

**WAYS AND MEANS  
COMMITTEE  
OF THE  
SUFFOLK COUNTY LEGISLATURE**

A meeting of the Ways and Means committee of the Suffolk County Legislature was held at the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, NY 11787 on Monday, September 4, 2001 in the Rose Y. Caracappa Auditorium at 1:00 P.M.

**Members Present:**

Legislator George Guldi, Chairman  
Legislator Cameron Alden, Vice Chairman  
Legislator Andrew Crecca, Member  
Legislator Ginny Fields, Member

**Also in Attendance:**

Paul Sabatino, Counsel to the Legislature  
Lee Lutz, Campaign Finance  
Gail Davenport, League of Women Voters  
Ann Riordan, Campaign Finance Board  
Homer Goldberg, Campaign Finance Board  
Helen M. Morley, Self  
Valerie Burgher, Newsday  
Wayne Horsley, Town of Babylon, Councilman  
Loida Tiamsic, Self  
Robert C. Cicale, Self  
Marian Zucker, Director, SC Affordable Housing  
Allan Grecco, Suffolk County Real Estate  
Jim Burke, Suffolk County Real Estate  
Drew Scott, News 12  
Eden Bronfman, Aide to Legislator Guldi  
Bonnie Godsmen, County Exec. Office/IR  
Linda Bay, Aide to P.O. Tonna  
Dave Grier, County Attorney  
Victoria Siracusa, Budget Review Office  
Jim Dobkowski, Aide to Presiding Officer Tonna

**Minutes taken by:**

Eileen Schmidt, Legislative Secretary

(\*The meeting was called to order at 1:15 P.M.\*)

**CHAIRMAN GULDI:**

Calling the meeting of the Ways and Means Committee to order. We'll begin with a pledge led by Legislator Crecca.

**SALUTATION**

**LEGISLATOR CRECCA:**

Actually, I was going to make a motion that you remove your tie since you're the only one wearing a tie.

**CHAIRMAN GULDI:**

All right, I'll second that. All right. Correspondence -- I don't have any relevant correspondence that hasn't been distributed. There's no scheduled presentations; let's do the cards. I have Mr. Homer Goldberg is here on his reappointment. Do you want to make a statement, sir?

**MR. GOLDBERG:**

(inaudible)

**CHAIRMAN GULDI:**

Are members of the Legislature have questions for Mr. Goldberg on his reappointment to the Campaign Finance Board? Okay. We'll take it up in due course, sir. Okay.

**LEGISLATOR CRECCA:**

Mr. Chairman.

**CHAIRMAN GULDI:**

Go ahead.

**LEGISLATOR CRECCA:**

I just want to thank him on behalf for coming today. On reappointments, we do like to have the person here available for questions, so thanks for coming down and stick around.

**CHAIRMAN GULDI:**

Helen Morley, Helen Morley come on down. You're here on 1809? Which bill is that?

**LEGISLATOR ALDEN:**

If you're more comfortable standing or if you want to sit down.

**LEGISLATOR CRECCA:**

You can sit too; it's either one.

**CHAIRMAN GULDI:**

Either one you want. Whatever one you prefer.

**LEGISLATOR CRECCA:**

We aim to please.

**CHAIRMAN GULDI:**

Helen Morley, you're here on a waiver of interest and penalties for your property in Brookhaven, right?

**MS. MORLEY:**

That's correct.

**CHAIRMAN GULDI:**

Okay. Why don't you tell us what happened.

**MS. MORLEY:**

Okay. Actually, I'm really surprised I ended up here in the process. We've lived, my husband and I, in Brookhaven for 30 years and paid our taxes like clockwork. Unfortunately, this past March my husband died very prematurely on the 6th shoveling snow, which he was advised not to and he was quite young, 54. So it was quite a blow to myself, my four children all who are grown and out of the home. And he always handled the bills. He's been retired and home about the past six or seven years. He was a disabled veteran and he was no longer able to work. Though he was not on full disability. And I was the primary and still am the primary fiscal support for the family. He paid all the bills, actually did all the laundry and all the cooking and all the other wonderful things that stay at home partners do. I was not aware that the bill was not paid. When it came to my attention I mailed it out to Brookhaven truly late and I wrote an explanation of why we were tardy and I assumed it was resolved. It subsequently went out to Suffolk County and to the Treasurer's and I got a payment, actually, my check returned for four thousand odd dollars. And I again, appealed to the Treasurer who was very sympathetic to the occurrences and the circumstances and our history within the County. But said it was outside of his control to do anything about it. I subsequently I was referred to our Legislator, Legislator Caracappa whose been our Legislator along with his mother for numerous years the family. And he then has this legislation before you. My children had said to me, "Ma, just pay the penalties." And the reason why I wanted to speak to you today was to explain to you why I did not pay the initial penalty.

**CHAIRMAN GULDI:**

Okay. I've heard what you've had to say; I want to procedurally move this along. I'll make a motion to take it out of order so it will be before us.

**LEGISLATOR CRECCA:**

Second.

**MS. MORLEY:**

Thank you very much.

**CHAIRMAN GULDI:**

Discussion on taking it out of order? All those in favor? Opposed? It's now before us.

**LEGISLATOR FIELDS:**

Legislator Fields, did you have a question?

**LEGISLATOR FIELDS:**

Counsel, does it meet the statutory criteria?

**MR. SABATINO:**

No, it does not meet the statutory criteria.

**CHAIRMAN GULDI:**

Could you rearticulate the criteria so we can --

**MR. SABATINO:**

There are four categories for waivers of interest and penalties. The four categories are written acknowledge of governmental error, that's number one. Number two is when the party has a contract with the County and is providing some governmental service that the County otherwise could or would be providing. The third category is senior citizens 65 years of age or older and disabled in a way that effects a major life function and also has income of less than 18,000. And the fourth category is the property owner is cleaning up a toxic waste contamination condition that the County otherwise would be obligated for. And also the -- as a reminder the Caputo lawsuit is still pending. There's motions for summary judgement right now pending in court. There's a serious statutory matters with regard to the criteria.

**LEGISLATOR FIELDS:**

Which means that if we approve things that don't meet the criteria we are open to litigation or --

**MR. SABATINO:**

What's happening is we're on the cusp of a very difficult situation. And I mean, for example this committee released one at the last session, which didn't qualify. It was approved on the floor, you know, each and everyone of those adds to the burden of our trying to defend a statute that was adopted in 1997 to avoid this kind of a situation by establishing clear specifically delineated criteria.

**LEGISLATOR FIELDS:**

Thank you.

**CHAIRMAN GULDI:**

Okay.

**LEGISLATOR CRECCA:**

Motion to discharge without recommendation.

**CHAIRMAN GULDI:**

Motion to discharge without recommendation by Legislator Crecca second by Legislator Alden. On the discharge without recommendation, any comments? All those in favor? Opposed?

**LEGISLATOR FIELDS:**

Opposed.

**CHAIRMAN GULDI:**

3 to 1. It's discharged without recommendation. Ma'am, that means that Tuesday night in this room at some godforsaken hour we will get to this resolution before the full Legislature. I would suggest that you get here shortly before 5:30, fill out another card and be prepared to address the criteria that Counsel enumerated.

**MS. MORLEY:**

Okay.

**CHAIRMAN GULDI:**

Cause that's the relevant standard.

**MS. MORLEY:**

Okay. Thank you.

**CHAIRMAN GULDI:**

See you then.

**MS. MORLEY:**

Okay.

**CHAIRMAN GULDI:**

Okay. The second card is Gail Davenport from the Campaign Finance Board. Gail, do you want to come down alone or Ann, do you want to come down at the same time?

**SPEAKER:**

(inaudible)

**CHAIRMAN GULDI:**

Oh, okay. You don't even know each other, huh?

**MS. DAVENPORT:**

My name is Gail Davenport; I'm from Bridgehampton. I'm representing the League of Women Voters of Suffolk County and I'm just going to make a general statement. I'm

here because I want to reiterate the League's support for the 1998 Campaign Finance Law and the Campaign Finance Board. We want to see the system work and we hope that the Legislature supports the continuing efforts of the Campaign Finance Board to inform the public of Suffolk County on how the system works. The League supports public funding of political campaigns as a key component of our support for Campaign Finance Reform. We see Campaign Finance Reform as a necessity and playing a vital part in the preservation of democracy in this country. We would like to remind the committee that the referendum passed by a 2 to 1 margin in 1998, therefore, the people of Suffolk County voted for it 2 to 1. That it established Suffolk County as the first county in New York State to have a partial public funding of elections law and we would like to see that role of Suffolk County as a pioneer in the State of New York continue.

We would like to remind the Legislature that the County Executive has continually supported referendums dealing with public financing of campaigns. And we would like to remind you the committee of the successful public funding systems that have been established in states like Maine and Arizona. And especially the public financing program that is up and running and going so strong in New York City where according to the New York Times \$8 million has been granted to qualified and the key word is qualified it's not just any candidate. But to qualified candidates in this years elections for mayor and city counsel. The healthy political debate that is going on in New York City is a real testimony to what public funding of campaigns can accomplish. We think that Suffolk County can have the same thing in Suffolk County's future if the Legislature continues to support what the people of Suffolk County said they wanted in 1998. Thank you.

**LEGISLATOR CRECCA:**

I have a question.

**CHAIRMAN GULDI:**

Go ahead Legislator Crecca then Legislator Fields.

**LEGISLATOR CRECCA:**

I have a question.

**MS. DAVENPORT:**

Yes.

**LEGISLATOR CRECCA:**

Obviously, the system they have in New York City is different than the one we have here.

**MS. DAVENPORT:**

Yes.

**LEGISLATOR CRECCA:**

And much different and so is it, I believe in Arizona and you said, Maine?

**MS. DAVENPORT:**

Correct. They're all not voluntary.

**LEGISLATOR CRECCA:**

Right. This is a voluntary program.

**MS. DAVENPORT:**

Correct.

**LEGISLATOR CRECCA:**

It's costing us about \$200,000 to fund the operating expenses. Last year the voluntary method that we currently have under the referendum collected \$18,000. So theoretically we're spending ten times the amount collected just to operate. That doesn't include financing campaigns. I guess the question I have for you is I don't want to get into a debate about the need for Campaign Finance Reform, I think we all accept that. I guess the question is, is the one that we got doesn't look like it's got the potential to work under the current way it is.

**MS. DAVENPORT:**

Well, obviously, it needs to be fine tuned and that's I agree with you on that, that I would love to have seen the 1999 using public funding that referendum passed. It didn't so we still have to work with the 1998 funding. The law says that the County will pay for the operating expenses to establish the fund. All right, this is new, this is different, this is something that the people of Suffolk County have never seen before and they need to be informed. As a former educator I would say, educated and I don't think I mean the League of Women Voters we have tried to do this in the areas where we have leagues, etc. But I also think that the ball should be passed to all public officials in Suffolk County that they should be out there informing the public about the system works.

**LEGISLATOR CRECCA:**

The one we currently have you're talking about?

**MS. DAVENPORT:**

The one that we currently have which the people of Suffolk County said 2 to 1 they wanted. I don't think it should just be the Campaign Finance Board that should have the total responsibility of informing the people of the county on how this works. I think every elected public official whose, you know, whose election campaigns could be financed through public funding -- I think they have an obligation as well to inform the public that this is an option that you have and that this is something we're trying in Suffolk County. I think there has been well since 1999 when the Board was established I never saw anything in the Legislature, you know, that or even the County Executive's office as well that was public information to the people of Suffolk County. You're going to be getting these envelopes -- this is the option that you have -- some kind of support.

