

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

Minutes

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, **May 13, 2002** in the Rose Y. Caracappa Auditorium at 1:30 P.M.

Members Present:

Legislator George Guldi, Chairman
Legislator Allan Binder, Vice Chairman
Legislator Ginny Fields, Member
Legislator Fred Towle, Member

Also in Attendance:

Paul Sabatino, Counsel to the Legislature
Bob Smith, Suffolk County Director of Human Resources
Lorraine Hickey, Suffolk County Dept. of Public Works
Carolyn Fahey, Suffolk County Economic Development
Kristine Chayes, Civil Service/Human Resources
Leslie Baffa, Risk Management
David Grier, Suffolk County Attorney
Ted Sklar, Suffolk County Attorney
Robert Cabble, Suffolk County Attorney
Jim Burke, Suffolk County Real Estate
Tom Donovan, Aide to Presiding Officer Tonna
Todd Johnson, County Executive's Office
Lee Lutz, Campaign Finance Board
Christine D. Costigan, Suffolk County Real Estate
Bob Diamond, Aide to Legislator Guldi
John Ortiz, Budget Review Office
Valerie Burgher, Newsday
Charles A. Weber, Self
And all other interested parties

Minutes taken by:

Eileen Schmidt, Legislative Secretary

(The meeting was called to order at 1:30 P.M.)

CHAIRMAN GULDI:

We'll call the meeting to order dispense with the salute to the flag. Kristine Chayes I'm calling your card. Have anything you'd like to tell us?

MS. CHAYES:

No.

CHAIRMAN GULDI:

Thank you. Recognizing Legislator Fields who feels that it is imperative that we do a salute to the flag not having done one in this room for almost 20 minutes.

SPEAKER:

Your mikes not on.

LEGISLATOR FIELDS:

SALUTATION**CHAIRMAN GULDI:**

Some day we'll debate the distinction between patriotism and saluting the flag. Continuing to -- Bob Smith you have resolution 1354, you want to address us on it?

MR. SMITH:

Good afternoon. My name is Bob Smith and I'm the Director of the Suffolk County Human Services. Mr. Chairman, Mr. Vice Chairman, Legislator Fields it's a pleasure for me to be here in front of you today to discuss some corrected -- in front of you you'll see some corrected copies of the resolution. I'm here to present specific language regarding the categories of representation for the commission. We want the design of this memorial to reflect everyone who died at the terrorist attack on September 11th 2001. I believe these appointees will truly provide concerned citizens who'll bring energy, dedication and love to this commission. The changes here are where it says resolved and we have that paragraph representing the changes that you requested us to add.

LEGISLATOR BINDER:

Mr. Chairman.

CHAIRMAN GULDI:

Yes.

LEGISLATOR BINDER:

I just wanted to thank you for making the changes. As I would've liked in some sense to put my name on it and be the sponsor and put a new number in the reason I hadn't all the way until now is because I really did hope that the County Exec. announced it his State of the County address that he wanted to do it. This was his proposal, his initiative I didn't want to take it from under him and I just want you to know that I very much appreciate the changes that were made and I'd like to be listed as a co-sponsor and I wholeheartedly support what you're doing.

MR. SMITH

Mr. Binder -- Legislator Binder, thank you very much for them words.

CHAIRMAN GULDI:

Okay.

LEGISLATOR FIELDS:

(inaudible)

MR. SMITH:

Thank you, Legislator Fields.

CHAIRMAN GULDI:

Okay. Thanks, we'll take it up when we get to the agenda. I have one more card a Charles A. Weber. Mr. Weber come forward please and join us at the table.

MR. WEBER:

Thank you very much for the opportunity to talk before you and also hopefully hear my loud plea. My property is on the auction block #120 for this Thursday and for a house that I've lived in for 52 years. My dad -- I helped by dad build it in 1950. The last 10 plus years I've fallen on some very significant hard times. Financially, my wife's been -- had been ill for some time both physically and mentally and she just past away this past January. I'm hoping I've not very much correspondence from the County for the last several years and this past weekend I went out to Fire Island and was advised by a neighbor across the street that my house was on the auction block and told me it's #120 for Thursday. I was told that it's on the auction block; that there's an upset price I think that's what it's called and my

problem is that not being familiar terribly with all the laws having to do with the Suffolk County Real Estate I wasn't clear on how this whole system worked. I have not I have been in arrears on my taxes for seven years. I came out Friday after pulling together a lot of funds with the help of my children and I came out and presented the check to pay for the entire taxes that I owe on property plus interest and penalties for \$42,052 and it was refused. And saying that the door was closed on the property and I guess I'm imploring and I've been paying rent on the property for the last several years. I think Miss Carpenter had chatted with several people on the matter and I guess all I'm, you know, I've got the money, I got it and I just want to pay my bill and take it off the block.

I anticipated that I guess like Mr. Guldi you cherish your property. Your dad worked on for a number of years and I cherish this house too because this is where I intended to retire. I'm past retirement age. I lost my business a couple of years ago because of the financial burden and having to be a health caregiver for my wife. I got a job a year ago which involved a – an apartment, but I was totally unable to move her from our house that's now on the market and move her into this apartment only because it would have thrown her off in terms of what was happening. I was married 41 years and much of that was she seen the inside of a lot of hospitals and institutions, but now that she at peace I'm trying to get my act together. Please forgive me for my emotionalism. So I've got the money to pay what I owe the County and I'm imploring you to let me pay it and get my property back. I talked to Mr. Sabatino on Friday and I guess I was, I mean, if you folks turn me down I don't know which way I'm going now, but I guess what threw me off was if this thing did go to – if this thing did go to the auction block I was hoping that I might be able to make a bid on my own house, but I don't know how I can come up with the monies that some of my neighbors this past week have told me that that they think it would go to.

I've got a lot of equity in my house that's on -- that's for sale now. How long it would take to close on the property I don't know so I'd have to buy my own house at auction and I guess the thing that throws me off is Mr. Sabatino was kind enough to try to explain although I only I think I picked up part of it. That a foreclosure that if this thing foreclosure which is a mortgage I guess that I would get some of the proceeds from an auction sale, but under this lien business that that the 52 years of sweat equity and memories that I've got in this house I would end up with totally zero. And that confuses the heck out of me the difference between a foreclosure and a tax lien set up here. I see that this item 1287 you folks are considering re-establishing the Suffolk County Department of Real Estate I'm wondering if of the inconsistencies between a mortgage foreclosure and a tax lien set up why there's such an inequity between the two. That being said I guess I've been through some very significant bad times. I have got – I've been going to Fire Island since 1935. I worked myself through there with a variety of jobs, a wagon boy. Then in a local store in a food store in Ocean Beach until I was about 15 when I become an Ocean Beach lifeguard and a bartender and a waiter and all kinds of things. I worked my way through college. I graduated from St. John's in Jamaica, but I've been very civically involved in Fire Island as well as in New Jersey. I first became a fireman on Ocean Beach in 1954, 48 years ago this month actually. So I've been involved with Mr. Isles on a couple of activities some beach scarping activities that myself and other gentlemen instituted in the mid '80's. I've been involved in deer surveys of Fire Island with Mr. Isles as well he being a facilitator and I've been a firefighter in New Jersey holding the rank of captain currently and so I've been very civically involved. I was on the Board of Education for two terms in New Jersey so I feel I've been a hard working person all my life and I'm just pleading with you folks to give me an opportunity to pay my bill get my property back.

CHAIRMAN GULDI:

As you pointed out in your remarks many of have heard from Legislator Carpenter and we're appraised of the situation generally by her and we haven't had an opportunity to discuss it with Real Estate Division and other people in the County government. As a result I have a couple of questions that I'm going to ask you and I'm telling you that the questions don't indicate any bias I just wanted to here you address concerns, issues and things that have been suggested and etc. so that we can discuss them fully here. You mentioned the upset price on the house on the auction do you know what that is off hand?

MR. WEBER:
168.

CHAIRMAN GULDI:
How much?

MR. WEBER:
\$168,000.

CHAIRMAN GULDI:
\$168,000 is the upset price?

MR. WEBER:
Yes, sir.

CHAIRMAN GULDI:
How much rent were you paying for the house during the last year that you were renting it from the County?

MR. WEBER:
To the best of knowledge I paid over \$10,000 in rent.

CHAIRMAN GULDI:
Total?

MR. WEBER:
Yes, sir.

CHAIRMAN GULDI:
Over what period of time?

MR. WEBER:
I think it's like two - two and a half years. One of the problems I had --

CHAIRMAN GULDI:
How much is it a month?

MR. WEBER:
A 150 winter months, 800 summer months.

CHAIRMAN GULDI:
Okay. All right --

MR. WEBER:
On --

CHAIRMAN GULDI:
Go ahead.

MR. WEBER:
On that point I guess somebody asked me well, if the County took this over picked up my deed and I'm paying rent on it whose been paying for all the bills, you know, the electric, water and things of that sort and I said well I've been paying all that stuff plus the fee to Fire Island Summer Club which is another \$1400 a year. So while the lease has been in the name of Suffolk County I've been paying rent as well as all the maintenance and upkeep and utilities on the property all this time.

CHAIRMAN GULDI:

Legislator Binder's question is is there any existing mortgage on the property?

MR. WEBER:

Negative.

CHAIRMAN GULDI:

Negative.

MR. WEBER:

I wish there were because --

CHAIRMAN GULDI:

You say you lost your business, how long ago was that and what was the nature of the business?

MR. WEBER:

Well, I was a general contractor in New Jersey. I had built custom homes and did renovations and things of that sort residential and commercial. I held for a number of years a Suffolk County contractor's license as well because I did a number of jobs out on Fire Island. And I when things were really got bad I just found that I had to be closer to home as a caregiver, etc. so that this way when I took this job as a maintenance manager where I live -- a 900 family gated community it also gave me an opportunity with the job came an apartment, but I was unable to --

CHAIRMAN GULDI:

Yeah, you mentioned that. The question the specific question you say after a long illness past when did that occur?

MR. WEBER:

January 6th, this year.

CHAIRMAN GULDI:

And when did the time period for you to pay your taxes and redeem you property of right expire? Was that December 31st? Does anyone know?

MR. WEBER:

I must say --

MR. SABATINO:

It had to be a long time ago in order for it to be on the auction block. It had to be a long time.

