

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, January 25, 2002 in the Rose Y. Caracappa Auditorium at 3:30 P.M.

Members Present:

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

Also in Attendance:

Paul Sabatino, Counsel
Geoffrey Mascaro, Suffolk County Div. Of Real Estate
Betty Schmitt, Suffolk County Div. Of Real Estate
C. Stephen Hackeling
Frank Tassone, Aide to Legislator Crecca
Robert Cabbie, County Attorney
Phil Bauccio, Suffolk County Real Estate
Carl Yellon, Aide to Legislator Crecca
Neal Capria, Aide to Legislator Guldi

Minutes Taken by:

Eileen Schmidt, Legislative Secretary

(*The meeting was called to order at 2:45 P.M.*)

CHAIRMAN GULDI:

I want everyone to know that in order to move the meeting up today to accommodate Legislator Binder's request Legislator Towle, myself and Legislator Cooper managed to shake him down and get him to buy lunch, think about it.

LEGISLATOR BINDER:

On the record; that's on the record.

LEGISLATOR TOWLE:

I was never at that lunch; I don't even know Legislator Binder.

LEGISLATOR BINDER:

That's the last time, the last time.

CHAIRMAN GULDI:

We know, we know. Okay. Lets call the meeting to order with the Pledge of Allegiance to be led by Legislator Big Bucks Binder.

SALUTATION

LEGISLATOR BINDER:

I want you to know it's been 12 years since the first time that I led the pledge twice in the same day and I think it's only because I bought lunch. So now I know what a lunch buys around the Legislature.

LEGISLATOR FISHER:

Mr. Chair, I'm listed as a member of the committee and that's an error I'm not a member of the committee.

LEGISLATOR BINDER:

How's that?

CHAIRMAN GULDI:

How is that possible?

LEGISLATOR TOWLE:

I'd like to make a motion to make Legislator Fisher a member of the committee. If I have to sit here next to them and suffer why shouldn't she.

CHAIRMAN GULDI:

Yeah, your names on the list.

LEGISLATOR FISHER:

Yes. But I had spoken to the Presiding Officer and --

CHAIRMAN GULDI:

Ah. I'm going to ask to take the first matter out of order. We have introductory resolution -- anybody know the number for the -- Mr. Hackeling, do you know the number? 1033 out of order.

LEGISLATOR TOWLE:

Second.

CHAIRMAN GULDI:

1033. Confirming the appointment of C. Stephen Hackeling
District Court Judge
for and of the Third District Court to fill a term ending December
31, 2002.

PRIME (Co. Exec.) Mr. Hackeling, did you bring us a resume? Do
you have
references with you?

MR. HACKELING:

(inaudible)

CHAIRMAN GULDI:

You could sit at the table; you don't need to stand at the podium.
You get to sit here in
the middle anymore though.

LEGISLATOR TOWLE:

Why not I'd be prepared to make a motion at that.

CHAIRMAN GULDI

Not that I would second such a motion.

SPEAKER:

I could get a third vote out of this committee too.

LEGISLATOR BINDER:

Hey, I'm not voting against a Huntington guy.

CHAIRMAN GULDI:

Yeah. Look where that got you. Go ahead.

MR. HACKELING:

Just briefly, please forgive me, I'm a little bit under the weather

with the flu, but I'm coming out of it. I won't give any of you any kisses, but I would just like to tell you a little bit about my legal background. I know I had the pleasure of serving with most of you and I know most of you including Legislator Fields and the one thing you might now know about is a little bit about my legal background. I graduated in the top of my class in Albany Law School and I'm admitted to practice law in the States of Florida as well as the State of New York; passing competitive examinations in both states. I worked for a high powered law firm in the City on Wall Street for a short period of time and after which I decided that I could do for myself what I was doing for them. And I've basically been in the practice of law in the firm I founded in the Town of Huntington for approximately 20 years. I've practiced a wide divergence of areas and I do have some concentrations, but, you know, I'll tell you is any young lawyer any young entrepreneur doing anything when you first start out you learn to do everything and I basically covered most of the areas of law. And I'll just, you know, my resume will speak for itself and I'll let you ask me any questions you might have.

CHAIRMAN GULDI:

Who wants to start? Batter up, who's first. What was the name of the high powered law firm I don't see one listed on your resume?

MR. HACKELING:

It's there, Emmit Marvin & Martin; as a matter of fact they were the counsel to Alexander Hamilton who started the Bank of New York, that's how far back they go.

CHAIRMAN GULDI:

Were you with the firm at the time? No, Steve, all seriousness aside, I enjoyed serving with you, but I also know you from practicing law against you. You and I met long before either one of us were in this game. It was about circuit 1979 or '80 we were adversaries in a case my firm and yours and I'm sure you'll be a sterling addition to the District Court though representing an East End constituency in the East End small town practice where I have the honor of saying I don't go to District Court hardly ever. So I won't see you there, but I would be proud to move the approval of this resolution. Is there a second?