**LEGISLATOR CRECCA:**

Yeah, I mean, I disagree with fact of support, but that's, you know, could there be more support, I'm not going to say there couldn't be, there could, but there was support from the County and it was a hotly debated.

**MS. DAVENPORT:**

But that was before the referendum was passed. The referendum --

**LEGISLATOR CRECCA:**

No, I'm talking about afterwards. I'm talking about on the envelopes and the collection method and all that. There was a lot of disagreement among the Legislators among the method of collection. I think that I was one of the people who said that the method of collection is doomed for failure. And because we shouldn't be sending it out with the tax bills from the local towns and all that, but that be as it may that's what ended up going forward and that's the way we did it and I think now we have proof now that it's not working. I guess my question for you is, I mean, I'm not saying we don't have a legal obligation to carry out the referendum, we do. The question is to what extent do we do that when we've only collected \$18,000 and I guess that more of a rhetorical question than an actual one. And I guess that some of the things we're grappling with. I think we need to fix things, but you know I don't want to spend taxpayer money. I mean, we've cut so many positions in the budget and all that as it is and not filling what I think some are very critical positions to try to hold taxes. You know I don't want to wastefully spend money on a system that's not working. Let's spend the money fixing the system maybe instead.

**CHAIRMAN GULDI:**

Why don't we go to Legislator Fields for some actual questions instead of rhetorical ones?

**LEGISLATOR CRECCA:**

You're right, that was more debate, I apologize.

**CHAIRMAN GULDI:**

Legislator Fields.

**LEGISLATOR FIELDS:**

You have a film about Campaign Finance Reform. How long does that film run?

**MS. DAVENPORT:**

I think it run under 30 minutes.

**LEGISLATOR FIELDS:**

May I ask the Chairman if possible could we run that film for this body for the next meeting so that everyone has an opportunity to look at it?

**CHAIRMAN GULDI:**

Sure, just let my aide know what equipment you need to run it and I'd be glad to see it.

**LEGISLATOR ALDEN:**

For this committee?

**LEGISLATOR FIELDS:**

For this committee.

**LEGISLATOR ALDEN:**

Oh good. Because the next meeting is a night meeting.

**LEGISLATOR FIELDS:**

No, no, for this committee.

**LEGISLATOR CRECCA:**

It's a good idea.

**MS. DAVENPORT:**

Just a TV and a VCR would do it.

**CHAIRMAN GULDI:**

Okay, we'll arrange that if you can have it available will do it at our next meeting.

**MS. DAVENPORT:**

Oh we will. We certainly will. Thank you.

**LEGISLATOR FIELDS:**

You're welcome.

**CHAIRMAN GULDI:**

Okay.

**LEGISLATOR CRECCA:**

Thanks for coming down.

**CHAIRMAN GULDI:**

Thank you. Now we'll hear from Ann Riordan on a completely different matter. Can I introduce you two? No, you and Gail.

**MS. RIORDAN:**

Gail and I travel a lot together working on getting that referendum passed. Gail and I worked together getting it passed so we're still traveling a lot together. I'm Ann Riordan Chairman of the Campaign Finance Board of Suffolk County and I'm here today to -- with two of the other people associated with the Board. One is Homer Goldberg who is a member of the Board and about to be reappointed we hope and the other is Lee Lutz

our Executive Director. I've come to ask you to reject resolution 1797 to eliminate the salary of our Executive Director. Let's be honest this isn't about our Executive Director or even about money. It's about trying to kill Campaign Finance Reform in Suffolk County. It's an attempt to dismantle the work this Board has done and negate the prodigious work we've already accomplished. This is a quote from the book call the Day After Reform from Malbin and Gais, Rockefeller Institute Press 1998. "The administrative resources for implementing campaign finance law will have to be allocated by elected officials whose interest in the law will direct the law will directly affect and perhaps contravene." Suffolk County is in the throws of a classic case of post reform syndrome. Some legislators led by Presiding Officer Paul Tonna who paid lip service to Campaign Finance Reform in 1998 are doing everything they can to negate the will of the people who voted by a 2/3 majority in 1998 to establish it. In 1999 and off year election smaller number of voters voted down a poorly worded and misleading referendum which implied there would be a special extra tax of \$1 on every parcel of land in the county to pay for public funding of campaigns. When the public understands that the current system funding campaigns special interest often people or corporations doing business with the County donating to the candidates then getting special treatment such as votes favorable to their interest cost them many multiples of the \$1 proposed system would cost, they would want the County to fund elections from the County Treasurer. Every since we started this, this work we have been there have been obstacles and roadblocks put in our path. I can just give you a couple of examples we have here, let's see for example, our counsel's County contract was unpaid for close to a year. We've had long, long delays in obtaining Board of Election disclosure reports, in fact, if we had FOIL them we could have had them in five days. Sometimes it took five, six, eight months. There's been resistance to a formal operating agreement to the point of a poison pill, which was meant to absolutely stop our progress. And there was also the unwillingness to allow the Board to spend its appropriated funds as it sees fit. For example, an advertising effort to coincide with the solicitation request for the fund.

In conclusion, I asked you to reject this naked attempt to kill Campaign Finance Reform. So please vote down resolution 1797 and I would also like you to ask you to approve 1734 which sets up our operating agreement with the County as it was intended to be amended. Thank you.

**CHAIRMAN GULDI:**

Okay. There are questions by Legislator Alden.

**LEGISLATOR ALDEN:**

Hi. You made a statement that I'd be interested in if you have some backup for it. Because I will definitely take action on it almost like a quid pro quo, that if you donate to a Legislator or to the County or somebody like that that you get some kind of illegal treatment or something along those lines. I definitely if you have instances that we can put on the record and I'm sure that this committee would actually join me in going after anything like that that we'd become aware of.

**MS. RIORDAN:**

Well, I believe that we do have the disclosure records, the 1999 campaign and I think there are some things there that probably will show that there is probable cause.

**LEGISLATOR ALDEN:**

Not innuendo. I'm talking about I want to see --

**MS. RIORDAN:**

Well, you know as well as I do --

**LEGISLATOR ALDEN:**

For instance if a contract to pave a road should be \$20 a foot and somebody that has made a, you know, a contribution is getting paid \$100 a foot that's an illegal action. So that's something that I'd be interested in. Innuendo I'm not really interested in, but --

**MS. RIORDAN:**

A lot of this doesn't even have to be illegal; it doesn't have to be illegal. In Campaign Finance Reform what we say is it's not what's illegal.

**LEGISLATOR ALDEN:**

Then I'm confused, if the County is getting value for its' dollar then how, you know, how is that a problem?

**MS. RIORDAN:**

Well, it may be a problem if one contractor got it rather than another contractor.

**LEGISLATOR ALDEN:**

There's bidding processes that we have.

**MS. RIORDAN:**

Well, people (inaudible)

**LEGISLATOR ALDEN:**

No, but that's what I'm getting to. If there's fraud in the bidding process then I want to know about that. If you think that somebody's bid was like improperly because I don't know if it's all sealed bids, but if a bid was improperly received or improperly changed or something along those lines where there's actually fraud or criminal activity because that's really what your statement went to.

**MS. RIORDAN:**

No, I didn't say anything about the bidding process at all.

**LEGISLATOR ALDEN:**

No, your statement was that certainly people because they make contributions got special type of treatment. So I'd like some solid proof of that.

**MS. RIORDAN:**

Well, I think that that it going to be hard to come by because it's the sort of thing you probably can not prove, but you can really --

**LEGISLATOR ALDEN:**

See, see what I take except to is when people make a statement like that, you cloud all of our reputations and I for one, nobody goes and buys my vote. And you can go through the record, you can and I'll be more than happy to go through the record with you. I do not give favorable treatment to anyone in exchange for a contribution or anything like that. But what you just made as a statement that clouds my reputation because I'm part of this body and I'm part of the Suffolk County government. So I take exception to a naked allegation like that.

**MS. RIORDAN:**

What you're a part of is a system that the County has and wants to keep which is that it's perfectly legal. You get your contribution, but you don't know even in your own mind you can say that you never voted for anything because someone gave you a contribution. You --

**LEGISLATOR ALDEN:**

I honestly can say because in my mind I'm the one that's debating in my mind and I look at the evidence and that's how I end up voting on things. But I'm really not going to sit here and accept somebody of accusing me of selling votes --

**MS. RIORDAN:**

I didn't say that --

**LEGISLATOR ALDEN:**

And that was your innuendo and I take great exception to it.

**MS. RIORDAN:**

I certainly didn't say it.

**CHAIRMAN GULDI:**

Legislator Fields.

**LEGISLATOR FIELDS:**

I would agree with you and I think that many people would agree with you. I think that there have been situations where people in office have had friends who have contributed to their campaigns and certain things have happened that are maybe not illegal, but possibly on the line of being unethical or a little shady. And I would absolutely agree with that and maybe we can't exactly show you in black and white, but I think you've heard of it, Legislator Alden and I think in some situations you've seen it and it does exist. And I would think that as Legislators who have our eyes open who read the papers, who see things and hear things I think that does exist with certain people.

**CHAIRMAN GULDI:**

No further questions? Thank you. Next card, Wayne Horsley, now for something completely different. Wayne --

**MR. HORSLEY:**

Yes, George.

**CHAIRMAN GULDI:**

Not that I'm reticent to hear whatever wisdom you want to bestow on us, but maybe we can cut to the chase.

**MR. HORSLEY:**

Okay.

**CHAIRMAN GULDI:**

I made the motion to table subject to call the resolution because the source of funding was out of the -- was involved in the current pending appeals of the Brookhaven tax cert --

**MR. HORSLEY:**

Right, lawsuit -

**CHAIRMAN GULDI:**

-- settlement and the concern that I had that we could continue to table the resolution it would expire under our six month rule prior to a resolution of that pending appeal. And that was the concern of the committee was that we were prematurely reallocating the revenue prior to a court disposition of the source of funds.

**MR. HORSLEY:**

Okay.

**CHAIRMAN GULDI:**

Counsel I understand had an opinion on that with the sponsor.

**MR. HORSLEY:**

That's one of the reasons why I'm here today not only to explain the resolution; I assumed that everyone read that. I have copies for everybody; this is involving a developing affordable housing through rehabilitation. This is a proposal by the Town of Babylon and I'd hoped that other towns would adopt it because I believe it to be a good program on affordable housing. The Shoreham money and this is --

**CHAIRMAN GULDI:**

This is, oh, this is Maxine Postal, it's a tabled --

**MR. HORSLEY:**

Okay.

**LEGISLATOR CRECCA:**

I just wanted to know what resolution you're talking about.

**MR. HORSLEY:**

This is 1618; the topic was implementing Town of Babylon affordable housing plan under town revenue sharing partnership.

**CHAIRMAN GULDI:**

We tabled it subject to call at our last meeting and that's why it's not on our agenda.

**MR. HORSLEY:**

I have a copy if anybody would like it.

**LEGISLATOR CRECCA:**

No problem, no I have a copy here and I know which bill you're talking about, I'm familiar with it so I apologize. I just want to make sure we're talking about the same thing.