CHAIRMAN GULDI:

No, no, not the taking of the deed, but the redemption right. I think the redemption right --

MR. SABATINO:

In order for it to be on the auction block, okay, in order for it to even get to the auction block the entire period to redeem had to expire plus the two year to exercise the chapter 27 conveyance --

CHAIRMAN GULDI:

So it's two years. So basically, approximately two years ago cause you said its been seven on your taxes.

MR. WEBER:

That's correct, sir.

CHAIRMAN GULDI:

So it's a couple of years ago that this past. The one concern that you mentioned your not

familiar with nuances of the County tax act, etc. but you were -- you did ask for intervention more than a year ago and have this removed from the auction previously. How did that happen and who did you contact?

MR. WEBER:

One of the gentlemen in the redemption department a year ago or I don't remember the time element had contacted me and said that I've got some time at which time I tried to get a mortgage on my property in New Jersey and then pay the bill. The precise timing I wish I had a better idea. Now one of the problems I also had was that for all I know you folks had sent me notification letters etc. and maybe even certified mail. The problem I had was that when I came home I had selective mail for me. Like the cablevision bill, the electric bill and things of that sort because my wife would go outside grab the mail and go through it so I unfortunately did not see all the correspondence that came into the house. But I've got to say that when I was paying the rent I honest to God felt that this left the door open for me to some how some way come up with the finances and pay the taxes.

CHAIRMAN GULDI:

Okay. The questions that have been raise are yes, you said you were going -- a year ago or so you had this removed from the auction. You said in order to finance it and --

MR. WEBER:

I didn't know it was removed from the auction. I must say that.

CHAIRMAN GULDI:

Okay.

MR. WEBER:

I know I had conversations with people --

CHAIRMAN GULDI:

What did you do in connection with trying to get a mortgage?

MR. WEBER:

I got a mortgage broker to try to get some paperwork or to get -- to try to get a mortgage and I had other liens on the property in New Jersey.

CHAIRMAN GULDI:

You had other liens that prevented you from getting the mortgage. You mentioned you had substantial equity in the property in New Jersey what do you estimate that to be?

MR. WEBER:

The listed price is 560,000.

CHAIRMAN GULDI:

How long has it been listed?

MR. WEBER:

Just this past week.

CHAIRMAN GULDI:

And what's the equity in that? What's the existing debt load and mortgage on it?

MR. WEBER:

It's about 700,000.

CHAIRMAN GULDI:

The question I have is --

MR. WEBER:

No, the mortgage --

CHAIRMAN GULDI:

-- the next question I have for -- go ahead, sir, I didn't mean to cut you off.

MR. WEBER:

The mortgage is about 35.

CHAIRMAN GULDI:

This is liens that you mentioned previously, right?

MR. WEBER:

Yes, sir, and the balance and some hospital bills that I'm trying to get paid.

CHAIRMAN GULDI:

Counsel, I started to ask you this off the record, but let me ask you on the record what are the options available to this legislative body in face of the circumstances that are before us here today?

MR. SABATINO:

There really aren't any because the property got to the auction block. In order to get to the auction block you have to get past statutory right of redemption period which is three years and six months. Then you'd have to get past the chapter conveyance process which is another two years from the recording of the tax deed so we've exhausted the statutory process plus my understanding as of Friday was that the statutory screening committee that looks at parcels either that are eligible for the auction block are to come off it's a three member committee. My understanding is that they voted against recommending it as something to come off the auction block. I don't know what reasons went in, but apparently they interviewed and got information with regard to that so -- but even from the level of a screening process administratively to get off the auction block that doesn't work and if you got it off the auction block you really couldn't do anything with it anyway because the statutory periods have expired.

CHAIRMAN GULDI:

Well, let's go there for a minute. One of the things that Mr. I'm sorry, Mr. Weber said is that this notice question that he just raise in the event that he could demonstrate and we the County and our Treasurers Office were satisfied that he did not receive notice or adequate notice at some point in the process why couldn't this be considered for certificate of abandonment?

MR. SABATINO:

I thought of the certificate of abandonment argument, but after listening to the explanation which is that the wife went through the mail, you're wife was the co-owner of the property?

MR. WEBER:

Where in New Jersey not out here.

MR. SABATINO:

Not out here.

MR. WEBER:

No, sir. I inherited it from my parents.

MR. SABATINO:

So the mail for the Fire Island property was going where?

MR. WEBER:

To New Jersey. I have a post office box in Ocean Beach, but then it would go in the winter to New Jersey, but I think that the rental bills have been coming to my address in New Jersey,

Mr. Sabatino. I just wanted to make a comment though on apparently the committee had on Friday when I arrived there I think they were in a committee meeting at the time and I did not have an opportunity really to talk with some of the folks on that committee prior to them making a decision and I had the money in my hand.

MR. SABATINO:

That's not the issue. The issue is whether or not, you know, there's eligibility under some standard for something. Chairman Guldi has raise the issue about a certificate of abandonment that would hinge on facts, but I'll tell you right now if the Treasurer's Office or in this case well, it would be the Treasurer's Office has certified mail return receipt requested went to the right address and somebody signed that it was receipted I wouldn't view that as being a mistake on the County's part. I mean, you're even indicating that what may have happened is your wife may have looked at the mail and sorted though it. That's not going to work as, you know, as a basis, but it's, you know, it's a factual thing that the Chairman could as the Treasurer's Office to take a look at.

CHAIRMAN GULDI:

Legislator Fields has a question.

LEGISLATOR FIELDS:

Where did your wife reside in New Jersey or on Long Island?

MR. WEBER:

No. I grew up in Whitestone, Long Island and we move to New Jersey several years ago many years ago. We resided in the same house in {Kenlawn}, New Jersey.

LEGISLATOR FIELDS:

So in other words then the notices from the County went to a post office box in New Jersey or they went to a home?

MR. WEBER:

Our home address.

LEGISLATOR FIELDS:

And then your wife signed if it was certified?

MR. WEBER:

I don't know, I don't know if she signed --

LEGISLATOR FIELDS:

And we've never seen that.

MR. WEBER:

I don't know if there's any certified mail that was sent by the County, Mrs. Fields, if so I guess the Treasurer or the whomever would have a record of that paperwork. I'm not aware of receiving any certified mail from the County at all.

CHAIRMAN GULDI:

The Treasurer's Office does retain in answer to Legislator Fields question is the department retain those records. Yes, they do retain those records including any retained mail; any returned receipts and copies of the addresses the bills were actually mailed to each year. Could I ask the Real Estate division to come on up and join us cause I have a question for you. Legislator Binder do you have any questions or have we exhausted this issue sufficiently? Given the point that I just the issue that I just opened let me ask the question first. Has the Real Estate Division conducted the research in the Treasurer's Office with respect to the notice issues and return mail in order to determine whether or not there's a possibility that this property qualifies for a certificate of abandonment on a Mennonite lack of notice basis?

MS. COSTIGAN:

I have. I have personally gone through the file, Mr. Guldi.

CHAIRMAN GULDI:

Tell me what you found.

MS. COSTIGAN:

I'm sorry I didn't know Mr. Weber was going to be here so I don't have it with me, but I have personally seen signed certified receipts in the file that were signed by Mr. Weber. My office has a record of having sent a process server to Mr. Weber's gated community and he was refused three times. We finally ended up doing a nail and mail, you know, subsequent mailing pursuant to that, but there are receipts in the file for notices that are signed by Mr. Weber. There were a variety of notices sent here because of the license agreement the initial proceeding, the renewal proceeding. There are evidence in the file of his communications with my predecessor and Mr. Grecco's conversations with him in which he informed him that he was taking this off the last, my recollection is he was taking it off last auction and he followed that up with a letter saying this is to memorialize the fact that I'm taking it off based on your representation that you are going to do a home equity loan on your house, but I will put it back on the next auction in the event we are not paid. Now that was the May auction and we never did have a November auction that's why we're here a year later.

CHAIRMAN GULDI:

Mr. Weber the one thing I'm curious about you did indicate that you had some liens that prohibited you getting a home equity loan on the house. Did you consider re-financing the entire amount of the liens and from the first mortgage? I mean, you have substantial equity in the house even on a no income, no asset verification basis a \$500,000 house could support several hundred thousand dollar of mortgage?

MR. WEBER:

So your question is sir?

CHAIRMAN GULDI:

Did you ever pursue that alternative?

MR. WEBER:

I pursued getting this mortgage and once that didn't work out I didn't pursue it and as I mentioned before on the fact that -- on the basis of the fact that I was paying rent I honest to God thought it was kept open.

CHAIRMAN GULDI:

Let me ask another question of the Real Estate Division. I understand your answer to my question. I'll get back to you and give you an opportunity to speak in a minute. Before I lose this thought and that is the -- what are the consequences of removing a property from an auction list for a second time? What would be the consequences be with respect to that property, to the County and to the auction?

MS. COSTIGAN:

In this particular instance we do not expect to have another auction for a year. So the initial consequence of one year's further taxes, one year's further rental situation which is really not a very high rental. More over this has been widely publicized the entire auction bulletin which is why we're so reluctant to take properties off cause we feel that when people come to auction they have a right to rely on the bulletin to the extent possible. So we've taken a pretty strict position in removing any properties and we have some --

CHAIRMAN GULDI:

How many have you removed from the auction booklet this year?

MS. COSTIGAN:

The only properties that we've removed from the auction are ones that the towns asked for in 72h transfers.

CHAIRMAN GULDI:

How many.

MS. COSTIGAN:

I believe there are about eight and those are all for affordable housing.

CHAIRMAN GULDI:

Legislator Fields has more questions.

LEGISLATOR FIELDS:

Mr. Weber it was just stated that you signed some of the certified letters that were sent to you and that when they tried to serve you to give you the notice that this was indeed going to finally happen it was denied to accept the I guess the service.

MR. WEBER:

Mrs. Fields all I can say I don't re -- honest God don't remember signing any paperwork coming from Suffolk County. I happened to live in a gated community and they don't let people in unless they're okayed by the resident. I'm not clear on who these folks are on my right, but the young lady indicated that I had conversations with Mr. Grecco. I never had a conversation with Mr. Grecco.

LEGISLATOR FIELDS:

You said before on the record that you did speak to someone, but you didn't remember.

MR. WEBER:

Bob Reich.