LEGISLATOR BINDER:

I'll second the motion.

LEGISLATOR TOWLE:

Mr. Chairman, on the motion. Just to echo your comments it was a pleasure to serve with Mr. Hackeling in the Legislature. He represented his district very well and also served as Presiding Officer, so I'm pleased join in supporting this resolution this afternoon.

CHAIRMAN GULDI:

Legislator Binder.

LEGISLATOR BINDER:

I'm pleased to able to second the motion. I served with Steve here since he -- when he got here I was already here, unfortunately, I'm still -- no, fortunately I'm still here --

SPEAKER:

(inaudible)

LEGISLATOR BINDER:

And I was proud to serve with him, but besides that I know Steve obviously, personally. I know you personally and I think you'll make an exceptional member of the -- of our judiciary branch of government. I know that the way you handle people on a personal basis is kind of with often with a soft touch. And I think that's important when people come before you that you have empathy and concern for them and I've seen that first hand. And I think it's unfortunate sometimes personalities and or politics might get involved with these kinds of decisions, but the fact is that you've gone through the required gauntlet of review. You've been found qualified and I think that was probably an easy question for them to find you qualified because I think you're highly qualified and you're very deserving of this and I think your public service and your public record shows it. So I'm hoping that we can make sure that this goes easily through in on Tuesday and I think it's wonderful that you put yourself over for this.

CHAIRMAN GULDI:

Legislator Fields, do you have any questions? He's really not a bad guy even if he is a former Republican Presiding Officer in a coalition from Huntington.

LEGISLATOR FIELDS:

Do you win most of your cases?

MR. HACKELING:

Actually, I do.

LEGISLATOR FIELDS:

I have not had the pleasure of working with you, but I did meet you at the Christmas party when you were exiting.

MR. HACKELING:

I remember at the last meeting --

CHAIRMAN GULDI:

I don't want to hear about Christmas parties.

LEGISLATOR TOWLE:

In fact, Legislator Guldi, you've just reminded me now that he was one the architects of this mess so I don't know if I might change my opinion.

CHAIRMAN GULDI:

No, never mind we'll discuss that off the record. All those in favor? Opposed? Approved 4-0. (Vote: 4-0-0-0) Should we try to sneak it on the Consent Calendar guys to see how that goes over? Nah, I don't think that's going to fly, but Steve I'll see you Tuesday.

MR. HACKELING:

Thank you, Mr. Chairman. Thank you, everybody.

CHAIRMAN GULDI:

Moving back to the top of the agenda. Okay. I see that we got Mr. Cabbie and Mr. Bauccio here so I presume that means that the -- that we have the usual Executive Session at the end of this, is that correct? Okay.

INTRODUCTRY RESOLUTIONS

1008. Authorizing the sale of surplus County Cars to South Huntington School District. PRIME (Tonna)

LEGISLATOR TOWLE:

Motion to approve and put on the Consent Calendar.

LEGISLATOR BINDER:

Second.

CHAIRMAN GULDI:

Motion to approve and well, why don't we save the Consent Calendar for everything at the end? Okay. We'll do them one at a time.

MR. SABATINO:

Just with the vehicles so you know it's two-thirds vote on all the vehicles.

CHAIRMAN GULDI:

So does that mean that they're not {approvable} for the Consent Calendar?

MR. SABATINO:

No. We haven't been putting on the Consent Calendar bills that require a super majority vote because --

CHAIRMAN GULDI:

Well, usually that's bond resolutions and Charter requirements; this is a rule requirement, correct?

MR. SABATINO:

No. This is a Charter requirement it's a Charter law.

CHAIRMAN GULDI:

So?

MR. SABATINO:

Just bringing it to your attention --

MR. SABATINO:

If the Consent Calendar fails to get two-thirds of a vote that would be a problem.

MR. SABATINO:

Right.

CHAIRMAN GULDI:

Okay. All those in favor? Opposed? 1108 is approved. (Vote: 4-0-0-0) 1012. Authorizing the sale of County-owned real estate pursuant to Section 215, New York State County Law to Sandra Tedesco. PRIME (Towle) Legislator Towle makes the motion; I'll second it. You're on this bill?

MR. MASCARO:

Yes.

MS. SCHMITT:

Yes.

MR. MASCARO:

We're from the Division of Real Estate, Mr. Guldi.

MS. SCHMITT:

Do you want me to say what it is, is that --

CHAIRMAN GULDI:

Is this a straight up redemption as a matter of right?

MS. SCHMITT:

This is a 215, yes. 215 redemption.

CHAIRMAN GULDI:

Yeah. Could you state -- you have to state your name for the stenographer I'm sorry.

MS. SCHMITT:

My name is Betty Schmitt with the Redemption Unit. This is a 215 redemption proposed by Legislator Towle resolution and it's a standard advanced resolution where we have a contract of sale and we're going to have a simultaneous closing.