**MR. HORSLEY:**

Okay. Then if I don't have to give my touting of the bill, I was confused because I was hearing your side, George. And then I heard Maxine speak to me and then I spoke to Cameron just prior to the meeting and then I'd heard of Mr. Sabatino's opinion and I wasn't sure where this was going. So I thought maybe if we could get some clarification.

**CHAIRMAN GULDI:**

Okay. So all right, my understanding is that the source of revenue is tied up with the Shoreham appeal.

**MR. HORSLEY:**

Right.

**CHAIRMAN GULDI:**

Okay. Correct me if I'm wrong, am I correct or am I wrong? It calls for a yes or no, sorry.

**MR. SABATINO:**

I want to be fair to everybody. There's no money tied up with the Shoreham appeal. Well, there's no money tied up with the Shoreham appeal, you know, depending on your prospective. This is \$7.9 million, if the appeal of the case results in a sustaining of Judge Gowan's decision, you're talking about a billion dollars. This is the 7.9 from the town. Now when we had the presentation at the time of the litigation we we're told that that the agreement that was entered into by the County Executive with all the parties didn't link everything together, so that in theory the \$7.9 million stands on its own number one. Number two, you know, Suffolk County wouldn't the day after the appeal

turnover the \$7.9 million. It's our money; that was an agreement with Brookhaven and the court decision that's being appealed is not appealing Brookhaven's decision to, you know, give the \$7.9 million. LIPA insisted at least in its public statements that there's not connection between any of the activities that the appeal stands on its own. So, you know, the short answer is no. I don't see the money being tied up in the appeal, but I understand in fairness to other, you know, parties that they're Legislators from within the Town of Brookhaven who were concerned that the Town of Brookhaven is going to be out the \$7.9 million after the appeal is completed. That's a Brookhaven perceptible not a countywide.

**CHAIRMAN GULDI:**

Let me throw it back at you this way. Okay, as in the words of one of my law professors, "that response leaves the darkness unobscured." The question I have to throw back at you however, is what {"quell damage"} if you will. What harm would there be in waiting --

**MR. HORSLEY:**

{Quell damage} I'm impressed.

**CHAIRMAN GULDI:**

-- until the appeal is resolved? How would that possibly negatively impact your proposed affordable housing program since we're talking about a period now of probably four to six months?

**MR. HORSLEY:**

Okay, that would not necessarily impact, but what I discussed with Mr. Grier and Mr. Alden just prior to the meeting, they were telling as well as the august attorney from the Town of Islip that the appeals etc. will take two to three years which I would think -- let me just throw it out.

**CHAIRMAN GULDI:**

Not the way I understand calendar in the Appellate Division; you file your notice of appeal; you have six months to perfect. It's three months now, isn't it?

**MR. HORSLEY:**

I'm just telling you what I heard just prior to the meeting. Mr. Alden, maybe you can reiterate what we were talking about earlier concerning the appeals process involving this Shoreham dollars. When would we be able to see the end of the light?

**LEGISLATOR ALDEN:**

If it runs through the complete appeals process it could be years.

**MR. HORSLEY:**

Okay.

**MR. SABATINO:**

The track that it was on which was not the fast track was for the Appellate Division to make a decision sometime between April and June. I would suspect June of next year. Regardless of which party prevails, I'm sure that there will be an attempt to go to the Court of Appeals. I would expect that even without the fast track the Court of Appeals by December of the same year meaning next year, meaning next year 2002, would conclude that matter.

**MR. HORSLEY:**

So we're talking about a year and six months?

**MR. SABATINO:**

In fairness because the courts decision was rendered last year so it's two and half years from that point.

**MR. HORSLEY:**

I'm not trying to pin anybody down, you know, but the issue would be then that there is a lengthy period of time prior to, that this coming to a resolution. One of the things that I know you've -- in looking at the legislation we were talking about that this that the original legislation had the issue of developing new properties where we had the change in the resolution to now make it that this resolution that the -- that we could rehabilitate existing homes. Mr. Alden prior to the meeting we were talking about is it possible then since there is going to be this great length of time that this could be switched over to the Gaffney Affordable Housing legislation. I don't know. I mean, that something that up to you guys.

**LEGISLATOR ALDEN:**

We have had a positive response from the County Executive and they're going to look in to it.

**CHAIRMAN GULDI:**

Yeah, I would strongly urge you to pursue that given the availability of funds there. If I'm not mistaken that would be a great place to start.

**MR. HORSLEY:**

Is it a pigeonhole though, I mean, I'm concerned, you know?

**LEGISLATOR ALDEN:**

Wayne, if you want to give me a call, you know, at the office.

**MR. HORSLEY:**

Hmm.

**LEGISLATOR ALDEN:**

You know I'll work to co-sponsor it for you and try to get, you know, because you indicated you'd given the language change on the last bill.

**MR. HORSLEY:**

Yes.

**LEGISLATOR ALDEN:**

So I'd like to incorporate that and we'll draw a little package up and give it to the County Executive. I don't think we should have too much problem getting it through.

**MR. HORSLEY:**

Very good. I know that initially, George Gatta was in the process right from the get go deciding how we would make this change and so they are already familiar how we made the change for this resolution then it would be simple just to switch it over for one to the other. Is that the best course of action?

**LEGISLATOR ALDEN:**

I would think from my point of view it would be because --

**MR. HORSLEY:**

This is in everybody benefit as we all realize of course.

**LEGISLATOR ALDEN:**

I don't want to spend the money twice and there is a definite possibility that if we spent that Lilco settlement type money that we're going to end up having to spend that again in repaying Brookhaven. So I really would not like to hand the bill to the taxpayers in another 8 to 10 million dollar on top of the, you know, 8 to 10 million that we would spend in the program. Because this program is great, the Affordable Housing Program.

**MR. HORSLEY:**

Thank you.

**LEGISLATOR ALDEN:**

Good.

**LEGISLATOR CRECCA:**

Do you want to make a motion to take this out of order?

**CHAIRMAN GULDI:**

Well, we -- it's not out of order it's off the agenda --

**LEGISLATOR CRECCA:**

Oh, it's tabled subject to call?

**CHAIRMAN GULDI:**

-- and it needs to be amended before it's eligible for action.

**LEGISLATOR ALDEN:**

I think we have to get the other resolution from the County Executive.

**CHAIRMAN GULDI:**

Well, actually I suspect the next speaker might be prepared to discuss this. Marion Zucker is from the PLNG Department that means Planning Department.

**LEGISLATOR CRECCA:**

Oh yes, I've heard of them.

**CHAIRMAN GULDI:**

If you think about it long enough. She gave it away by saying she was here to discuss resolution 1618. There's another microphone if you want to use it at the table. Why don't you talk to us about this?

**MR. HORSLEY:**

Should I stay?

**CHAIRMAN GULDI:**

You can stay, you could stand there, I mean, you could sit.

**MR. HORSLEY:**

I could dance.

**CHAIRMAN GULDI:**

You can dance just don't sing.

**MR. HORSLEY:**

Okay. There you go.

**LEGISLATOR ALDEN:**

Actually, Councilman Horsley, could you sing too? I remember from a little play we did in school that he was quite adept at that.

**CHAIRMAN GULDI:**

That was then.

**MR. HORSLEY:**

We've all matured, haven't we?

**CHAIRMAN GULDI:**

No. Absolutely not.

**MR. HORSLEY:**

I'm sorry.

**CHAIRMAN GULDI:**

All seriousness aside, you have the floor.

**MS. ZUCKER:**

Thank you. My name is Marion Zucker, I'm the Director of Affordable Housing for Suffolk County and I was prepared to address the proposed resolution 1618, but I understand you're tabling it and it sounds like what you'd like us to do is explore whether or not we can include rehab of properties in the affordable housing opportunities program.

**CHAIRMAN GULDI:**

That's what we'd like you to explore.

**MS. ZUCKER:**

So I will take that back to the office and get to work on it.

**CHAIRMAN GULDI:**

Okay.

**MR. HORSLEY:**

And that would include this legislation as well as funding and funding a revolving fund for the towns?

**MS. ZUCKER:**

It wouldn't include this specific legislation; the thought is to expand the existing legislation to not be limited just to the acquisition --

**CHAIRMAN GULDI:**

New acquisition with rehabilitation. One of the things that I've actually spoken --

**MS. ZUCKER:**

It does allow the rehab of properties, but it doesn't -- what the Babylon proposal is to actually fund the rehab costs.

**CHAIRMAN GULDI:**

Right.

**MS. ZUCKER:**

The existing County program is to fund the acquisition of property --

**CHAIRMAN GULDI:**

The acquisition, but not the rehab.

**MS. ZUCKER:**

Right.

**CHAIRMAN GULDI:**

Yeah, that's one of the things I've actually talked to Mr. Grecco about as looking at some of the parcels that we're putting into the auction because of there not being per se habitable, but looking at a way to put funds into them, to render them habitable so that they would be eligible for inclusion of our first time home buyer affordable housing programs instead of going on the auction block. So it's actually dovetails with the request that I have with Mr. Grecco. I'd be very interested in seeing if we could amend the program, extend it to Babylon, but expend it countywide as well.

**MR. HORSLEY:**

I think that would be wonderful.

**CHAIRMAN GULDI:**

Thank you.

**MR. HORSLEY:**

Thank you.

**MS. ZUCKER:**

Thank you.

**CHAIRMAN GULDI:**

Okay. So Ms. Zucker, you'll get back to us next month at our next committee meeting which is --

**MR. SABATINO:**

At the end of September I think it's the last week in September I believe.

**CHAIRMAN GULDI:**

Okay.

**MR. HORSLEY:**

Mr. Guldi, would this original 1618 or whatever the resolution number was, would that still be remained with the Shoreham dollars until a future date?

**CHAIRMAN GULDI:**

Once we figure out where we're going it doesn't matter whether we introduce a new resolution. If we're doing something with the County Exec. on board it's as palatable as this sounds a CN would be easy to obtain I would suspect and we could move forward on it almost immediately. Once we go on the same page particularly since the reservation here were not about the program, not about the need for affordable housing, but solely with respect to where we're getting the money and what's going to happen if. Okay?

**MR. HORSLEY:**

Okay. Thank you very much.

**MR. SABATINO:**

Just a word of caution to everybody though this is \$7.9 million. To increase the capital budget and program by that amount would be extremely difficult because in the last capital budget cycle, if you recall, we spread out the \$20 million at \$5 million a clip, so it's not really going to be doable for \$7.9 million.

**MR. HORSLEY:**

Okay, the Town of Babylon requested \$500,000 to start out the revolving fund.

**CHAIRMAN GULDI:**

That's right, that's right. Okay. All right, I have no more cards. Is there anyone else who wants to be heard?

**MR. GOLDBERG:**

(inaudible)

**CHAIRMAN GULDI:**

Yes, sir. You changed your mind you don't want to serve on --

**MR. GOLDBERG:**

No, I want to speak.

**CHAIRMAN GULDI:**

Go ahead, sit down. It's your turn now. Come on down.

**MR. GOLDBERG:**

I hope I won't prejudice my chances of reappointment, but I'd like to --

**CHAIRMAN GULDI:**

You never know you might get -- you might actually be fortunate and prejudice your chances for reappointment.