LEGISLATOR FIELDS:

Legislator Guldi asked you who you spoke to.

MR. WEBER:

Bob Reich I spoke with.

LEGISLATOR FIELDS:

Who?

MR. WEBER:

Bob Reich, he works in the --

LEGISLATOR FIELDS:

Well, last year when you asked for it to be taken off the auction block did you have a conversation with somebody in the --

MR. WEBER:

Bob Reich at that time.

LEGISLATOR FIELDS:

And never Allen Grecco?

MR. WEBER:

No. No. I remember from some correspondence that I had seen a couple of years ago. I think he's the -- he was the I'm not sure what he was or I have seen that on correspondence, but I never had that I recall ever had a conversation with a Mr. Grecco.

LEGISLATOR FIELDS:

All right, thank you.

MR. SABATINO:

Who signed the rental agreement?

MR. WEBER:

I never signed a rental agreement. I don't even know what the agreement was all I got was a bill.

MR. SABATINO:

Well, how are you making payments if you didn't sign it?

MR. WEBER:

Pardon.

MR. SABATINO:

If you didn't sign the agreement or you don't know about an agreement how are you making the payments for the rent?

MR. WEBER:

Because I get this statement.

MR. SABATINO:

Okay. And the statements from the Division of Real Estate asking for a monthly payment?

MR. WEBER:

That's correct.

MR. SABATINO:

Okay. Although you never signed an agreement you got these bills in the mail and you never contacted Real Estate to ask what the basis for the payments was.

MR. WEBER:

I know I remember I think it was Mr. Reich that said that we're going to have to start charging you rent. I started to get the bills and I started to pay the bills and through the last bill I have which is billing for May 2002 was for \$1350 which I paid about a week, week and a half ago I sent it out in the mail.

MR. SABATINO:

These monthly bills come with some artificial figure manufactured out of thin air and you don't contact Real Estate and say, gee where did this figure come from?

MR. WEBER:

Sir, I'm not sure what you're trying to say.

MR. SABATINO:

You started making payment under what we call a rental agreement. You told me you didn't sign a rental agreement --

MR. WEBER:

No, I did not.

MR. SABATINO:

-- but you made payments. So you made payments based on what?

MR. WEBER:

Based on the fact that Bob Reich had told me that I be getting a rental bill.

MR. SABATINO:

Okay, but --

MR. WEBER:

I think it was Bob Reich.

MR. SABATINO:

-- when the first bill came in did you accept the first bill at face value that was the amount to be paid with not having signed an agreement. During the entire period you made all these payments you never once ever contacted Real Estate to question what the dollar amount was.

MR. WEBER:

He already told me that it would be \$100 in the month or \$150 a month in the winter and \$800 in the summer because I had called him a year or so ago or a year two ago to ask him how this was set up and he explained to me that there was a rental amount for the summer and a rental amount for the winter.

MR. SABATINO:

And you were under the impression that you making these payment because you had not paid your taxes?

MR. WEBER:

Yes, sir.

MR. SABATINO:

Okay. So you understood you had not paid the taxes --

MR. WEBER:

What do you mean I understood? I knew I hadn't paid the taxes.

MR. SABATINO:

-- and that's the reason why you were now paying rent?

MR. WEBER:

I told you that.

CHAIRMAN GULDI:

Legislator Fields has a questions.

LEGISLATOR FIELDS:

Is there, Christine, is there a record in the file that shows that there was a rental agreement do you recall?

MS. COSTIGAN:

That's a separate file I did not look into the rental file. I did look in the main file which has the -- there's a front letter that goes to people that says, we are about to enter into -- it's a license agreement actually with you for thus and such a month and it sets it forth and that you will be receiving monthly bills. And then it has a section that repeats the notice provision for the fact that you haven't paid your taxes and your house is subject to auction. That letter I recollect had the green receipt to it, but I did not look at the actually agreement. I did look at the notice for the agreement.

CHAIRMAN GULDI:

Legislator Binder, anything?

LEGISLATOR BINDER:

I think I'm as the committee is trying to figure out how we can go forward I don't know that it -- when it becomes ours in the lien process if it sold for \$200,000 we make \$200,000, right? All right. So we made \$200,000 and the amount we're actually owed even if it's been a long time. I mean, I understand legally statutorily the amount we're owed is forty some odd thousand dollars. He's paid 10,000 some odd in rent so basically what we're owed and this is the difference you talked about between the mortgage process and a lien process is we're owed somewhere in the range of \$50,000 well, we would get the forty something plus

the ten. We'd get \$50,000 for our trouble yet we're going to get \$200,000 or \$168,000 if that's the upset price if it's bid up it could be near \$200,000 that the County's going to get and that's I guess on one level you say it's a good thing for the County and on another level I don't know that it's a good thing because when there's a property that someone has I understand we're not paid, but they're paying -- you gotta figure if there's \$40,000 today if he's paying the taxes on a huge percentage of that much be interest because I know in a short amount of time the interest and penalties that are associated with the tax bill are huge. I don't know what the number is, but in the end the taxes that are owed are probably somewhere near thirty, twenty some odd thousand probably half of that. Probably the taxes itself are 20,000, so the County is not seen over a long period of time \$20,000 lets say over seven years 20,000 it's less than -- we're owed less than 3,000 a year. Usually, it's got to be even less than that cause I don't know, I mean, my house even in terms of the taxes most of it's the school tax. So the amount that we're owed and of course you want to encourage no delinquencies as a policy we want the money. So here we are today sitting here and I understand on one side well, it's good sure we can take everyone's property. It's wonderful to be the state. It's great to be us. One the other hand we have humans, individuals who do fall on tough times and so in a sense we fore went \$20,000. There's someone standing before us today who says, okay, because you fore went it for so long I'm going to take upon me the onerous tax, the onerous, but maybe and rightfully so onerous responsibility of paying twice that to pay you back plus I paid you rent of 10,000 so we'll get \$50,000 if we took check and it would seem to me that something that we should do and we have the opportunity when people have come on very hard times. And that's the human side of this that you can't escape. I mean, a gentleman goes through a hard time with his -- in his family, his job. Being a caregiver and I understand that at this time and the comments have been made at this time, well, you know, his wife has passed so he's not in the same position as last year and it was taken off. But here we are in a sense wanting to get a huge windfall when someone couldn't pay. I'm wondering why a year ago we took it off why did we take it off? Why would we take this off the auction block last year?

MS. COSTIGAN:

It's reflected in the file that the basis it was taken off the auction block was indeed pretty much this one I mean, Mr. Weber's wife was ill. That he had fallen on hard behind in his obligations and that he was --

LEGISLATOR BINDER:

And we were going to let him redeem it based on his representations of getting an equity loan and the other, which he was able to obtain.

MS. COSTIGAN:

And that he was getting equity load within the next -- before the next three months.

LEGISLATOR BINDER:

Okay. But still we were in a position, you're telling me last year. It seemed to me that there as a redemption opportunity for the last two years under statutory law, right?

MS. COSTIGAN:

No, no.

LEGISLATOR BINDER:

For the last two years there was no way to redeem it yet last year we took it off the auction block and we we're going to allow him to redeem it. How is that possible?

MS. COSTIGAN:

I think it was I wouldn't have taken it off. I think Mr. Grecco was seeking for ways.

LEGISLATOR BINDER:

No, no, no. I'm asking you a question. Statutorily--

MS. COSTIGAN:

He was postponing it from auction to the next is what he did. See we were supposed to have

a (inaudible)

LEGISLATOR BINDER:

That's not my question.

LEGISLATOR BINDER:

Statutorily the window for redemption closed before last year.

MS. COSTIGAN:

Right.

LEGISLATOR BINDER:

If we took it off the auction block last year we were taking it off to allow him to redeem it after the statutory window closed. How could we do that?

MS. COSTIGAN:

It reflects that he said he was going to get the home equity loan and we we're giving him the opportunity to try to work it out.

LEGISLATOR BINDER:

Okay. So the -- so you're telling me the law says that if someone promises to get a home equity loan within three months an exemption for someone promising to get a home equity loan that will allow them then to redeem when the window was closed for redemption. Is that what you're telling me?

MS. COSTIGAN:

No. I think that the fact of the matter is that the house could not be redeemed a year ago anymore than it could now. (inaudible) --

LEGISLATOR BINDER:

So how were we letting him do it? That was my question you haven't answered my question. My question was how were we letting him redeem it last year if the statutory window closed? How were we allowing him on this other question of equity loan or anything how are we allowing him under what law under what? Explain to me?

MS. COSTIGAN:

We weren't, we weren't.

LEGISLATOR BINDER:

Then why did we do this?

MS. COSTIGAN:

Because Mr. Weber made them crazy. I mean, he called, he wrote and I think it came to the point where they said all right just take it off the auction and see if some how he could solve the problem.

LEGISLATOR BINDER:

So you gave, so you gave this gentleman the expectation --

MS. COSTIGAN:

I didn't do anything.

LEGISLATOR BINDER:

Well, someone did. When I say you --

MS. COSTIGAN:

Thank you.

LEGISLATOR BINDER:

When I say you I'm talking about the department.

MS. COSTIGAN:

Right.

LEGISLATOR BINDER:

Us the County.

MS. COSTIGAN:

Okay.

LEGISLATOR BINDER:

So now what we've done is we've taken a gentleman under hard times, his wife is very ill. Apparently, enough so that she passes away in January. We give him the expectation by taking it off the auction block that he has a redemption window that hasn't passed or that there's a way around the redemption window.

MS. COSTIGAN:

He did.

LEGISLATOR BINDER:

You don't think he had that -- you don't think he had that expectation? You told me that we were telling him if he came out and now I'm getting angry and I'll tell you why I'm getting angry. We told this gentleman that we're taking it off the block and that if he with his promise to try to get this equity loan and to try we were going to let him do that, but now you're telling me, but we really, really couldn't anyway. We just driving us crazy so we did something so because he was driving us crazy we had to do something. We didn't want to here it anymore.

MS. COSTIGAN:

No. I'm looking at a file that is three inches thick that reflects communications back and forth which reflects any number of efforts to try and solve the problem and the notes that accompany Mr. Grecco's note indicate they don't see how this can be accomplished. But that Mr. Weber was insistent about --

LEGISLATOR BINDER:

But why did we take it off the block and give him the expectation that we were going to let him redeem it if -- no, here's the other thing we sent this man out and said go get this loan. Go get an equity loan.

