions as an agency of the first instance, I believe. Doesn't it, Counselor? Yeah. So we have jurisdiction across the board and work, I believe, in tandem with State PERB on some matters when it comes to determining or deliberating regarding the collective bargaining agreements; is that correct, folks?

MR. NANESS:

The Suffolk County PERB has jurisdiction over certain matters that relates to Suffolk County and employees in the County and union. It covers representation issues and some impasse related issues excluding police. And -- but it doesn't cover improper practice charges, which would go to the State Public Employment Relations Board.

CHAIRMAN KENNEDY:

Okay. I appreciate that. Thank you, Counselor.

Does any member of the Committee have any questions for our candidate?

LEG. GREGORY:

Sure.

CHAIRMAN KENNEDY:

Legislator Gregory, certainly.

LEG. GREGORY:

I just have a general question. How many members are on the PERB?

MR. NANESS:

Three.

LEG. GREGORY:

Three? And then I guess one person's retiring?

MR. NANESS:

We've been running -- we've been running with two for sometime now. So this will fill the third position so we have a complete board.

LEG. GREGORY:

Okay. And this is a term appointment or a serve until --

MR. NANESS:

It's completing a prior appointment, Tom Cleary.

LEG. GREGORY:

Okay. Right, right. And how long is the term?

MR. NANESS:

Each term is for six years. But this is the residual of that prior term. And I don't know -- I think it's in your resolution --

LEG. GREGORY:

Right.

D.P.O. VILORIA-FISHER:

2012. It's in the resolution. 2012.

LEG. GREGORY:

Okay. Got you. Okay. I certainly I think you're qualified. I mean you have the background. I see you're a graduate of St. John's Law School. You're an assistant professor at St. Joseph's. Okay. And you have a MS from NYIT. Okay. You've published numerous articles and author of a book. I think you have, you know, I think you have a tremendous background and you'll be the perfect asset to the Board. So, thank you for offering your services and your expertise.

CHAIRMAN KENNEDY:

Okay. Thank you, Legislator Gregory. Anybody else? Legislator Cilmi. Sure, certainly.

MR. CILMI:

How are you? Just quickly, do you think your current position as owner of the company that you're with now, does that present any potential conflict of interest situations?

MS. PFADENHAUR:

No, I don't believe it does. Most of the work that we do is work that is on a consulting basis. It is also work that is primarily targeted to resolving workplace conflicts as a neutral.

MR. CILMI:

Thank you.

CHAIRMAN KENNEDY:

Okay. And just to follow-up on that, I would assume that none of your current clients are municipal clients who might have matters that would come before the board; is that correct?

MS. PFADENHAUR:

Yes, that's correct.

CHAIRMAN KENNEDY:

Okay. All right. Anybody else, any questions?

D.P.O. VILORIA-FISHER:

I'd like to make a motion --

CHAIRMAN KENNEDY:

Legislator Vilorina-Fisher.

D.P.O. VILORIA-FISHER:

I don't have any questions. They've been answered and you certainly have a bio that speaks for itself. And you have the time to put into this?

MS. PFADENHAUR:

Yes, I do.

D.P.O. VILORIA-FISHER:

Okay. So I'd like to make a motion to approve.

CHAIRMAN KENNEDY:

Certainly, okay. And I'll second that. All those in favor? Opposed? Okay. That's it. Motion is

approved. **(VOTE: 5-0)**

This will go onto our agenda for Tuesday. You don't have to be here for the General Meeting on Tuesday. We'll be happy to go ahead and share our conversation with our colleagues. And, thank you. Thank you for your commitment to serve.

Okay. No other matters before the board? I'll make a motion to adjourn.

LEG. GREGORY:

Second.

CHAIRMAN KENNEDY:

Second. There we go. We're adjourned.

**THE MEETING CONCLUDED AT 1:23 PM
{ } DENOTES SPELLED PHONETICALLY**