**MR. GOLDBERG:**

On the basis of my experience of the last 2½ years, I understand what you're saying. I just want to make a couple of comments after hearing what everybody's had to say about Campaign Finance Reform. First point I want to make is that the Board has been trying in its best efforts to carry out the mandates of the law which is what we're required to do. You referred to that Legislator Crecca when you spoke earlier. And as early as July of 1999 carrying out one of those mandates we warned in our report that the fund raising method was going to fail. In fact, we gave it more of a possibility that it actually turned out to have. But we felt still under the mandate of the law that it was the only method we had. We were mandated to put it into effect and so in addition to our research and reasoning about why it would fail we thought we've got to give it test to show whether it can or cannot work. So we made a good faith effort and wound up, as you've all known with \$18,000. Now what I would urge on the committee and the

Legislature is that we repair the funding mechanism rather than throwing away the whole rest of the law. The law is there, it's sound in its general provisions, it's weak in a key place. And I would hope that as that method of funding was the result of compromise and God knows what in the deliberations of the Legislature before the passage of the law that there could be some further deliberations in which a more adequate method of funding that would be truly public and supportive could be arrived at. So I urge on the committee that you not abandon the law because of its failed funding mechanism, but that that mechanism be changed.

And then finally, I want to say something about Legislator Alden's concerns about accusations and innuendos. I think sometimes when we are thinking about these matters we get them confused a bit. I can't speak for what was going on in Anne's mind, but let me just give my own fix on this. I do not know first hand of any improprieties that are currently engaged in by any elected officials of Suffolk County. Since I'm not even a reader of Newsday I know less than anybody else. However, we do know that nationally, nationally at various levels municipal county, state and nation there is a widespread perception that money buys elections. And that perception is very strong and it is in part that perception that this law is intended to fight. Moreover, the law can be seen if you like assuming that there has been nothing but perfect behavior from everyone who was ever elected in Suffolk County. The law can be since there is this broad trend in the country, the law can be seen as a preventive measure in which Suffolk County is trying to head off any likelihood of bought elections or special favors.

Finally, I want to say a word about innuendo as it effects me. Your Presiding Officer said that I, Ann Riordan, our fellow Board members are participating in a scam. That's an {impudment} of our integrity and I'd wish to put on record my resentment of it and my utter rejection of it.

**LEGISLATOR CRECCA:**

I have a question for you, sir, so if you could just stay at the mike. Mr. Chairman?

**CHAIRMAN GULDI:**

Yeah, Legislator Crecca.

**LEGISLATOR CRECCA:**

My question for you was that I agree with you that the major flaw that we're facing now is and I think the Board recognizes that is a funding problem. Okay, the bill as it currently stands is flawed in its source of funding, but correct me if I'm wrong cause you certainly more the expert than I am in this particular area. But the public voted down public financing of campaign finance.

**MR. GOLDBERG:**

Yes, that's correct.

**LEGISLATOR CRECCA:**

Okay. So we have to carry out one referendum and now we have to -- I don't think public financing is a legitimate option if the voters have rejected that outright. So my question for you is can we expect some sort of recommendations from the Board and at what point can we expect those on to how to carryout the mandate for Campaign Finance Reform without going with public financing?

**MR. GOLDBERG:**

Our answer, I think would be and I stand subject to correction, our answer would be that we have to find a way of doing public financing. I would point out about the second referendum, the one that turned down public financing. It was one, a much smaller turnout in an off year election compared to the very large turnout, which voted the original referendum. Second, the language of that referendum and how it appeared on the ballot; there were six propositions that year. Five of them passed, ours was defeated and we had no control over the wording of that and the people saw the word taxes and they saw a dollar or something like that and that was it.

**LEGISLATOR CRECCA:**

Okay.

**MR. GOLDBERG:**

Let me --

**LEGISLATOR CRECCA:**

Oh, I thought you were finished. I'm sorry.

**MR. GOLDBERG:**

It seems to me, the answer has to be an intensive education campaign. Voters vote what they feel, think and understand, but that can be changed by telling them and explaining to them and helping them to understand what the benefits of the law are. And we believe that it's possible to do that and that the Legislature should take the lead in doing that.

**LEGISLATOR CRECCA:**

I guess what I wanted to say is what I'd like to see as a Legislator, we do have that second referendum and I disagree what was lower voter turnout and all those things that you said, the did vote yes on five and no on the other one. I think voters consciously knew what they were voting on and made a choice. And I think as an elected official we have an obligation to carryout both referendums, the first one included. So I'm not trying to knock the Campaign Finance Board or say that, you know, we want to see Campaign Finance Reform. I just think this one's, you know, doesn't work; I think it's flawed. I guess what I would urge the Campaign Finance Board is to try to reconcile if there is a reconciliation of those two referendums and give us some suggestions as opposed to just saying public finance. I think I would like feeling sort of a skew over there that the only way that this is going to work is if it's public if we tax people and put it into the campaign coffers. And I guess I believe that there is a

general desire not to see that happen by the taxpayers of Suffolk County. I don't think that they think their tax dollars should be used to fund campaign finance. I think there are other alternatives and I just like I would challenge the Board to be a little creative and come up -- give us at least some other options since you guys are in the thick of it. You know I would say you have more expertise and are looking at more things than possibly we are. I would challenge -- vice versa

**MR. GOLDBERG:**

Legislator, we would welcome your suggestions.

**LEGISLATOR CRECCA:**

And vice versa that's what I'm saying. You know I would welcome the Boards suggestions on ways to fix the funding aspect of this other than taxing the public. That that's, you know, there's gotta be another way and I'll look and I would just challenge you also to look too. Just try to stay in compliance and if there is no other way then come back and tell us that, you know, I guess and we'll take it from there, you know.

**MR. GOLDBERG:**

Okay.

**LEGISLATOR CRECCA:**

But you understand what I'm saying? We have dichotomy --

**MR. GOLDBERG:**

I understand what --

**LEGISLATOR CRECCA:**

We have two referendums. We've got to reconcile the two or do something, so.

**CHAIRMAN GULDI:**

All right. Legislator Crecca, I think summed it up; the public wants Campaign Finance Reform, doesn't want to pay for it.

**LEGISLATOR CRECCA:**

That's right.

**CHAIRMAN GULDI:**

You go figure it out he doesn't want to.

**LEGISLATOR CRECCA:**

That's my point.

**CHAIRMAN GULDI:**

Thank you for your comments, sir.

**MR. GOLDBERG:**

Thank you.

**CHAIRMAN GULDI:**

I appreciate your time and your attention to this matter. Okay. Do we have any other volunteers? Hearing none let's do the agenda.

**TABLED RESOLUTIONS**

**1201. Amending the Adopted 2001 Capital Budget and Program and appropriating funds in connection with courtroom construction at Cohalan Complex (Four Courtrooms). PRIME (Bishop)**

**LEGISLATOR FIELDS:**

Table.

**LEGISLATOR CRECCA:**

Second.

**CHAIRMAN GULDI:**

Motion to tabled by Legislator Fields second by Legislator Crecca. All those in favor? Opposed? Abstentions? **(Vote: 4-0-0-0)**

**1202. Amending the Adopted 2001 Capital Budget and Program and appropriating funds in connection with courtroom construction at Cohalan Court Complex (Two Courtrooms). PRIME (Bishop) Same motion same second same vote. (Vote: 4-0-0-0)**

**1365. Amending the 2001 Capital Budget and Program and appropriating funds in connection with master plan for North County Complex, Hauppauge, NY (CP 1601) PRIME (Co. Exec.)**

**LEGISLATOR CRECCA:**

Motion to table.

**LEGISLATOR ALDEN:**

Second.

**CHAIRMAN GULDI:**

Motion to table by Legislator Crecca second by Legislator Alden. Discussion? All those in favor? Opposed? Abstentions? **(Vote: 4-0-0-0)**

**1416. To ensure League of Women Voters representation on Reapportionment Commission. PRIME (Postal)**

**LEGISLATOR CRECCA:**

Motion to table.

**CHAIRMAN GULDI:**

Motion to table by Legislator Crecca, this is to ensure League of Women Voters representation on Reapportionment Commission. There've been discussion recently about putting together a reapportionment commission. Does anyone know if the Presiding Officer has made provision for the League to be on that commission?

**LEGISLATOR CRECCA:**

No, the only thing I can tell you is that I know that the Presiding Officers aware of this bill. Had told us that he would report back to us before he did anything regarding that and that I haven't heard that he's actually putting the commission together, so.

**CHAIRMAN GULDI:**

Oh, hmm. Well, I heard that he was. So, it's -- I'm concerned about tabling it. How about --

**LEGISLATOR CRECCA:**

How's about --

**CHAIRMAN GULDI:**

--- we discharge it without recommendation, put it on the floor and deal with it at the full legislative meeting Tuesday, in the event that we're right. If you're right and he's not then it's not ripe at that time we can table it and the full floor.

**LEGISLATOR ALDEN:**

Mr. Chairman? If the Presiding Officer were putting together his committee or commission right now that would have to come through this --

**CHAIRMAN GULDI:**

I don't think so. Counsel does the Presiding Officer have the ability to appoint a committee or commission on reapportionment without legislative approval.

**MR. SABATINO:**

Yes.

**CHAIRMAN GULDI:**

So no, he wouldn't have to come back here at all.

**LEGISLATOR ALDEN:**

Okay, so when he makes that public and is there a timeframe that he has to make that public?

**MR. SABATINO:**

Well, he doesn't even have to form a commission; it's just that it's something that's been done in the past to try to facilitate the process of drawing up the plans, but I mean, theoretically 18 Legislators could sit right here at the horseshoe and develop the plans. So it's not a statutory requirement; he's doing it only because a custom has been established in the past where Presiding Officers have formed these advisory bodies, but it's not statutory.

**LEGISLATOR CRECCA:**

George, could I be heard on this? Would you defer? I'm sorry, I didn't mean to cut you off.

**CHAIRMAN GULDI:**

Legislator Crecca, go ahead.

**LEGISLATOR CRECCA:**

I just that -- the last time I had a discussion with the Presiding Officer about which was prior to our last full legislative meeting I was informed by him cause I had discussed with him specifically on this issue. I was told by him that this wouldn't happen the earliest he would even consider doing that was December. So I mean, that's why I say to you and he's aware of this issue if he was it was discussed with his representatives. I'd like to give the Presiding Officer an opportunity to at least address that with us. So I would make a motion to at least table for one more meeting and I'd ask an answer from we have an Aide here for the Presiding Officer's office that he get us an answer as to what his specific plans are regarding the commission. And I will commit to you that if he's going to form this before the next committee meeting that I will give my vote to discharge if he's forming the commission before then. I mean, I'll go public on the record and say that.

**CHAIRMAN GULDI:**

Okay. You just did. All those in favor of the tabling motion by Legislator Crecca seconded by Legislator Alden. Opposed? Carried. Tabled 4-0. **(Vote: 4-0-0-0)**

**1528. Authorizing waiver of interest and penalties for property tax for North Patchogue Fire District (SCTM No. 0200-973.30-03.00-016.000). PRIME (Foley)**  
We were waiting for documents on this. Do we have them, Counsel?

**MR. SABATINO:**

Nothing's been filed in the interim period.

**LEGISLATOR FIELDS:**

Motion to table.

**CHAIRMAN GULDI:**

Motion to table by Legislator Fields second by myself. Discussion? All those in favor? Opposed? Abstentions? **(Vote: 4-0-0-0)**

**1618. To implement Town of Babylon affordable housing plan under Town Revenue-Sharing Partnership. PRIME (Postal)** This is the one that I thought we table subject to call at our last meeting.