MS. COSTIGAN:

No, we didn't. No, we didn't. No, we didn't.

LEGISLATOR BINDER:

Now wait a second. Maybe I'm crazy here, but I don't think so cause I heard your words, in the file it said that we told him that we're going to take it off the block with the expectation -- with the expectation that he was going to get an equity loan which would have been able to redeem it.

MS. COSTIGAN:

He had that expectation. Our communication to him was that it's not possible under the statutory -- he wanted to try to fine a way.

LEGISLATOR BINDER:

No, but we -- Oh so we took it -- for what, so why didn't we just say we're not taking it off the block? So then we gave him the expectation. By taking it off the block we took an action that gave this man an expectation that he could redeem it. He was out there going to get a loan so he could redeem his property because we took it off the block. If we didn't take it off the block, his expectation, the properties gone. We're not sitting here today, but we took it off the block gave him the hope and expectation so he should go out and get a

loan which he couldn't get, but if he got it he would've had the money. He would've come to us and said, okay, I've got the money. Then we would have said, oh, that's great you got a loan. Now you've got indebtedness and we can't redeem it anyway. Here we took it off the block, but sorry we just kind of jerked you around a little bit. We took an action that raised this man's expectation and I have to tell you something the more I'm sitting here and thinking and the more I'm talking it out on the record the more I'm getting angry about what this County did. It was wrong, dead wrong, morally wrong to do it to him and if there is a way that we can find even through legislation that we can make -- give this man this opportunity to redeem it who's sitting here with the check to pay the thing off where we're getting a windfall of at least \$20,000 over what's owed us, but it's not a windfall in a sense because it's interest and penalties and everyone pays it or at least most people do unless they come here every once in a while we waive them. But generally, (inaudible) pay interest owner's interest and he paid 10,000 in rent and yet we're sitting here saying -- we're going to sit in judgement while some people are thinking he's playing the system. He's doing this he's doing that we're not liking this. I have to tell you something I think it stinks. If we were going to do it then it should have been -- should have pulled the trigger last year if that's what they wanted to do, but nobody wanted to pull the trigger. Why? Cause the gentleman has a very sick wife. They understood he was a caregiver so all of a sudden we had some humanity, but then we gave him false hope and it's wrong. It's wrong. And you know what he went out to go get a loan maybe he couldn't, but he did it in reliance. Now I understand there's a legal term reliance and it not that kind of reliance, but in a sense in some sense it is. I mean, there's a contract here he's based on reliance, but really hanging on a false sense that we gave him in this County and I think it stinks. And if there is a way we can -- you know what I'm not worried about the people who are coming to the auction and it's not going to be there. If there is a way we can pull it off the auction block I think we should pull it off the auction block. And if there is a way we can take that man's check so we can make twenty something thousand dollars in interest and penalties and the 10,000 he paid in rent so we make \$30,000 on the deal plus we get the back taxes we're owed I think we should do it. If there's any legal way and any way if we can hold it off. I mean, when's the auction? This Thursday, so even before we get to a full legislative meeting and so we can't even get a CN for some kind of legislation that would force it to happen. I would hope that we can find a way to do it. That's where I am.

CHAIRMAN GULDI:

Legislator Fields is next.

LEGISLATOR FIELDS:

I think that what we have here is a piece of property the American Way, paying taxes. Everybody knows that they have to pay taxes and I think that Mr. Weber knew he wasn't paying. I think that's very clear from his testimony. It's very clear from the way we're looking at it and the whole system has been basically ignored and I think that we didn't jerk him around last year. We tried to help him out a little bit more and although that shouldn't have been done it should be done again this time and it should go on the auction block based on the fact that it is the process and it is legal. And as much as I sympathize with Mr. Weber I also know that there are 1.4 million plus people in Suffolk County and that if we set a precedent now at any given time in the Ways and Means Committee for the next how many years everyone can come with a different set of circumstances that allow them to take things off the auction block and move things around and I'm not sure that's really the correct way of doing it. I think that probably it has to go forward and go through the process especially that you did sign some of the notices that were sent and that you were given the letter about the rental and it's very clear about the rental. You know in the letters that say that you owe back taxes, you know, and as much I would love to say to you okay we've done some magic here I don't think we're capable of performing any further changes or stays and I think it's an unfortunate circumstance, but I think we have to move forward. That's my opinion.

MR. WEBER:

Mr. Chairman, may I respond to Mrs. Fields comments?

CHAIRMAN GULDI:

Why don't you wait until you hear mine and then we'll give you the last word. Is that a

better idea? I think I may have a hat trick here cause I think I can agree and disagree with both of my colleagues at the same time even though they seem to be diametrically opposed. There's another legal principle besides the Suffolk County Tax Act and the State Tax Act. It's one that Legislator Binder is familiar with, but probably not as familiar as he should be and that is the rachamim, which is a little Hebrew word for compassion. The problem I have is that, you know, with all due respect to the situation sir, yes, you were in a very difficult personal situation. I understand the burdens. I've seen people go through the burdens of the situations you are between losing a business and losing a loved one. It's depressing; you're distracted. Your tax bill isn't your priority. Granted. I also can extend compassion to people who are not able from circumstances from time to time to pay their taxes. There are penalties built into the system. The aggregate interest on this is probably 24% on some of the out years, isn't it? On money that we as a County probably replaced through our borrowing at some in the order of four from tax anticipation notes. So in a sense the County has not been we'll we have on a cash flow basis been harmed; we're sitting here an opportunity to reap I'll be it a small windfall. Now the inference is that Mr. Weber somehow worked the system and has somehow been, you know, he's a sophisticated contractor real estate man of substance who has let this go with the intention of redeeming it at a later time. I don't know if that's true or not and I don't think it matters. The problem I have with the situation presented here is that it is the lack of proportionality. The County is looking at \$42,000 probably representing \$21,000 in tax principle and for that we're going to take a home and forfeit that's worth some in the order of 200,000 our reserve is 168,000 that is ten times, that is confiscatory, that is retributive. We're not talking about closing a crack house. We're talking about a man who's late on his taxes and is sitting here with a sob story with a story, but is sitting here with a check to pay the penalties and interest. I think that the termination of the committee that reviews the removal of parcel from the auction is wrong. I think that the -- it is possible although I haven't had the opportunity to review the file it is possible that the redemption analysis a different conclusion could be reach other that the one you reach by someone else reviewing that file. I urge you to resubmit the removal of this parcel to the committee. It's Legislator Carpenter's request. It's here constituent. I am deeply troubled by the lack of proportionality of the forfeiture of the home for this man for being late with his taxes. The checks on the table for crying out loud -- **(microphone trouble)** I burned it out I need another one. Where was I? I think that if there -- if this result is {meanendated} by our law then our law is wrong and should be changed and we're a legislative body and that's our job. I'm not terribly concerned that, you know, the floodgates will open and we'll be down here with a million four hundred thousand residents of Suffolk County talking about their sob story about why they can't pay. Why they can't pay their interest and penalties or why they shouldn't be held accountable to the Tax Act. This isn't the lack of accountability. The substantial penalty here on the table. This tax payer is willing to pay the penalties that the law wants to exact from and is should not be subjected to level of forfeiture that is ten times out of proportion with the liability and debt here at Suffolk County. Sir, did you have something else you wanted to say and did you want to respond, Ms. Costigan?

MR. WEBER:

Yes, sir, I would. Mrs. Fields indicated that I had signed some documents. And Mrs. Fields I don't remember signing any documents. I do know that that -- I do know that for about a six year period my wife was on a junk mail kick and she was writing checks against my company account that totaled about \$12,000 for junk mail signing my mail to and the bank cashing. If indeed something did come in and she signed it I don't know. Maybe she did sign my name, but checks totaling over 12,000 -- my name that she signed I had to pay for so I don't know what -- what's on the record and forgive me I still don't know the folks name to my right, but if there are some papers --

LEGISLATOR FIELDS:

Why don't we interrupt and introduce them to you. Christine Costigan who is our Director of Real Estate and Jim Burke who is in the Department of Real Estate.

MR. WEBER:

Well, with all due respect I have been made aware that that Ms. Costigan just took over this office within the last couple of months and this is an undue burden on her to try to I think to

step into this thing at this late point and try to figure out all the things that went on. But I'd be most interested in, you know, I can identify my signature over the way wife signed my signature and I be most interested if I signed something I don't honest to God recall it, but it's possible that something was signed and returned.

LEGISLATOR FIELDS:

Can anything be done to alter the events that are going to happen on Thursday?

MS. COSTIGAN:

As Mr. Sabatino pointed out Mr. Weber's situation was reviewed by the Administrative Code sets up the review committee which is Mr. Tonna, Mr. Gaffney and the head of Planning and they did review this matter. I mean, I'll report to them when I go back, but they have to choose to meet again and they have to choose to, you know, to revisit their decision. I'm not on the committee I'm just called for information.

CHAIRMAN GULDI:

In light of our discussion here today I urge that you ask them to reconsider that between now and Thursday before this becomes an irrevocable situation. I don't think that there's, you know, given your concern about removing the parcel from the auction given -- assuming if the results the same the difference between having this in this years auction versus next years auction is diminimus to the County because of the substantial windfall that we're looking at in value of the parcel above and beyond the amount of tax that is due in all.

MR. WEBER:

Mr. Chairman.

CHAIRMAN GULDI:

Yes.

MR. WEBER:

Mr. Chairman, I -- this past weekend I spoke with several of my neighbors, my ex-neighbors out in Summer Club and they indicated that it's probably been at least a dozen people have come by to see the property. No one has entered the house ever except for my family.

CHAIRMAN GULDI:

That's commonly the case with County auctions so people buy without entering them. It's commonly cases with bank foreclosures.

MR. WEBER:

I guess the point I wanted to make is that one neighbor of mine who wanted to bid on the house said if I go out she not going to bid against me. I received calls from two people over the weekend from Long Island who were interested in bidding on the house and they asked me what I looked like and I said -- and they said if I were there they were not going to bid against me cause they understood some of the details of what I've been through. Last but not least in trying to get a feel some people thought that the auction would go to 3 to \$350,000.

CHAIRMAN GULDI:

I understand what you're saying and I don't have any opinion or advise with respect to that. I think I've made my as my fellow committee members have made our various opinions clear to the Real Estate Division.