**LEGISLATOR CRECCA:**

No, it wasn't that's why I brought up before, but motion to table subject to call.

**CHAIRMAN GULDI:**

It was tabled subject to call.

**MR. SABATINO:**

It was tabled subject to call.

**CHAIRMAN GULDI:**

It's here by mistake. It was tabled subject to call. Motion to table subject to call again by Legislator Crecca second by myself. Let's see if it takes this time. All those in favor? Opposed? Abstentions? **(Vote: 4-0-0-0)**

**1712 Sale of County-owned real estate pursuant to Local Law 13-1976 Bartholomew Spadaro (0200-685.00-01.00-014.000). PRIME (Co. Exec.)** Mr. Grecco, the concern I have that what came to my attention at this is this was a nearly a 10 acre parcel being sold for \$1,000 or at a rate of approximately \$100 an acre. I know that we are renting raw acreage at Gabreski Airport some 12 miles from this site for the sum of \$5,000 an acre per year. So I was concerned about what this was about.

**MR. GRECCO:**

Okay. Perhaps I can elaborate on this. This was based upon an outside appraisal by Helen Taylor; according to her it's 31,000 sq. ft. which is really more like  $\frac{3}{4}$  of an acre. I'm very unclear on the size of this property. What we do know is that it was the bed of the Manorville Branch Road. We had it reviewed by one of our review appraisers and he came up with the same value of \$1,000, but what I'd like with this committees' permission I'd would request this be tabled for two reasons.

**CHAIRMAN GULDI:**

Motion to table.

**MR. GRECCO:**

Reason number one is that I'd like the resolution to indicate that it cannot be independently developed and it should contain a covenant that it's subject to easement rights if any of others. And secondly, I would like to explore the possibility of getting a second appraisal.

**CHAIRMAN GULDI:**

I want to point out the dimensions on the parcel is what I'm part and part confused about. I mean, I'm looking at a piece that's 200 by nearly 1,000 and when I do the math on that I don't get 30,000 sq. ft.

**MR. GRECCO:**

Yeah, nor do I, however, that's what the appraiser looked at, so I'm questioning the accuracy of the appraisal and I would request if you'd allow us to give us more time.

**CHAIRMAN GULDI:**

All right. In addition to the appraisal though I'd like to know the propriety of a parcel like this and also what's the zoning because I think you're looking at industrial commercial zoning in it as well and if you are the valuation is I mean \$100 an acre come on. The other question about it is the propriety of including it in a Local Law 13 instead of putting it in the auction parcel.

**MR. GRECCO:**

I have a question actually, which maybe I could ask to Legislative Counsel. We go back and forth on this quite often. We have this 20,000 ceiling in terms of direct sale to adjoining owner, but there's also this other issue about because of its size, character and other factors as the statute reads. Would this in your opinion because of its size and character as a long strip as such keep it out of the possibility of a direct sale, in your opinion?

**CHAIRMAN GULDI:**

Yeah, well, first of all we do have a question about the size because we have the tax map, but not the with a differing appraisal size, but even if it were. I mean, if it were 200 by 900, 200-foot wide parcel of 200 foot of road front on a commercial road, well, it's huge.

**MR. GRECCO:**

The zoning on it is A-1, 40,000 foot minimum for your information.

**CHAIRMAN GULDI:**

A-1 is ?

**MR. GRECCO:**

A residential.

**LEGISLATOR ALDEN:**

This is zoned residential?

**MR. GRECCO:**

Zoned residential according to the appraiser.

**CHAIRMAN GULDI:**

In the middle of the airport it's zoned residential.

**MR. GRECCO:**

That's what my appraiser tells me. I have a lot of questions myself; I would appreciate if you would give me an opportunity to look into this.

**CHAIRMAN GULDI:**

All right, yes. I'd like to be able to address those questions as well as the propriety of it being in the Local Law 13 instead of in the auction.

**MR. GRECCO:**

Thank you.

**CHAIRMAN GULDI:**

Motion to table by myself second by Legislator Fields. Discussion? All those in favor? Opposed? Tabled. (Vote: 4-0-0-0)

**1716. Authorizing waiver of interest and penalties for property tax for Victorino and Loida Tiamsic (SCTM No. 0500-272.00-03.00-019.000). PRIME (Alden)**

**LEGISLATOR FIELDS:**

Does it meet the criteria?

**CHAIRMAN GULDI:**

Legislator Alden, do you have someone here on this?

**LEGISLATOR ALDEN:**

Yes. Mrs. Tiamsic is here.

**CHAIRMAN GULDI:**

State your name and tell us about your --

**MRS. TIAMSIC:**

My name is Loida Tiamsic from 111 Tamarac Street in Islip. I'd like to request waiver of late penalties and interest for the property tax I own. I bought it from my ex-husband back in October of 2000 prior to the divorce settlement. In November, I paid the mortgage so this is like new that I'm paying the property tax by myself, you know, directly to the town. And as I was told by the town this is a lot of problem common problem coming from some owners you had just paid off their mortgages. Meanwhile, I was wait I thought I was waiting for the title documents change of title to my name alone from the lawyers before I pay the taxes and I thought I will be waiting for a bill the town. I didn't receive any bill; what I received in March is a paper saying that my property tax is overdue. That's when I went to the town and I had paid for the bill; that was for the first quarter of the year and in May I had to pay go home in emergency my mom was sick. I had extend one week because she was critically ill. I didn't get back till March 31, which was the due date and my flight came back at 8 o'clock in the evening. So the following morning I went to the town. Islip Town, they would not accept my payment because it was due the day before. They send me to Riverhead, which I did, and they won't give me any they won't waive it either. They send me to Mr. Alden and that's

what I did, that's what I'm here for.

**LEGISLATOR ALDEN:**

Subsequently, what happen with your mom?

**MRS. TIAMSIC:**

Three weeks later I had to go back to the {field} because she passed away.

**LEGISLATOR ALDEN:**

I'll make a motion to discharge without recommendation.

**CHAIRMAN GULDI:**

Motion to discharge without recommendation by Legislator Alden second by Legislator Crecca.

**LEGISLATOR FIELDS:**

Opposed.

**CHAIRMAN GULDI:**

All those in favor? Opposed? 3 to 1 Legislator Fields in opposition. Discharge without recommendation. **(Vote: 3-1-0-0 Opposed: Fields)** You heard me tell the other person who was here before to come on down on Tuesday, the criteria that was articulated by Counsel, were governmental error, over 65 and limited income, County contract for services or toxic cleanup. So try to address those criteria and come down and speak and tell your story again on Tuesday.

**MRS. TIAMSIC:**

On Tuesday, here?

**CHAIRMAN GULDI:**

Tuesday night, here 5:30.

**LEGISLATOR ALDEN:**

Contact my office and then we'll give you all the details on that.

**MRS. TIAMSIC:**

Okay. Thank you very much.

**CHAIRMAN GULDI:**

Okay.

**1734. Authorizing operating agreement between Suffolk County and Suffolk County Campaign Finance Board to implement Voluntary Campaign Finance Law. PRIME (Fisher) Motion to approve by myself.**

**LEGISLATOR FIELDS:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Fields.

**LEGISLATOR ALDEN:**

Mr. Chairman?

**CHAIRMAN GULDI:**

Go ahead, Legislator Alden.

**LEGISLATOR ALDEN:**

I just -- I had a couple and these are like tentacle questions, just -- Paul, do you know when the -- was there an initial operating agreement and is this an extension or is this an original operating agreement?

**MR. SABATINO:**

No, there's never been an operating agreement. This proposed agreement was the outgrowth of about a year and two or three months of, to put it kindly just, you know, party spinning their wheels because there seemed to be no reconciliation as to how to get the Board up and running. We had discussed earlier in this year, you know, line item budgeting, but there was unwillingness to propose legislation along those lines. So really at the last meeting that we held in February the idea of trying to analogize it to the Community College by having this separate agreement in place to try to spell out how this Board is going to function with other County departments and agencies arose and this document reflects what that proposal is.

**LEGISLATOR ALDEN:**

Okay. Were there discussions with the -- that involved the County Executives office and how are they operating. How's it going to change the way they're operating now as oppose to the way they would operate with this operating agreement in place?

**MR. SABATINO:**

Well,

**LEGISLATOR ALDEN:**

And then actually what we have is a full document, the operating agreement, a proposed operating agreement. So by voting for this we are authorizing that operating agreement to be executed.

**MR. SABATINO:**

Correct. The answer to your first question was, yes. The representatives from the County Executive's office were present, Budget Review, myself, and members of the Board. In terms of the difference would be now is that they'd be able to point to a document in terms of having various parties, you know, perform certain roles in terms

of, you know, carrying out the work of the Board. Right now the problem is that, you know, every time they attempt to do something they appeared to be stymied because somebody says, gee we don't understand what your status is. You know I tried to explain at some of the initial meetings that, you know, that really shouldn't be the case, but in fairness to the Board, you know, the County entities are not, you know, working with them to facilitate things and make them work. Because everybody keeps saying, the excuse that's used every time they try to do something is we don't know what your status is, you know, who are you. What's the nature of your being, so in fairness to the Board they can't move to the next step when they try to do things because somebody always says, you know, who are you. I mean, the Board of Elections did it from day one. The Board of Elections refused to process the vouches for over a year. It was an outrageous, you know, example of not, you know, implementing thing that was on the books. I mean, the Legislature volunteered the services of Budget Review to pick up a function at the Board of Elections should have been conducting.

**LEGISLATOR ALDEN:**

Well, you know, I'm going to need somebody from the County Executive's office if they can answer a few questions on this.

**LEGISLATOR CRECCA:**

I have a question in the interim while they get somebody.

**CHAIRMAN GULDI:**

Good luck.

**LEGISLATOR CRECCA:**

Can I ask a question in the interim?

**CHAIRMAN GULDI:**

Legislator Alden, you yield?

**LEGISLATOR CRECCA:**

Would you yield? I guess it was last time we were in committee wasn't there talk about paragraph 3-d and the problems with that --

**CHAIRMAN GULDI:**

I thought that was the other version, wasn't it?

**LEGISLATOR CRECCA:**

That's why I just have it in my notes here that's why I asked to hold on a second that they were going to be revisions to the bill --

**MR. SABATINO:**

The 35% limitation was the earlier version had a limitation that said that no more than 35% of whatever the annual total allocation would be could be used for salary purposes. That was deleted in the corrected copy one cycle ago.

**CHAIRMAN GULDI:**

Oh, all right. So what's the corrected copy date?

**LEGISLATOR CRECCA:**

Right cause I have the old bill in front of me, so I apologize.

**CHAIRMAN GULDI:**

Yeah, could you give us the change?

**LEGISLATOR CRECCA:**

Could you highlight the changes for us, Counsel? That's what I have on my 8/7/01.

**CHAIRMAN GULDI:**

Yeah, that's what I have Counsel is 8/7.

**LEGISLATOR CRECCA:**

That's probably on the Internet that's why.

**MR. SABATINO:**

1734 was changed August 21, the letter said, enclosed please find corrected copy which eliminates the 35% salary compensation cap on annual appropriations in section 3-d of exhibit A.

**CHAIRMAN GULDI:**

That's the only material change?

**MR. SABATINO:**

That was the only change on August 22.

**CHAIRMAN GULDI:**

Legislator Alden, I believe there's someone from the County Exec's office present. Go ahead and state your question please.

**LEGISLATOR ALDEN:**

Okay. On into resolution 1734 authorizing an operating agreement between Suffolk County and the Suffolk County Campaign Finance Board; does the County Executive have a position on this particular legislation?

**MS. GODSMAN:**

We don't have a position on it as of right now. What I just actually why I left the room I just tried to contact our representative that sat in on those meetings and unfortunately she is out of the office at this time.

**CHAIRMAN GULDI:**

How about I change my motion to a motion to discharge without recommendation so we can get a resolution to this by Tuesday and move it along? It's been on our agenda for quite awhile. Motion to discharge without recommendation and seconded is now before us.

**LEGISLATOR ALDEN:**

On the motion, all the same questions that, you know, that I'm going to ask, the problems that created the, I guess, the atmosphere that this had to be written and the inactivity or the inability to work and play well together between the two bodies. I just want to I really want assurances that everything that this is supposed to accomplish will be accomplish. So --

**MS. GODSMAN:**

What I can tell you is I know I've had discussions with our Budget office and they have some concerns over the way different things are laid out in the agreement. I like I said I've not had an opportunity to speak to Traci Barnes of our office who was the one that was representative. I do know that Traci as well as our Law Department, David Grier is actually the representative from the Law Department, did not see this agreement before it was laid on the table.

**LEGISLATOR ALDEN:**

This has been tabled here.

**MS. GODSMAN:**

I know, I'm just saying that they haven't seen it though prior to this initiative being put forth to the Legislators.

**MR. SABATINO:**

Well, just to clarify the record, the document was sent by Counsel to the Finance Board to the Law Department. The Finance Board then contacted my office about four or five months after that because nobody responded back to them and basically told them they were on their own. So the only reason I then drafted the agreement and incorporated it into a resolution is because it sat some place else for approximately four months, for four and half months. So, you know, it's not like I drafted the agreement from scratch or that nobody else saw it. The agreement was forwarded first to the Law Department.

**LEGISLATOR CRECCA:**

From who, by who by the Campaign Finance Board?

**MR. SABATINO:**

From the Campaign Finance Board through their special counsel. They only called me out of sheer frustration; I only got involved because of their frustration. It's not my job to be working for all the departments in the agencies in this County. It's like it's not Budget Review's job, but the Legislature has directed Budget Review and they've asked us to try to make this process work and that's how the agreement arose.

**LEGISLATOR CRECCA:**

Well, I would assume, in other words, the legislative sponsor asked you to draft this then?

**MR. SABATINO:**

Absolutely, but again I just want to make it clear that the document --

**LEGISLATOR ALDEN:**

Who's no innuendo on my part?

**LEGISLATOR CRECCA:**

No, no one is being critical of you. We know why you did it and that's --

**CHAIRMAN GULDI:**

Since when is it your job --

**MR. SABATINO:**

It's not directed at you I'm just looking at you because you happen to be three people to my left as opposed four.

**LEGISLATOR ALDEN:**

But is somebody going to be there though; Ken is usually at our meetings so if he has some problems with then we like to hear from him, but we're definitely going to need some answers on this.

**MS. GODSMAN:**

Sure I'll bring it back to the office.

**LEGISLATOR ALDEN:**

And I'll defer to the Chairman of this committee if you want to put it in a legislative body otherwise I would also be willing to leave it here and have that testimony here, but which ever way you want to do it, George.

**CHAIRMAN GULDI:**

Well, it's here long enough, let's put it out.

**LEGISLATOR CRECCA:**

I agree with the Chairman, but I just want say on the record now that we're requesting the committee and if anybody disagrees with me that somebody from the County Executive's office with specific knowledge of this --

**CHAIRMAN GULDI:**

And be fully informed.

**LEGISLATOR ALDEN:**

And maybe more than one person.

**LEGISLATOR CRECCA:**

Yeah, and we want representatives there to speak on this bill, so that we can have a meaningful discussion on it at the full Legislature before we vote on it.

**LEGISLATOR ALDEN:**

We don't want you blaming Paul for anything either.

**CHAIRMAN GULDI:**

We all know how sensitive he is.

**LEGISLATOR CRECCA:**

Which way it depends on which Paul you're talking about? If you're talking about Sabatino I agree, but if you're talking about Tonna I don't know.

**LEGISLATOR ALDEN:**

Sabatino.

**CHAIRMAN GULDI:**

Okay. On the motion to discharge without recommendation. All those in favor? Opposed? 4-0 discharged. **(Vote: 4-0-0-0)** Now for something completely different.

### **INTRODUCTORY RESOLUTIONS**

**1797. Striking appropriations for the salary for the position of Executive Director Suffolk County Campaign Finance Board. PRIME (Pres. Off.)** Also known as smack Lee Lutz bill. Are there any motions?

**LEGISLATOR ALDEN:**

I just want to put on the record that Mr. Lutz hasn't donated to my campaign ever before I vote on this.

**CHAIRMAN GULDI:**

I think it's fair to say that Mr. Lutz hasn't donated to anyone's campaign. Are there any motions on this bill? No motions at all. It will fail for lack of a motion. Fails.

**LEGISLATOR ALDEN:**

You still have to explain though cause Paul gave this explanation. This bill even though it fails and goes off our agenda it stays alive for how long, Paul, six months?

**CHAIRMAN GULDI:**

It's just like any bill that fails.

**MR. SABATINO:**

But it will be dead in this committee cause you're going to reconsider --

**LEGISLATOR ALDEN:**

It's dead to us.

**MR. SABATINO:**

You're right, it'll be six months.

**LEGISLATOR ALDEN:**

This bill is dead to us then?

**MR. SABATINO:**

That's correct.

**CHAIRMAN GULDI:**

Okay.

**1798. Authorizing the sale of surplus County Cars to Sachem School District.  
PRIME (Lindsay)**

**LEGISLATOR FIELDS:**

Motion to approve.

**CHAIRMAN GULDI:**

Motion to approve by Legislator Fields second by myself. Discussion? All those in favor? Opposed? **(Vote: 4-0-0-0)** That one actually, we actually have our first resolution that's a candidate for the Consent Calendar.

**LEGISLATOR CRECCA:**

I was going to say make a motion to discharge without recommendation, but I'll withdraw that at this time cause we're on a roll with those.

**CHAIRMAN GULDI:**

**1799. Authorizing certain technical correction to implement conveyance of parcel to Central Islip School District, Town of Islip (Section 72-h, General Municipal Law). PRIME (Fields)**

**LEGISLATOR FIELDS:**

Motion to approve.

**CHAIRMAN GULDI:**

Second by myself.

**LEGISLATOR CRECCA:**

Explanation.

**LEGISLATOR FIELDS:**

This was part of a piece of property that was conveyed about six months ago maybe for the Central Islip School District to use for part of their administration building because of their enrollment. And everyone thought that they had the house plus the little area, very tiny area to park their cars, but we found out later on that it was part of two pieces and the school is looking for the little piece. In other words, if they used the building for administration purposes they have no place to park and this went before auction and no one bid on it.

**LEGISLATOR CRECCA:**

All right. I guess I have a question on this and this is more for Counsel. Why, is it normally our policy to give property, I know that the house was given, but is it normally under 72h are we -- can we give property to a school district, a taxing entity?

**MR. SABATINO:**

Yes. Under 72h state, school districts, municipalities, towns, villages are the eligible entities. What happen here was when we did the original transfer at the end of last year we transferred the parcel to the Central Islip School District. We were under the impression that one tax lot covered the entire parcel cause when you look at it visibly in the picture all you see the lot plus the facility. It turned out that we were given the wrong information, we had just Lot 78 and you need to add Lot 79 because tax Lot 79 is actually the parking lot so --

**CHAIRMAN GULDI:**

Is that correct, Mr. Grecco, essentially?

**LEGISLATOR CRECCA:**

Put the mike on Allan.

**MR. GRECCO:**

Legislator Fields recollection of facts is absolutely correct.

**CHAIRMAN GULDI:**

Okay.

**MR. GRECCO:**

I believe it was an oversight, that it should have been included in the original resolution. We -- standing alone that property has very little value to us or even a bonafide purchaser at an auction.

**CHAIRMAN GULDI:**

So obviously we proved that when we put it in the auction and got no bids.

**MR. GRECCO:**

That's correct.

**CHAIRMAN GULDI:**

On the motion. Oh, you call a question?

**LEGISLATOR ALDEN:**

I just need one more -- when you put it on up for auction was it inclusive both pieces or -

-

**MR. GRECCO:**

Oh, no, no. There was just this piece. We had previously conveyed the structure itself by an earlier resolution under 72h.

**LEGISLATOR ALDEN:**

And we never put that up for auction.

**MR. GRECCO:**

No. That one we did not -- well, we had it up for auction many times in the past. It's been a problem; this is Wheeler Road.

**LEGISLATOR CRECCA:**

Right. I got you.

**LEGISLATOR ALDEN:**

Right, I just want to put that on the record because --

**MR. GRECCO:**

Yeah, and the fact that we had not only the improve parcel, but at the parcel up for auction a number of times without bidders seems to indicate that there really isn't a market for it. It really it does not belong in our inventory at this point. I would agree with Legislator Fields --

**LEGISLATOR ALDEN:**

And I have just one other question. Have we up fronted the taxes to the districts?

**MR. GRECCO:**

Yes, we have.

**LEGISLATOR ALDEN:**

Are we getting anything back from the school district on that?

**MR. GRECCO:**

No. We raised that issue originally with the original resolution and notwithstanding the County Executive's position on that that we'd like to get dollar for dollar value on 72h's. This Legislature had passed the earlier resolution.

**CHAIRMAN GULDI:**

If I may, once we transfer by 72h we cease making further advances for special district taxes and we no longer have any potential source of liability for our ownership of the property.

**MR. GRECCO:**

Yeah. I would add that all we have right now is liability with this property.

**CHAIRMAN GULDI:**

Oh, yeah, if we can't sell it we're better off giving it away, okay.

**LEGISLATOR ALDEN:**

Just for the record and that's why I would support this, but I don't support us in the concept of us having to front taxes to a school district and then turn around, you know, and given the property for nothing too.

**MR. GRECCO:**

I agree.

**LEGISLATOR ALDEN:**

Okay.

**MR. GRECCO:**

I agree, but the original debate on that had taken place.

**LEGISLATOR ALDEN:**

Right, I know.

**MR. GRECCO:**

So I really think the intent was that this parcel belong with the building and go to the school district.

**LEGISLATOR ALDEN:**

Absolutely.

**CHAIRMAN GULDI:**

Do we have a motion?

**LEGISLATOR CRECCA:**

George, I didn't even finish on the motion.

**CHAIRMAN GULDI:**

Go ahead.

**LEGISLATOR CRECCA:**

I just, I will, I am going to support this it does make sense for the reasons Allan and Legislator Fields have stated. I just want to reiterate something though because on the debate on it was I had a resolution last year regarding school districts and was told and I don't mean, this isn't by Legislator Fields this was other Legislators, that the County doesn't do anything for school districts because they're self taxing entities can raise their own money was a grant program. And then, you know, then we do this, so I just think when those issues come before the Legislature again we should, you know, really consider those. I don't think there is anything wrong with helping school districts out at the County level when it serves a public purpose for our residents.