MS. COSTIGAN:

I will convey those opinions immediately after this meeting back to the member of the committee and if it's their pleasure whether to meet I am certain whatever happens that if this is taken off the auction that there'll be a reappraisal of the rental to market value rent.

CHAIRMAN GULDI:

Yes. Could you also when you appraise them of the various concerns of the committee members and the reasons at least that I and others have asked them to reconsider delisting it from the auction.

LEGISLATOR BINDER:

Mr. Chairman, I just want to make it clear again that I don't blame you personally even if I get heated it's a question of our department acting in a way that I think they have to think about. And I don't think it would set a precedent because I don't think we're normally doing something that would get some like taking it off an auction block and giving someone the hope I don't think we do that normally. Not everyone is in the situation I think this is probably an unusual situation and I'm hoping that you're able to do exactly what the Chairman has said and in our end we have to look at our ability to pass legislation that would affect this. I mean, we pass legislation all the time waiving interest and penalties. Maybe we have that ability I don't know if Counsel (inaudible) after the committee will talk with Counsel about our ability to legislatively allow Mr. Weber to actually pay if that's our intent and by taking it off the block that would give us time to do something legislatively if that's our decision. We might not be able to get ten votes I don't know that, but legislatively we might want to try to find a legislative way to have the County accept his payment.

MS. COSTIGAN:

I understand. I'll report to the committee.

LEGISLATOR BINDER:

Thanks.

CHAIRMAN GULDI:

Thank you, Mr. Weber. Thanks for bringing this to our attention. Good luck and I'm sure that we'll hear from Real Estate how this is resolved one way or another.

MR. WEBER:

Thank you very much for time.

CHAIRMAN GULDI:

You're welcome. DPW Ms. I'm blanking out your last name you didn't fill out a card. Could you please come forward for just a moment? I have distributed to committee members copies of the vehicles assignment reports for the years 2000 and 2001 that have been provided to us by Public Works.

LEGISLATOR BINDER:

What happen to the Tonna Paper Control Act?

CHAIRMAN GULDI:

These are one of the results of the Levy Out of Control Act.

LEGISLATOR BINDER:

Oh, so it's the Levy Out of Control was trumped by trumped Tonna --

CHAIRMAN GULDI:

Legislator Levy passed a resolution which -- thank you it's Lorraine Hickey I'm blanked I'm sorry I'm changing gears -- Legislator Levy required the preparation of the Vehicle Reuses Reports and their submission to the Legislature twice a year. This is the last full report. I have distributed them to committee members and Ms. Hickey is here to -- can you briefly synopsise what you find in the -- what the report represents and that I mean briefly and then see if any Legislator's have questions?

MS. HICKEY:

Okay. Is the microphone on?

CHAIRMAN GULDI:

You have to be very close unless you want to blow them up the way some of us do.

MS. HICKEY:

Okay. This here report primarily deals with Public Works departments vehicles. Each department is required under the local law to submit their reports to the Legislature and the County Executive. The fleet division only does Public Works. We maintain additional records regarding computation for countywide vehicles that are in addition to this local law requirement.

CHAIRMAN GULDI:

This isn't the countywide list this is only DPW list, but every department supposed to keeps these. I thought that under the legislation DPW is supposed to collect them synopsise them and submit them to Ways and Means. Counsel, do you remember or can you refresh my memory on this?

MR. SABATINO:

The statute provided for each department to provide the information and in the old days twice a year when Legislative Levy was chairman of the committee he would have a request made at least to the departments to appear before the committee and go through their individualized list.

CHAIRMAN GULDI:

Actually, the committee member have asked to review this. In the event the committee members have questions after the review I'm going to suggest that they contact Ms. Hickey directly at DPW. In the event that the committee members want to have any further public discussion about DPW lists we will -- let the Chairman know and we'll invite her back. Thank you. I have no further cards. Is there anyone else you needs to address the committee? Let's begin the agenda then. Beginning with,

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TABLED RESOLUTIONS

1063. Sale of County-owned real estate pursuant to Local Law 13-1976 Ronald Linsalato and Jane Linsalato, his wife (0200-982.90-02.00-028.000). PRIME (Co. Exec.) This is -- we're waiting for a town on this one?

MR. SABATINO:

This was tabled for another appraisal.

CHAIRMAN GULDI:

Have we got another appraisal on this yet?

MR. BURKE:

We did another appraisal; we have contacted the Linsalato's to see if they're interested at the higher price and we have not heard from them whether they have agreed to acquire at --

CHAIRMAN GULDI:

So if they're interested it'll have to be a revision to this anyway. Motion to table by myself second by Legislator Fields. Discussion? All those in favor? Opposed? **(Vote: 3-0-0-1 Absent: Towle)**

1116. Sale of County-owned Real Estate pursuant to Local Law 13-1976 Robert Mark Keenan (0900-065.00-02.00-003.072). PRIME (Co. Exec.) This is a Southampton parcel?

MR. BURKE:

Right.

MS. COSTIGAN:

We haven't heard from Southampton.

CHAIRMAN GULDI:

This one we're waiting for the town from.

MS. COSTIGAN:

Right.

CHAIRMAN GULDI:

Motion to table by myself.

LEGISLATOR BINDER:

Second.

CHAIRMAN GULDI:

Second by Legislator Binder. All those in favor? Opposed? Tabled. **(Vote: 3-0-0-1 Absent: Towle)**

1168. Approving a settlement of litigation between the County of Suffolk and Frank Vigliarolo, ET AL. PRIME (Co. Exec.) We're prime on this. Legislator Towle has asked us to wait for his arrival he is enroute allegedly. So Mr. Sklar and the County Attorney I'll ask that we have a presentation on that in exec. session at the end of the meeting. Is that satisfactory? Thank you. Skipping over that.

1287. Adopting Local Law No. -2002, A Charter Law to reestablish a Suffolk County Department of Real Estate. PRIME (Co. Exec.) Motion to table by myself.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Was it discharged and tabled, Counsel?

MR. SABATINO:

It was, this is the secondary committee. This is one of the land reform measures so it was discharged.

CHAIRMAN GULDI:

All right, so since it's been discharged by the other committee. Motion to defer to prime by myself since it's already to the floor.

LEGISLATOR BINDER:

Second.

CHAIRMAN GULDI:

Second by Legislator Binder.

SPEAKER:

(inaudible)

CHAIRMAN GULDI:

It's already been discharged and it's tabled on the floor. So we're going to debate it there let's not debate it here as well. All those in favor? Opposed? Deferred to Prime takes it off our agenda. **(Vote: 3-0-0-1 Absent: Towle)**

1354. Creating Suffolk County Design Commission for a memorial to the residents of Suffolk County who died in the Terrorist Attacks on September 11, 2001. PRIME (Co. Exec.) Motion by co-sponsor Legislator Binder, second by co-sponsor Legislator Fields. All those in favor? Opposed? Approved. **(Vote: 3-0-0-1 Absent: Towle)** Do you think we

could sneak that on the Consent Calendar maybe?

1355. Amending the 2002 Capital Budget and Program and appropriating funds in connection with planning for a memorial for the victims of the September 11th Terrorist Attacks (CP 1773). PRIME (Co. Exec.)

LEGISLATOR BINDER:

Motion.

CHAIRMAN GULDI:

Motion by Legislator Binder second by Legislator Fields. All those in favor? Opposed? Approved. **(Vote: 3-0-0-1 Absent: Towle)**

1391. Adopting Local Law No. -2002, A Local Law to facilitate full public disclosure of County Election Campaign Finances. PRIME (Cooper) Motion to table by Legislator Binder second by myself. Discussion? All those in favor? Opposed? **(Vote: 3-0-0-1 Absent: Towle)**

1393. To Authorize a lease for relocation of the Coram Health Center from 3600 Route 112, Coram, New York to Joseph and Christine Martirano d/b/a Martirano Organization for the Suffolk County Department of Health Services and the Suffolk County Department of Social Services. PRIME (Foley)

LEGISLATOR FIELDS:

Motion.

CHAIRMAN GULDI:

Wait a minute. It has to be tabled for an amendment does it not?

MR. SABATINO:

It has to be tabled -- well, the hearing was recessed waiting for the final lease agreement so I think we're one cycle away.

CHAIRMAN GULDI:

Yeah. I think we're one cycle away as well as there was a needed Space Committee to further consider. Motion to table by myself second by Legislator Fields. Discussion? All those in favor? Opposed? Tabled. **(Vote: 3-0-0-1 Absent: Towle)**

1405. Adopting Local Law No. -2002, A Local Law to shorten deadline for sale of land sold at public auction. PRIME (Bishop) We're not prime on this are we? Counsel?

MR. SABATINO:

This is prime.

CHAIRMAN GULDI:

We're prime on this. Ms. Costigan I'd like to discuss this. This shortens the current period is two years from the date of contract.

MS. COSTIGAN:

That's right.

CHAIRMAN GULDI:

And this would shorten that period to one year for the date of contract?

MS. COSTIGAN:

That's right.

CHAIRMAN GULDI:

Of those parcels how many parcels in the current inventory of sales of County land would fall in the one to two year range at the present time? I mean, are we talking a hypothetical inventory or are we talking a big inventory?

MS. COSTIGAN:

We're talking 50 to 100 parcels and are still awaiting closings. Some are more than even or right up to the two-year limit from three prior auctions.

CHAIRMAN GULDI:

Okay. Why are those parcels still open? Have you got some kind of analysis or breakdown on those?

MS. COSTIGAN:

The major reasons are, are title problems that we're still trying to clear up.

CHAIRMAN GULDI:

What dates you're in description?

MS. COSTIGAN:

Skip trace problems. Problems where we're not certain of the service on the prior reputed owner and that has to be justified to the extent of the title company's demands. There are some just miscellaneous legal involvements. Family tragedies, people for instances who have needed adjournments for six, eight, ten months --

CHAIRMAN GULDI:

Because of -- that's purchases who needed adjournments.

MS. COSTIGAN:

Right. Who've had their houses burned down. Who have become divorced. Who have had any number of things happened to them.

CHAIRMAN GULDI:

People engaged in having lives from the sound of it.