**SPEAKER:**

(inaudible)

**LEGISLATOR CRECCA:**

It might have been I don't know. I don't remember the specific Legislator lets put it that way. All right, go ahead.

**CHAIRMAN GULDI:**

All those in favor? Opposed? Forgive me for moving the agenda along. Approved. 4-0  
(Vote: 4-0-0-0)

**1809. Authorizing waiver of interest and penalties for property tax for Helen M. Morley (SCTM No. 0200-599.00-01.00-008.000). PRIME (Caracappa) We've done.**

**1810. Authorizing waiver of interest and penalties for property tax for Nancy Bianchino (SCTM No. 0200-424.00-07.00-063.000). PRIME (Caracappa) Counsel, does it meet the criteria?**

**MR. SABATINO:**

Yes, because there's a written letter from Town of Brookhaven.

**CHAIRMAN GULDI:**

Motion to approve by myself.

**LEGISLATOR CRECCA:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Crecca. Discussion? All those in favor? Opposed? Approved. 4-0  
(Vote: 4-0-0-0)

**1816. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Pro Choice Management, Inc.) (0200-973.70-06.00-032.000). PRIME (Co. Exec.) In Brookhaven, Allan, is this of right redemption?**

**MR. GRECCO:**

Yes, it is.

**CHAIRMAN GULDI:**

Okay, it as of right. Motion to approve by myself second by Legislator Fields. Discussion? All those in favor? Opposed? Approved. (Vote: 4-0-0-0)

**1817. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Pro Choice Management, Inc.) (0200-975.80-05.00-029.000). PRIME (Co. Exec.) Same question, Allan?**

**MR. GRECCO:**

Same answer.

**CHAIRMAN GULDI:**

As of right with -- motion -- same motion, same second, same vote. (Vote: 4-0-0-0)

**1818. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Julia E. Rohena) (0500-130.00-05.00-053.000). PRIME (Co. Exec.) Allan interject if any of these are not of right. A motion by myself. Same motion, same second, same vote. (Vote: 4-0-0-0)**

**1819. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Rebecca T. Jens, Jennifer J. Jens, and Laura A. Sisino, As Executors of the Estate of Fred P. Jens) (1000-120.00-03.00-004.000). PRIME (Co. Exec.) Same motion, same second, same vote. (Vote: 4-0-0-0)**

**1820. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Rebecca T. Jens, Jennifer J. Jens and Laura A. Sisino, As Executors of the Estate of Fred P. Jens) (1000-120.00-03.00-005.000). PRIME (Co. Exec.) That's in East Hampton. Motion by myself second oh, no, that's Southold 1000. Southold Town. All those in favor? Opposed? 4-0 (Vote: 4-0-0-0)**

**1821. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Ivory Ranch, Inc.) (0600-064.00-01.00-004.001). PRIME (Co. Exec.) Baiting Hollow in Town of Riverhead. Same question?**

**MR. GRECCO:**

Yeah, of right.

**CHAIRMAN GULDI:**

Same motion, same second, same vote. (Vote: 4-0-0-0)

1822. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Benhour Mahfar and Danial Mahfar, Doing Business as Danben Associates, a Partnership) (0600-073.00-01.00-001.013). PRIME (Co. Exec.) Same motion, same second, same vote. (Vote: 4-0-0-0)

1823. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Benhour Mahfar and Danial Mahfar, Doing Business as Danben Associates, a Partnership) (0600-073.00-01.00-001.014). PRIME (Co. Exec.) Same motion, same second, same vote. (Vote: 4-0-0-0)

1824. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Susan L. Feniquito) (0500-474.02-01.00-001.000). PRIME (Co. Exec.) In the Town of 0500 is Brookhaven, right?

**MR. SABATINO:**

Sir, that's West Islip.

**LEGISLATOR ALDEN:**

Islip.

**CHAIRMAN GULDI:**

Oh, okay, West Islip. Same question, Allan?

**MR. GRECCO:**

Yeah, as of right.

**CHAIRMAN GULDI:**

Same motion, same second, same vote. (Vote: 4-0-0-0)

1825. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Carmine Ragano as Executor of the Estate of Fannie Ragano Micek a/k/a Fannie Micek) (0800-048.00-02.00-018.000). PRIME (Co. Exec.) Same motion, same second, same vote. (Vote: 4-0-0-0)

1826. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Pudge Corp.) (0200-843.00-02.00-002.001). PRIME (Co. Exec.) Same motion, same second, same vote. (Vote: 4-0-0-0)

1827. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Hardeo Dookharan)

(0200-981.90-09.00-011.000). PRIME (Co. Exec.) Same motion, same second, same vote. (Vote: 4-0-0-0)

1828. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Annette Northover) (0200-973.70-03.00-004.000). PRIME (Co. Exec.) Same motion, same second, same vote. (Vote: 4-0-0-0)

1829. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Josephine M. Davis, as Surviving Tenant by the Entirety) (0500-337.00-03.00-056.000). PRIME (Co. Exec.)

**LEGISLATOR FIELDS:**

Motion.

**CHAIRMAN GULDI:**

Motion by Legislator Fields second by myself. All those in favor? Opposed? Abstentions? (Vote: 4-0-0-0)

1830. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (D.R.G. Enterprises, Inc.) (0900-147.00-02.00-044.000). PRIME (Co. Exec.) Flanders, Town of Southampton. Motion by myself second by Legislator Fields. All those in favor? Opposed? Same vote. (Vote: 4-0-0-0)

1831. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Alma Studivent, as Administrator of the Estate of Junlus Robinson) (0100-121.00-03.00-069.000). PRIME (Co. Exec.) North Amityville. Same motion, same second, same vote. (Vote: 4-0-0-0)

1832. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Victor Ensalata) (0200-973.70-05.00-046.000). PRIME (Co. Exec.) East Patchogue, Brookhaven. Same motion, same second, same vote. (Vote: 4-0-0-0)

1833. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (Donald J. Elliott) (0200-979.20-07.00-001.000). PRIME (Co. Exec.) Brookhaven. Same question, Allan? Same motion, same second, same vote. (Vote: 4-0-0-0)

**MR. GRECCO:**

Mr. Chairman?

**CHAIRMAN GULDI:**

Now for something completely different.

**MR. GRECCO:**

I just wanted to add that if you total out the amount of money collected by the redemption unit it was over a half a million dollars on all of these redemptions.

**CHAIRMAN GULDI:**

On the ones we just did?

**MR. GRECCO:**

The ones we just did, yes.

**CHAIRMAN GULDI:**

The ones that we will be placing on the Consent Calendar.

**LEGISLATOR CRECCA:**

We get 10% that, don't we?

**CHAIRMAN GULDI:**

Yeah, right. No, actually we've renegotiated it; it's not 10% we're getting a third now. We're going to have a heck of a the year end party.

**LEGISLATOR ALDEN:**

Half of that goes to the attorney?

**CHAIRMAN GULDI:**

Yah.

**1834. Sale of County-owned real estate pursuant to Local Law 13-1976 (Richard E. Sullivan and Terry Sullivan, his wife) (0200-387.00-05.00-023.000). PRIME (Co. Exec.)** 1834 is the Local Law 13. We had one bid \$2,000; is that the appraisal?

**MR. GRECCO:**

Yeah, that's the appraised value it's 20 by 100 parcel and we only had one bid.

**CHAIRMAN GULDI:**

20 by 100 is 2,000 sq. ft.

**MR. GRECCO:**

2,000 sq. ft.

**CHAIRMAN GULDI:**

Motion to approve by myself.

**LEGISLATOR ALDEN:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Alden. Discussion? All those in favor? Opposed? Abstentions?  
(Vote: 4-0-0-0)

**1835. Sale of County-owned real estate pursuant to Local Law 13-1976 (Mary Lou Mooney) (0200-799.00-01.00-098.001). PRIME (Co. Exec.) Brookhaven.**

**MR. GRECCO:**

Mr. Chairman?

**CHAIRMAN GULDI:**

One bid.

**MR. GRECCO:**

We only had one adjoining owner; it's a \$400 appraised value, we've got the bid at 400. It is a triangle strip of land that is of really no use to us and came in at 400, they bid 400.

**CHAIRMAN GULDI:**

How big is it?

**MR. GRECCO:**

It's 79, bear with me 79 by 77 by 29.

**CHAIRMAN GULDI:**

79 by 77 by 29.

**LEGISLATOR ALDEN:**

Motion.

**CHAIRMAN GULDI:**

Motion by Legislator Alden second by myself. Discussion? All those in favor? Opposed? Abstentions? (Vote: 4-0-0-0)

**1836. Sale of County-owned real estate pursuant to Local Law 13-1976 (Robert D. Taylor and Christine A. Taylor, his wife) (0200-836.00-01.00-026.001). PRIME (Co. Exec.)**

**MR. GRECCO:**

This is 100 by 100. We had an appraisal at 8,000, we only had one bid at 8,000. However, I draw your attention to the resolution and it includes the language that the premise is not to be independently improved, etc. In other words it has to merge --

**CHAIRMAN GULDI:**

So it had to be used in connection with enlarging the yard.

**MR. GRECCO:**

Right and at the departments' recommendation.

**CHAIRMAN GULDI:**

Isn't the zoning in this area though about a quarter acre?

**MR. GRECCO:**

I'm not aware of that, but the Planning Department had concluded that it was best off by merging it with an adjoining owner.

**LEGISLATOR ALDEN:**

On the question.

**CHAIRMAN GULDI:**

Legislator Alden.

**LEGISLATOR ALDEN:**

Now this -- that restriction going to run with the land?

**MR. GRECCO:**

Yes.

**LEGISLATOR ALDEN:**

So they can't go at a future date and have that removed?

**MR. GRECCO:**

No.

**LEGISLATOR ALDEN:**

Okay.

**MR. GRECCO:**

No, it's in one of the resolve clauses.

**CHAIRMAN GULDI:**

So in a sense the valuation is going to reflect the sale of the property without development rights.

**MR. GRECCO:**

That's correct.

**CHAIRMAN GULDI:**

Although, they could expand the footprint of the house for lot coverage --

**MR. GRECCO:**

They probably could, but it cannot be independently developed. It must merge.

**CHAIRMAN GULDI:**

Motion by Legislator Alden second by Legislator Crecca. Discussion? All those in favor? Opposed? 1836 is approved. (Vote: 4-0-0-0)

**1837. Sale of County-owned real estate pursuant to Local Law 13-1976 (Dominick Dileo and Jeanine M. Dileo, his wife) (0103-008.00-02.00-092.000 /094.000/096.000). PRIME (Co. Exec.) That's the Village of --**

**MR. GRECCO:**

Lindenhurst.

**CHAIRMAN GULDI:**

Okay.

**LEGISLATOR FIELDS:**

Is that really 13 feet by 100 feet?

**MR. GRECCO:**

Yes.

**CHAIRMAN GULDI:**

Yep. 13 feet by 100 feet for \$1400 and only one bidder.

**MR. GRECCO:**

Yes.

**CHAIRMAN GULDI:**

Motion to approve by Legislator Fields.

**LEGISLATOR ALDEN:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Alden. Discussion? All those in favor? Opposed? Abstentions? (Vote: 4-0-0-0)

**1839. Authorizing the Director of the Division of real estate, Department of Planning to issue a certificate of abandonment of the interest of the County of Suffolk in property designated as Town of Smithtown Suffolk County Tax Map No. (0800-156.00-02.00-014.000) pursuant to Section 40-D of the Suffolk County Tax Act. PRIME (Co. Exec.) Who's the recipient here?**

**MR. GRECCO:**

Jurisdictional defect for lack of notice to the prior fee owner.

**CHAIRMAN GULDI:**

Mennonite notice?

**MR. GRECCO:**

Mennonite issued, yes.

**CHAIRMAN GULDI:**

Motion by Legislator Crecca second by myself. Discussion? All those in favor? Opposed? Abstentions? (Vote: 4-0-0-0)

**1840. Authorizing the Director of the Division of real estate, Department of Planning to issue a certificate of abandonment of the interest of the County of Suffolk in property designated as Town of Huntington Suffolk County Tax Map No. (0400-166.00-01.00-087.000) pursuant to Section 40-D of the Suffolk County Tax Act. PRIME (Co. Exec.)**

**MR. GRECCO:**

This one we're also looking for a certificate of abandonment based upon jurisdictional defect. The notice was not signed. We believe that there's a failure of notice and therefore the taxage should be abandoned.

**CHAIRMAN GULDI:**

Is that addressed correctly? I see the -- in the backup I'm looking at the envelope; the envelope seems to have the address it was mailed to obscured. And I noticed the forwarding order expired.

**MR. GRECCO:**

Yeah. You're looking at a copy of the envelope?

**CHAIRMAN GULDI:**

Yeah, but they certified receipt with the 67 Alton Avenue and --

**MR. GRECCO:**

Well, if you look at the page before you see the back of the card and it shows his name with an address and an article number and it shows that the signature is not there.

**CHAIRMAN GULDI:**

Is vacant, yeah.

**LEGISLATOR ALDEN:**

Mr. Chairman, on the question.

**CHAIRMAN GULDI:**

The question is, I mean, under Mennonite Notice the standard that you didn't get you didn't actually receive the notice or that we didn't actually send it in an appropriate way.

**LEGISLATOR CRECCA:**

Either way.

**MR. GRECCO:**

Either way.

**LEGISLATOR ALDEN:**

My question would be what do we plan to do on this then? Are you going to re-file or --

**MR. GRECCO:**

Well, what we're doing is we would prepare the certificate of abandonment. It sits with Treasurers' office in escrow until they pay all the back and current taxes with interest and penalties to the Treasurer at which point we would then give them the certificate of abandonment. So we don't, we don't lose control.

**LEGISLATOR ALDEN:**

No, but we have the option to file on this years taxes then to try to take it, right.

**MR. GRECCO:**

If we wish to, yeah, and we can go through the whole thing --

**LEGISLATOR ALDEN:**

Is that what you would do again or you wouldn't do that?

**MR. GRECCO:**

Yeah, if they don't come in and --

**LEGISLATURE ALDEN:**

Within a short period of time --

**MR. GRECCO:**

Within a short period of time we will re-take it.

**LEGISLATOR ALDEN:**

Okay, thanks.

**CHAIRMAN GULDI:**

Motion by Legislator Alden second by --

**LEGISLATOR CRECCA:**

Me.

**CHAIRMAN GULDI:**

Legislator me, Crecca. That would make it a me, me resolution. All those in favor? Opposed? Abstentions? 1840 (Vote: 4-0-0-0)

**1842 Authorizing waiver of interest and penalties for property tax for Joseph J. Ingarozza (SCTM No. 0500-373.00-02.00-002.000). PRIME (Alden) Again, 0500.**

**LEGISLATOR FIELDS:**

George?

**CHAIRMAN GULDI:**

Yes.

**LEGISLATOR FIELDS:**

There's no backup on this one and I'd like to ask --

**CHAIRMAN GULDI:**

Legislator Alden's here.

**LEGISLATOR FIELDS:**

I'd like to ask Counsel if it meets the criteria.

**MR. SABATINO:**

This one does not meet the criteria. The letter acknowledging the area is from the mortgage company itself, Atlantic Savings Bank. So the bank would be responsible; the bank should make the interest payment.

**LEGISLATOR ALDEN:**

I'd make a motion to table to allow the owner of the property to show up.

**LEGISLATOR CRECCA:**

Second.

**CHAIRMAN GULDI:**

All those in favor? Opposed? 1842 is tabled. (Vote: 4-0-0-0)

**1849. Authorizing waiver of interest and penalties for property tax for Dr. and Mrs. Simon Zysman (SCTM No. 0803-004.00-01.00-006.000). PRIME (Crecca)**

**MR. SABATINO:**

This one qualifies if that helps. They were able to get something in writing, which documented theirs.

**CHAIRMAN GULDI:**

Motion to approve my Legislator Crecca.

**LEGISLATOR ALDEN:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Alden. Discussion? All those in favor? Opposed? Abstentions?  
1849 approved 4-0. (Vote: 4-0-0-0)

**1861. Approving the reappointment of Homer Goldberg as a member of the Suffolk County Campaign Finance Board. PRIME (Co. Exec.)** Motion by Legislator Crecca second --

**LEGISLATOR FIELDS:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Fields.

**MR. SABATINO:**

On the record Mr. Chairman. The term should be for a full five years. What happens is these are staggered terms, so even though these --

**CHAIRMAN GULDI:**

So can we take that as a scrivener's error?

**MR. SABATINO:**

Well, without the sponsor of the bill, but as long as it on the record and, you know, the sponsor agrees to the change then just make that correction with the Clerk's office it'll be okay.

**CHAIRMAN GULDI:**

The author is the Presiding Officer at the request of the County Executive. I would presume it's a scrivener's error and they get a second shot at it by vetoing it if they don't like it. Motion to approve by Legislator Crecca second by Fields. All those in favor? Opposed? Approved 1861. (Vote: 4-0-0-0) 1867 --

**LEGISLATOR CRECCA:**

I don't mean to cut you off, but technically what has to happen now? What has to happen now, does this automatically get corrected?

**CHAIRMAN GULDI:**

It's on the record as of a five year --

**LEGISLATOR CRECCA:**

Okay, that's what I wanted to know, I just want to know.

**MR. SABATINO:**

I'm bringing, I mean, it should be a five year term. The Clerk's office can only make that correction though if the sponsor agrees. I mean, I'm not treating it as a corrected copy, I'm treating it as a technical error.

**CHAIRMAN GULDI:**

It's fine.

**LEGISLATOR CRECCA:**

Okay.

**CHAIRMAN GULDI:**

**1867. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Town of Riverhead) (0600-046.00-01.00-036.016). PRIME (Co. Exec.)**

**MR. GRECCO:**

This is a sump and it belongs with the Town of Riverhead. We have a --

**CHAIRMAN GULDI:**

Motion to approve.

**LEGISLATOR CRECCA:**

Second. Love to get rid of sumps.

**CHAIRMAN GULDI:**

All those in favor? Opposed? Abstentions? Approved. **(Vote: 4-0-0-0)**

**1870. Authorizing use of Southaven County Park in Yaphank by the Lupus Foundation of America for "The Blue Knights 10 Motorcycle Run for Lupus" fundraiser. PRIME (Co. Exec.)**

**LEGISLATOR CRECCA:**

Motion.

**CHAIRMAN GULDI:**

Motion by Legislator Crecca second by myself. Discussion? All those in favor? Opposed? Approved. **(Vote: 4-0-0-0)**

**1880. Rescinding conveyance of parcel to Town of Babylon (Section 72-h, General Municipal Law. PRIME (Postal) What's the story here?**

**LEGISLATOR CRECCA:**

Why are we rescinding this?

**CHAIRMAN GULDI:**

They don't want it?

**MR. GRECCO:**

This is Legislator Postal's resolution however, what I know about this is that we had a resolution conveying 72h to the Town of Babylon who would then --

**TAPE WAS REPLACED**

**MR. SABATINO:**

You can table the bill for one simple reason, which is that although the resolution is constructed properly the backup resolution from the town board cites wrong parcel.

**CHAIRMAN GULDI:**

Motion to table.

**LEGISLATOR ALDEN:**

Second.

**CHAIRMAN GULDI:**

All those in favor? Opposed? Abstentions? (Vote: 4-0-0-0) We'll get it corrected.

**1889 Declaring a specific governmental purpose for the premises formerly known as Broad Cove Duck Farm, Town of Riverhead, Suffolk County Tax Map No. (0600-086.00-01.00-036.000). PRIME (Co. Exec.)** I'll make a motion to approve this.

**LEGISLATOR FIELDS:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Fields. Discussion? Any discussion will have to be done in Executive Session because of the potential for litigation. So this is a declaration of a governmental purpose on a parcel that we've taken for taxes.

**LEGISLATOR CRECCA:**

I don't need to discuss this now.

**CHAIRMAN GULDI:**

That's all I'm going to say on the record.

**MR. SABATINO:**

You can say this, which is --

**CHAIRMAN GULDI:**

If there are any questions the appropriate motion is a motion for Executive Session.

**MR. SABATINO:**

One thing, you had an Executive Session on the first round if you recall.

**CHAIRMAN GULDI:**

Motion to approve and a second. Is there an application for an Executive Session? No, hearing no application. All those in favor? Opposed? Approved. **(Vote: 4-0-0-0)** Although, I don't think we should put that one on the Consent Calendar necessarily.

**TABLED SENSE RESOLUTION**

**79-01 Memorializing resolution requesting State of New York to provide a 60 - day grace period before charging penalty and interest for late payments of real property taxes in Suffolk County. PRIME (Cooper) Is there a motion?**

**LEGISLATOR CRECCA:**

A motion to table.

**CHAIRMAN GULDI:**

Motion to table by Legislator Crecca.

**LEGISLATOR FIELDS:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Fields. All those in favor? Opposed? Abstentions? **(Vote: 4-0-0-0)** Motion for the Consent Calendar. You know me, watch me cause I'll make a motion to put everything on. Tell me if you want it off. Starting on second page of the agenda with 1798, 1799.

**MR. SABATINO:**

Wait 1798 is a 2/3 vote.

**CHAIRMAN GULDI:**

Cars?

**MR. SABATINO:**

Surplus cars is 2/3 vote.

**CHAIRMAN GULDI:**

So 98's out. 99 then. Starting with 1799, 1810 thru 1819 on that page. 1820 thru 1832 on the following page. 1833 thru 1840 followed by 1849, no can't leave the room till we vote on this. 1861 any objection to putting the reappointment on the Consent Calendar, hearing none I'll make the motion.

**LEGISLATOR CRECCA:**

Yeah, I would object to having 1861.

**CHAIRMAN GULDI:**

Then, all right I'll leave it out. 1861 is out. 1867, 1870 and 188 no, no it's 1870 is the last one. Motion to place those matters indicated on the Consent Calendar by myself. Not the last one --

**MS. SCHMIDT:**

What about 1849.

**CHAIRMAN GULDI:**

1829 is --

**LEGISLATOR CRECCA:**

49. That was on.

**CHAIRMAN GULDI:**

49 is on the Consent Calendar. All those in favor? Opposed? Abstentions? **(Vote: 4-0-0)** They're on the Consent Calendar. There being no further business we stand adjourned.

**(Having no further business the Ways and Means Committee was adjourned at 2:49 P.M.)**

**{ } denotes spelled phonetically.**