MS. COSTIGAN:

That's right. All of the adjournments and the files that are waiting are not necessarily waiting because the County's not ready. Some are because they people are not ready and they --

CHAIRMAN GULDI:

But the two-year cap and my question is, you know, the two year cap is it strikes me that the two year cap is adequate, why do we need to shorten it?

MS. COSTIGAN:

I didn't ask to shorten it.

LEGISLATOR BINDER:

Motion to table.

CHAIRMAN GULDI:

Motion to table by Legislator Binder. I'm not sure I want to do that.

LEGISLATOR FIELDS:

I'm opposed.

CHAIRMAN GULDI:

Legislator Fields is opposed to tabling and it takes three to tango anyway so tabling is not going to fly. I don't hear a second to tabling motion.

LEGISLATOR FIELDS:

Motion to approve.

CHAIRMAN GULDI:

Motion to approve by Legislator Fields. I'll second it for the purposes of discussion, but -- Legislator Fields, go ahead.

LEGISLATOR FIELDS:

If this passes they still have the ability to come before us with a letter stating why it needs to be prolonged.

MS. COSTIGAN:

We do have the ability to come back for an extension, but it's got to be based on a needy hardship or specific standards. I had spoken when this was initially offered and mentioned the fact that I thought running the deadline from the date of the contract of sale was one of the problems. I mean, we did an analysis from past auctions and for instances November 2000 auction it was 5½ months before the list of sole properties was approved. So we could not even start to close those properties for 5½ months. So in that instance if this update is to be passed we would've only had 6½ months to close everything or seek the individual extensions and indeed when you look back that year was worst, but there have been three months, four months, three months before the list gets approved. So we're not really looking at a year here we're probably looking at nine months.

CHAIRMAN GULDI:

Well, before the list gets approved do you execute contracts before or after approve of the list?

MS. COSTIGAN:

No. The contract are signed the date of the auction.

CHAIRMAN GULDI:

Contracts are signed at the auction, I see and then three or four months of the delay is ours or six months in some cases. Or if I can remember exact one year where there was discussion after the auction was approved the was lets call it tension between the Real Estate Division and member of the Legislature who took umbrage at the auctioning of parcels that they had specifically asked to have removed from the auction.

MS. COSTIGAN:

And that's why I think that the 5½ month year was perhaps slightly anomalous, but almost every year it's been three or four months. So, I mean, we're busy. All I'm saying is that yes, we can come back for an extension, but it is a time consuming and it means each file has to be, you know, worked up into an extension resolution.

CHAIRMAN GULDI:

So basically, your concern isn't if its going to be a shorter period it shouldn't be from the contract date it should be from when, the approval of the --

MS. COSTIGAN:

I would at least date it from the approval by the Legislature.

CHAIRMAN GULDI:

Yeah, see I'm not even comfortable with that. I don't see the two-year from contract particularly given the Legislature's approval time to be excessive. I don't see the compelling need for this. I don't see, what abuse are we trying to correct with the two-year limit? Granted when we imposed the two years four or five years ago, I mean, yes, four or five years ago when we imposed the two years Mr. Toussie had an approximately 100 unclosed files with the County and that was an abusive practice. He was financing us at zero. That's I mean, of the parcels that -- the unclosed parcels that you have in your inventory today are -- who is the buyer with the most of them and how may do they have? I mean, do you have any big buyer with several parcels or do you have -- or is it a scattering?

MS. COSTIGAN:

Well, there are still Toussie parcels outstanding which were not revoked by the prior acts of the Legislature from previous auctions not just that past one. But know most of them are scattered they're not groups. They're individuals who for whatever reason most of them have extremely thorny title problems and some of them candidly I'm going to cancel.

CHAIRMAN GULDI:

Why?

MS. COSTIGAN:

Cause you look as far as you can and you search as far as you can and there comes a point when you say I'm sorry we can't give you clean title.

CHAIRMAN GULDI:

Securing the title problems decreases the value of the parcel.

MS. COSTIGAN:

That's right and so those I'm of a mind to cancel.

CHAIRMAN GULDI:

Is there anyway we can weed them out of our auction process before auction or short of running our own title report pre-auction?

MS. COSTIGAN:

Given, you know, unlimited personnel, sure.

CHAIRMAN GULDI:

We're entirely prepared to let you work unlimitedly.

MS. COSTIGAN:

Thank you. In that case we can eliminate the entire problem.

LEGISLATOR FIELDS:

Are we prime on this?

CHAIRMAN GULDI:

Yes. We are prime on this correct, Counsel?

MR. SABATINO:

Yes.

CHAIRMAN GULDI:

Okay. We have a motion to approve and a second. Any further discussion?

LEGISLATOR BINDER:

Mr. Chairman, on one level there's an understanding and obviously this 1405 is a result of the Toussie question and the long outstanding -- I just don't know if we're going to cause more problems than we're just solving in a knee jerk reaction that's why I wanted to table it and maybe Mr. Bishop should have some more discussions with Real Estate and see if there is another way to put this into words --

CHAIRMAN GULDI:

If my -- I understand your concern. I think that the legislation is ill advised and ill conceived and I'm perfectly prepared to vote against it and defeat it today. In the event that they want to come back and try again with a rational to support it I'll consider that when it comes before us.

LEGISLATOR BINDER:

The rational is -- is there a way to just target --

CHAIRMAN GULDI:

Selectively enforce selective time of the essence clauses in our Real Estate auction that'll cut down on the bidding. We get rid of all the speculators and professional real estate customers that way.

MS. COSTIGAN:

Excuse me. I would point out that in Mr. Bishop's resolution 1388 which is the overall omnibus there's a different provision in it which requires that we put in the sales contracts a mandate to closing six months.

CHAIRMAN GULDI:

It's from when though?

MS. COSTIGAN:

From the contract.

CHAIRMAN GULDI:

From the contract so we would literally compel people to close before in our contract before we have approval and the right to closing --

LEGISLATOR BINDER:

Before clear title.

CHAIRMAN GULDI:

Without clear title and before even Legislator authority gives the division permission to close. Yeah. I understand the problem.

LEGISLATOR BINDER:

I totally understand where Mr. Bishop wants to go and his concerns, but if you don't address it correctly you can cause more problems than you're solving.

LEGISLATOR FIELDS:

How about tabling it? You don't want to table it?

CHAIRMAN GULDI:

Nope. Let him reintroduce it, it's a bad idea. I'll make a motion to table -- I hear a motion to table by Legislator Fields.

LEGISLATOR BINDER:

Second.

CHAIRMAN GULDI:

Second by Legislator Binder. On the motion to table. All those in favor? Opposed? Myself opposed. Tabling fails. Now we're back --

LEGISLATOR BINDER:

It's the majority of those at the --

MR. SABATINO:

(inaudible)

CHAIRMAN GULDI:

Oh, drat. I wanted bounce that one. Oh well. So I don't get my way. At least I'm not raising my voice and yelling at people blaming them for yelling.

LEGISLATOR BINDER:

I'm sorry Legislator Fields, but I had to gang up on you.

CHAIRMAN GULDI:

You will be punished. Okay. 1409 is tabled. **(Vote: 3-1-0-1 Opposed: Guldi, Absent: Towle)**

1477. Amending the 2002 Operating Budget and appropriating funds from the adopted fund balance for Fund 038 – Self Insurance to pay the County’s insurance premiums and claim expenditures. PRIME (Co. Exec.) Why don’t we table this Counsel?

MR. SABATINO:

Because the verification documentation from the insurance unit which is now in the Department of Human Resources and Civil Service was not forthcoming so --

CHAIRMAN GULDI:

So has it arrived yet?

MR. SABATINO:

Well, Budget Review was the party seeking it I’d have to defer to them.

MR. SPERO:

Yeah. We did a review since the last committee meeting and we’ve determined that the amount of funds that would be needed in the self-insurance reserve appropriate would be \$6.7 million for the remainder of this year. That would be a minimum amount and that’s of the \$11.5 million the resolution seeks to transfer. So we would request that the resolution be tabled and amended to an amount of \$6.7 million. If additional funds are needed again before the end of the year resolution could be forward to appropriate the funds at that time.

CHAIRMAN GULDI:

Okay. Motion to table by myself to that end. Second by Legislator Fields. You got that?

LEGISLATOR BINDER:

I assume the County Exec’s Office --

CHAIRMAN GULDI:

Are you on board do you follow us on this one? Budget Review wants to table this for the adjustment amount. Okay. All those in favor? Opposed? Tabled. **(Vote: 3-0-0-1 Absent: Towle)**

1502. To implement RFP Committee process for equipment management warranty policy. PRIME (Lindsay) I’m sorry 1502. I read the right heading.

MR. SABATINO:

This is Legislator Lindsay ‘s initiative, which is predicated on information that’s been brought to his attention which is that the County has individual equipment warrantees on equipment by equipment basis. And apparently there’s an alternative out there which allegedly is more cost effective which is that you can secure umbrella warrantees for all equipment on across the board basis and this resolution would --

CHAIRMAN GULDI:

It’s a committee just to study the issue. Motion to approve by myself.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. All those in favor?

LEGISLATOR BINDER:

On the motion.

CHAIRMAN GULDI:

On the motion.

LEGISLATOR BINDER:

I would just ask that I know more about these umbrella warrantees. Who's out there? What the differences is only because Counsel said there's allegedly. He uses the word alleged he hadn't seen it himself. It would seem to me that we should understand before we change the process it's fine to change the process if we can get something better. Something more comprehensive for less money that's a great thing, but someone should come before the committee with details and particulars of what this is and I would ask that we ask Mr. Lindsay to just come or send someone --

CHAIRMAN GULDI:

If I may.

LEGISLATOR BINDER:

Go ahead.

CHAIRMAN GULDI:

I concur with you wholeheartedly, but this committee that is creating shall review the responses through a RFP make recommendations to the County Legislature and the County Executive by December 31, 2002. That's when we'll have the -- this is the committee to go out and find that out and recommend and create RFP.

LEGISLATOR FIELDS:

Right.

CHAIRMAN GULDI:

I'm sure that even in just the area of regular automobiles whether you buy your extended warranty from Ford or Chevrolet or from one of the secondary markets the price and value is a negotiable item and one that we should look at rather than simply buy it from sellers. I concur with it and they are coming back to us. So --

LEGISLATOR BINDER:

Okay. In light of that, okay.

CHAIRMAN GULDI:

It's a committee to study the issue just let them go. Motion and a second you have. Okay. All those in favor? Opposed? 1502 is approved. **(Vote: 3-0-0-1 Absent: Towle)**

1505. Authorizing transfer of surplus County Xerox copier to the South Huntington School District. PRIME (Tonna)

LEGISLATOR BINDER:

Motion.

CHAIRMAN GULDI:

Motion by Legislator Binder second by Legislator Fields. All those in favor? Opposed? Abstentions? Approved. **(Vote: 3-0-0-1 Absent: Towle)**

1510. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joseph Valiant Damon (0500-325.00-01.00-094.000). PRIME (Co. Exec.) Redemptions? How many we got? Local Law 16's are all of them as a matter of right and within the statutory timeframe.

MS. COSTIGAN:

They are.

CHAIRMAN GULDI:

Okay. I will make -- Legislator Binder will make a motion to approve 1510 and place on the Consent Calendar. Second by Legislator Fields. All those in favor? Opposed? Approved.
(Vote: 3-0-0-1 Absent: Towle)

1511. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Dano Group (0500-325.00-01.00-095.000). PRIME (Co. Exec.) Same motion same second same vote. (Vote: 3-0-0-1 Absent: Towle)

1512. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Valiant Damon (0500-325.00-01.00-096.000). PRIME (Co. Exec.) Same motion same second same vote. (Vote: 3-0-0-1 Absent: Towle)

1513. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joseph Valiant Damon (0500-325.00-01.00-097.000). PRIME (Co. Exec.) Same motion same second same vote. (Vote: 3-0-0-1 Absent: Towle)

1514. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Susanne Gise (0200-944.00-04.00-009.000). PRIME (Co. Exec.) Same motion same second same vote. (Vote: 3-0-0-1 Absent: Towle)

1515. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Robert Leach (0500-280.00-03.00-014.000). PRIME (Co. Exec.) Same motion same second same vote. (Vote: 3-0-0-1 Absent: Towle)

1516. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Fernando Beriquet (0500-291.00-03.00-059.001). PRIME (Co. Exec.) Same motion same second same vote. (Vote: 3-0-0-1 Absent: Towle)

1517. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John Barnes and Christopher Barnes, as Tenants in Common (0900-331.00-03.00-020.000). PRIME (Co. Exec.) Same motion same second same vote. (Vote: 3-0-0-1 Absent: Towle)

1532. Sale of County-owned Real Estate pursuant to Section 72-h of the General Municipal Law (Town of Brookhaven). PRIME (Co. Exec.) Do we have the town resolutions, Counsel?

MR. SABATINO:

Yes, we do. This was a little bit confusing. There is a town resolution from August 15th, 2000.

CHAIRMAN GULDI:

2000?

MR. SABATINO:

Yeah, for 2000. And it's a little bit confusing cause I'm not sure -- it's like a mix and a match of parcels for a variety of purposes, but -- yeah, normally in the -- well, there's an attachment well, there's actually an attachment that shows what of the specific purposes are -- recharge basins whatever.

CHAIRMAN GULDI:

Yeah, but it's an array of -- I have a question here. It's an array of parcels for roadway,

recharge basins and drainage.

MR. SABATINO:

And then there's some handwritten notes on one of the pages. I mean, it's a handwritten note on the exhibit. I don't know if that was meant to --

CHAIRMAN GULDI:

I don't think I have the handwritten note on my copy. Oh, no, I do. Parcels for the Village of Patchogue. I think those are cross outs.

MR. SABATINO:

I know, but then it said -- it's a legal document. I mean, you have to know if you transferring it or not and I wasn't sure if the handwritten note was an authorized note, but then it says --

CHAIRMAN GULDI:

I just have a question in terms of these parcels. Is this -- are we transferring County land to the Town of Brookhaven in connection with the Town of Brookhaven's execution of the meandering routing for the telecommunication cable that they're bringing through Smith's County Park? Because when I saw the route through Brookhaven I thought it made no sense at all because let's call it the asymmetrical routing of the cable crossing. And now I see a resolution granting 72h ing to the Town of Brookhaven a slew of random parcels without adequate explanation. Are any of these related? What department prepared this 72h resolution to the County Exec.? Was it the Real Estate Division?

MR. BURKE:

Yes.

CHAIRMAN GULDI:

Yeah. Do you have the detail backup on this resolution with you here today?

MR. BURKE:

We have tax maps, copies of tax maps whether there was any connection with what you mentioned about the telecommunication lines. I have no information about that.

CHAIRMAN GULDI:

Could you get that information and answer that question?

MR. BURKE:

To the town?

CHAIRMAN GULDI:

Motion to table for the consideration on that and I'd like to look at the tax maps for those parcels with you, but we don't need to do that on the record during the meeting. We can do that at another time.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Motion to table by myself second by Legislator Fields. All those in favor? Opposed? 1532 is tabled. **(Vote: 3-0-0-1 Absent: Towle)**

1533. Authorizing planning steps for acquisition of property under Suffolk County Affordable Housing Opportunities Program (West Wind Court 1000-122-02.00-023.001; Town of Southold). PRIME (Co. Exec.)

MR. SABATINO:

This is to initiate the process for 12 units of affordable housing in Southold. The appropriating resolution would come subsequent to this.

CHAIRMAN GULDI:

Where is this -- the key may --

MR. SABATINO:

Something known as West Wind Court I don't know where in Southold that is.

CHAIRMAN GULDI:

I'm looking at the attached Hagstrom which -- oh, I see where it is. It's over on -- I know where it is.

MR. SABATINO:

I couldn't tell from the map.

CHAIRMAN GULDI:

Yeah, right here. Just to the west of Laurel Lake just above Sound Avenue. Just off Sound Avenue. Oh, no, it's actually east of Laurel Lake. I know exactly where it is. Motion to approve by myself.

LEGISLATOR FIELDS:

I'll second it.

CHAIRMAN GULDI:

All those in favor? Opposed? 1533 is approved. **(Vote: 3-0-0-1 Absent: Towle)**

1534. Amending the Suffolk County Classification and Salary Plan and the 2002 Operating Budget in connection with a new position title in the Budget Review Office (Executive Director of the Campaign Finance Board). PRIME (Co. Exec.)

MR. SABATINO:

It has a defect in it.

CHAIRMAN GULDI:

Mr. Grier, is this the one that you indicated would need to table 1534, Director of Campaign Finance Board?

MR. GRIER:

Yes.

CHAIRMAN GULDI:

Motion to table by myself.

LEGISLATOR BINDER:

Second.

CHAIRMAN GULDI:

Second by Legislator Binder. Discussion? All those in favor? Opposed? Tabled. **(Vote: 3-0-0-1 Absent: Towle)**

1535. Sale of County-owned Real Estate pursuant to Section 72-h of the General Municipal Law (Town of Brookhaven) (0200-880.00-05.00-071.000). PRIME (Co. Exec.) We didn't get enough in the last one. Do we have the town resolution on this one and don't tell me it's the same one from the same year.

MR. SABATINO:

No. This one is December 18th of 2001. This one's for highway purposes. It's actually it looks like it's a road bed that's being transferred.

MR. BURKE:

Looking at the tax map it looks like it's just a little piece that somehow got assigned a tax

lot, but it's in of a street.

CHAIRMAN GULDI:

Okay. It's not our street.

MR. BURKE:

It's not our street, no.

CHAIRMAN GULDI:

Motion by Legislator Binder second by myself. I see it's very amusing. You know what it is it's two parking places. Okay. Second by myself. Discussion? All those in favor? Opposed? Approved. **(Vote: 3-0-0-1 Absent: Towle)**

1537. Sale of County-owned Real Estate pursuant to Section 72-h of the General Municipal Law (Town of East Hampton) (0300-006.00-01.00-001.000 et al). PRIME (Co. Exec.)

MR. SABATINO:

This is 13 parcels. There's a town board resolution from June 12th of 2001 and this is for a variety of purposes ranging from parks to road.

CHAIRMAN GULDI:

Yeah. I think I helped Counsel in part put those lists together from the available inventory. These are with a reverter clause in the event they are not used for municipal purpose they come back to the County.

MR. SABATINO:

There is a reverter clause.

CHAIRMAN GULDI:

Okay. Motion to approve by myself.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. All those in favor? Opposed? Abstentions? Approved. **(Vote: 3-0-0-1 Absent: Towle)**

1538. Sale of County-owned Real Estate pursuant to Section 72-h of the General Municipal Law (Incorporated Village of Nissequogue) (0802-012.00-01.00-011.000). PRIME (Co. Exec.) We have the resolution, Counsel?

MR. SABATINO:

Yes. There is a village resolution dealing with just one parcel, it's actually called Brink Road so I'm extrapolating that this is a road the County somehow came into title to.

LEGISLATOR BINDER:

Motion.

CHAIRMAN GULDI:

Yeah. It's indicated on the tax map as a private road that's in the position of County of Suffolk. Motion by Legislator Binder second by myself. All those in favor? Opposed? 1538 is approved. **(Vote: 3-0-0-1 Absent: Towle)**

1539. Sale of County-owned Real Estate pursuant to Section 72-h of the General Municipal Law (Town of Huntington). PRIME (Co. Exec.) Same question, Counsel. A motion by Legislator Binder.

MR. SABATINO:

This is 20 parcels and this is going to be for recharge basin highway and there's reference to General Municipal purposes. That's the one I'm not really sure what they're really going to do with, but I thought maybe when I look at the map that they're trying to put together some kind of a town parking lot. That maybe the case, but I think you might want to have some comfort level with that. There's a town board resolution dated September 25th of 2001. Some of the properties are referred to as Jerome Ambro Wetlands, but --

CHAIRMAN GULDI:

I don't have a tax map or a Hagstrom on my copy. Legislator Binder are you satisfied with the resolution and the detail on it.

LEGISLATOR BINDER:

Yep.

CHAIRMAN GULDI:

Second by myself. Further discussion? All those in favor? Opposed? Approved. **(Vote: 3-0-0-1 Absent: Towle)**

1541. Adopting Local Law No. --2002, A Local Law to facilitate full public disclosure of County Election Campaign Finances through the internet. PRIME (Binder)

LEGISLATOR BINDER:

Motion to table.

CHAIRMAN GULDI:

Motion to table by Legislator Binder second by myself. All those in favor? Opposed? Tabled. **(Vote: 3-0-0-1 Absent: Towle)**

1545. Appropriating funds in connection with the renovation and construction of facilities at Francis S. Gabreski Airport (CP 5702). PRIME (Co. Exec.) This is 20,000 in -- this is the renovation of the backup generator for the air control tower if I'm not mistaken. Is that right, Carolyn? Which is a replacement of a non-existing system. If the lights are out you need to land an airplane.

MR. SABATINO:

There's a technical issue with it I'm not sure if there was an intention to have \$20,000 -- it's 20,000 plus 240, but it refers to renovation in both line items. I think planning was intended for the first line item, but I would defer to the budget people just to avoid a technical correct after the fact.

CHAIRMAN GULDI:

Can we deem that to be a scribes error (inaudible) first \$20,000.

MR. SABATINO:

Well, I'm not sure I'm right -- only if I'm right though. I maybe wrong, but it doesn't sound right that there's 20,000 then 240 both for renovation. It should be --

MR. SPERO:

That's right. The 5702.110 number is for planning.

CHAIRMAN GULDI:

Okay. So can you change the resolution in the next hour and a half, Counsel or --

MR. SABATINO:

(inaudible), but as long as the Executive's people agree the Clerk's Office can make the changes as long as they agree on the record.

CHAIRMAN GULDI:

1545 -- put the money back in planning instead of renovation.

MR. SABATINO:

20,000 should be planning not construction.

CHAIRMAN GULDI:

Okay. 1545 - All those in favor? Opposed? Approved. **(Vote: 3-0-0-1 Absent: Towle)**

1547. Sale of County-owned Real Estate pursuant to Local Law 13-1976 Louis Lufker & Dorothy Lufker (0200-684.00-05.00-004.000). PRIME (Co. Exec.)

MR. SABATINO:

This is a direct sale to an adjacent owner who was appraised at 5500 and the bid is 5500.

CHAIRMAN GULDI:

You know the reason I look at this the bid is -- the appraisal is 5500. Last here before you were here Ms. Costigan there was a parcel next store at Spadaro Airport that was surplus by the County. There was substantial question as to the exact size of the parcel, which was never ultimately resolved, and that resolution was withdrawn by Mr. Grecco. I don't know what became of that. I don't know if this is the same parcel. I know this is the adjoining owner to the Spardaro --

MS. COSTIGAN:

It's the next resolution it's the other one. 1548 is Spadaro.

CHAIRMAN GULDI:

Okay. My questions on these then and this is both County Road bed, right?

MR. BURKE:

It's County Route 91.

CHAIRMAN GULDI:

The parcel that we're talking about being worth \$5500 is 278 feet by 495 feet.

MR. BURKE:

47 by 296.

CHAIRMAN GULDI:

I see that 47 feet and not 470 -- that would make a difference of substantial acreage. Also can we have just a question, the road that's indicated on -- I'm looking at page 30 of the backup to this bill it shows CR 51 and it shows a 50 foot roadway directing perpendicular to this road. Why are we surplusizing this parcel we got a road across the street?

MR. BURKE:

Is it an open road?

CHAIRMAN GULDI:

That's my question.

MR. BURKE:

I believe 91 --

MR. SABATINO:

91 is the one that was dedicated that's the famous road that was dedicated in 1986 or 87 to nature preserve purposes and we had the whole controversy a year ago when somebody tried to build on it.

MR. BURKE:

Property to the north 91 to the north of here is for nature preserve purposes. The rest of it I

believe has been accessed.

MR. SABATINO:

The rest of it I think just on a filed map, but not actually highway.

MR. BURKE:

Right. We have a resolution from the Department Public Works saying that this property has been declared excess property.

CHAIRMAN GULDI:

All right. Motion the approve. Is there a second?

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. All those in favor? Opposed? 1547 is approved. **(Vote: 3-0-0-1 Absent: Towle)**

1548. Sale of County-owned Real Estate pursuant to Local Law 13-1976

Bartholomew Spadaro (0200-685.00-01.00-014.000). PRIME (Co. Exec.) Let me check the map and make sure that -- and did this come back at the same appraised value as it was last year, Jim?

MR. BURKE:

No. This is increased. This came out, I think, originally if this is the same piece it was actually increased to 10,500 from originally \$1500.

CHAIRMAN GULDI:

So it's a 55-foot wide road and what's the length and run in this parcel because it seems to be two parcels or one?

MR. BURKE:

I'm not clear as to the --

CHAIRMAN GULDI:

Oh, don't give me that I've been bouncing this one around you for a year. Don't tell me you don't know how big it is.

MR. BURKE:

They're giving a total of 31,000 square feet, but I don't see the --

CHAIRMAN GULDI:

So it's a better part of three-quarters of an acre, but it is a 50-foot wide strip.

MR. BURKE:

Right, a bowling alley strip. It can't be independently built.

CHAIRMAN GULDI:

It's about 300 feet long.

MR. BURKE:

It's right smack in the middle of their property.

CHAIRMAN GULDI:

Yep. I understand where it is. It also has a runway through it. Not a good place to be standing up. Motion to approve by myself.

LEGISLATOR BINDER:

Second.

CHAIRMAN GULDI:

All those in favor? Opposed? 1548 is approved. **(Vote: 3-0-0-1 Absent: Towle)**

1550. 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 East Hampton, Suffolk County Tax Map No. (0300-077.00-06.00-010.002) pursuant to Section 40-D of the Suffolk County Tax Act. PRIME (Co. Exec.) Who's the beneficial recipient of the tax map?

MR. SABATINO:

Vita Amico.

CHAIRMAN GULDI:

These aren't your resolutions, Real Estate, are they? They're the Treasure's is that correct?

MS. COSTIGAN:

We do the resolutions. I mean, they're the Treasure's resolutions we help with them.

CHAIRMAN GULDI:

All right. We have the backup behind it. It was a lack of notice. Motion to approve by myself.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. All those in favor? Opposed? We can put these on the Consent Calendar?

MR. SABATINO:

Yes.

CHAIRMAN GULDI:

Motion to approve and put on the Consent Calendar by Legislator Fields second. Discussion? All those in favor? Opposed? Approved and on the Consent Calendar. **(Vote: 3-0-0-1 Absent: Towle)**

1551. 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 Southold, Suffolk County Tax Map No. (1000-017.00-02.00-001.004) pursuant to Section 40-D of the Suffolk County Tax Act. PRIME (Co. Exec.) Town of Southold Certificate of abandonment for --

MR. SABATINO:

Antonio Perz, Jr. and his wife --

CHAIRMAN GULDI:

Lack of notice.

LEGISLATOR FIELDS:

Motion to approve and place on the Consent Calendar.

CHAIRMAN GULDI:

Motion to approve and place on the Consent Calendar by Legislator Fields (inaudible). Second by myself. All those in favor? Opposed? 1551 is approved. **(Vote: 3-0-0-1 Absent: Towle)** 1552 --

MR. SABATINO:

Just on that last one it came back forwarding address expired. What wasn't answered was whether or not there was an effort when it came back if there was an effort to track it. I mean, I'm assuming there wasn't, but it would be helpful that when they do the backup if they would indicate that.

CHAIRMAN GULDI:

1552. 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 Islip, Suffolk County Tax Map No. (0500-288.00-02.00-042.000) pursuant to Section 40-D of the Suffolk County Tax Act. PRIME (Co. Exec.) This one is the Town of Islip 0500 beneficial owner is --

MR. SABATINO:

This is Neil and Donna Wanser. The difference on this one is that they have an affidavit from the individual saying that even though the notice was in fact delivered which shows a certified receipt return signature. In this case they've got an affidavit from the individual saying she never lived at that address.

CHAIRMAN GULDI:

So somebody else signed her name to it.

MR. SABATINO:

We've got a document, but it's, you know, a question of how you weigh it cause there is a certified return receipt request saying that it go there.

CHAIRMAN GULDI:

Yeah. Motion to approve by myself.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. All those in favor? Opposed? Abstentions? Approved. **(Vote: 3-0-0-1 Absent: Towle)**

1554. 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 Southampton, Suffolk County Tax Map No. (0900-073.00-01.00-011.000) pursuant to Section 40-D of the Suffolk County Tax Act. PRIME (Co. Exec.) Certificate of abandonment Town of Southampton beneficial unknown owner parcel.

MR. SABATINO:

Well, according to the backup the MTA owns it and it should have been exempted, but Southampton shows it as an unknown owner.

CHAIRMAN GULDI:

Southampton they don't know who the MTA is because the trains don't run that often.

MR. SABATINO:

Cause they're using them for the artificial reef.

CHAIRMAN GULDI:

Well, it's one way to get a train out on the East End. We use them for an artificial reef at least we'll get them that way.

CHAIRMAN GULDI:

Motion by myself.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. All those in favor? Opposed? Motion to approve and place on the Consent Calendar that is. Approved and placed on the Consent Calendar. **(Vote: 3-0-0-1 Absent: Towle)**

SENSE RESOLUTIONS

37 - 2002 Memorializing resolution requesting United States Coast Guard to place US Coast Guard helicopter at Gabreski Airport. (Carpenter) PRIME Motion to approve by myself.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. All those in favor? Approved. (Vote: 4-0) Okay. We need to do an Executive Session approving to discuss litigation settlements. We have the Vigliarolo matter. We have Mr. Cabble, we have other matters as well, general litigations? Is Risk Management here today? Do we any of those? Yes. Approving the presence of County Attorney's Office, Risk Management, County Executive's Office, Legislators and Aides and Counsel.

MS. COSTIGAN:

Do you want us here on Vigliarolo?

CHAIRMAN GULDI:

Yes, and the Real Estate Division.

MR. JOHNSON:

IR 1168.

CHAIRMAN GULDI:

IR 1168. If we need to reconvene we will -- we have to act on a resolution so we'll need to reconvene. You may as well stay set up.

Executive Session began at 3:35 P. M. and ended 4:45 P.M.

CHAIRMAN GULDI:

Motion to table IR 1168.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. All those in favor? Opposed? Tabled. **(Vote: 3-0-0-1 Absent: Towle)** List Legislator Towle with the majority votes. Approved **(Vote: 4-0)** Meeting is adjourned.

(Having no further business the Ways and Means Committee was adjourned at 4:46 P.M.)

{ } denotes spelled phonetically.