CHAIRMAN GULDI:

It's of right and we seek \$48,000 in revenue on this. Motion to approve by Legislator Towle, second by myself. Discussion? All those in favor? Opposed? Approved 4-0. (Vote: 4-0-0-0)

1013. Authorizing the sale of surplus County cars to Hauppauge School District. PRIME (Crecca)

LEGISLATOR BINDER:

Motion.

LEGISLATOR TOWLE:

Second.

CHAIRMAN GULDI:

Motion by Legislator Binder, second by Legislator Towle. All those in favor? Opposed? Approved 4-0. (Vote: 4-0-0-0)

1014. Authorizing the sale of surplus County cars to Sachem School District.

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

1015. Authorizing the sale of surplus County cars to Bellport Against Drugs Community Patrol. PRIME (Towle)

LEGISLATOR TOWLE:

Motion to table.

CHAIRMAN GULDI:

Legislator Towle's motion to table his own.

LEGISLATOR TOWLE:

There's a mistake in the resolution.

CHAIRMAN GULDI:

Sale of cars to Bellport. Motion to table, second by myself. Discussion? All those in favor? Opposed? 1015 is tabled. (Vote: 4-0-0-0)

1016. Authorizing the sale of surplus County cars to Huntington School District. PRIME (Cooper) Same motion, same second, same vote.

Approved 4-0. (Vote: 4-0-0-0)

1017. Authorizing the sale of surplus County cars to East Islip School District. PRIME (Fields) Legislator Fields' motion; Legislator Towle second. All those in favor? Opposed? Approved 4-0. (Vote: 4-0-0-0)

1018. Authorizing the sale of surplus County cars to Commack School District. PRIME (Crecca) Same motion, same second, same vote. (Vote: 4-0-0-0)

1019. Authorizing the sale of surplus County cars to West Babylon School District. PRIME (Bishop) Same motion, same second, same vote. (Vote: 4-0-0-0)

1020. Authorizing the sale of surplus County cars to Elwood School District. PRIME (Binder) Motion by Legislator Binder, second by Legislator Towle. All those in favor? Opposed? Abstentions? (Vote: 4-0-0-0)

1026. Authorizing waiver of interest and penalties for property tax for Lawrence Paolotti (SCTM No. 0500-052.00-02.00-072.000). PRIME (Alden) This is Brookhaven Town, no, it's Islip. Waiver and interest and penalties, does this qualify, Counsel? What's the story on this one?

MR. SABATINO:

No, this one does not qualify. The individual's explanation was that her parents, her father did not understand the tax laws.

CHAIRMAN GULDI:

What is the father's age?

MR. SABATINO:

Well, he's dead.

CHAIRMAN GULDI:

Was that the reason – is that what impaired his understanding?

LEGISLATOR TOWLE:

Motion to approve without recommendation.

CHAIRMAN GULDI:

Motion to discharge charge without recommendation by Legislator Towle, second by Legislator Binder. Discussion? All those in favor? Opposed? 3-1 discharge without recommendation. (Vote: 3-1-0-0) 1033 we just did. Okay. Local Law 13's. We should do these one at a time?

MR. SABATINO:

One at a time. These are direct sale bids, so they have to be.

CHAIRMAN GULDI:

Yeah. Hold on a second. I'd like to review; this is –

1038. Sale of County-owned Real Estate pursuant to Local Law 13-1976 Lakehill Homes, Inc. (0200-865.00-04.00-036.000). PRIME (Co. Exec.)

MR. SABATINO:

1038 is located in North Patchogue, if that helps and there's one bidder at 9,999 and the property was appraised at 9,990.

CHAIRMAN GULDI:

There's only one bid, but they're four adjacent landowners.

MR. SABATINO:

That's correct.

CHAIRMAN GULDI:

Do we have confirmed receipt delivery of the notices to the adjacent landowners?

MR. MASCARO:

According to this, yes. According to what I've been told, yes.

LEGISLATOR TOWLE:

Could you run that by me one more time on the numbers? What did you say?

MR. SABATINO:

The actual appraised value according to the backup was 9,900. The successful bidder was 9,999, so in effect that person was \$99 above the appraised value.

CHAIRMAN GULDI:

Okay. Motion to approve by myself. Is there a second?

LEGISLATOR TOWLE:

Second.

CHAIRMAN GULDI:

Second by Legislator Towle. Discussion? All those in favor? Opposed? 1038 is approved. (Vote: 4-0-0-0)

1039. Sale of County-owned Real Estate pursuant to Local Law 13-1976 Hanson Brown Jr. and Angela Brown, his wife (0900-052.00-02.00-020.000). PRIME (Co. Exec.)

MR. SABATINO:

This one's in Bridgehampton and this was appraised at \$379 and again this is a direct sale to an adjacent owner with no other bidders.

CHAIRMAN GULDI:

Yeah. Well, if the adjacent owners (inaudible) the other parcels. Counsel – all right, motion to approve by myself.

LEGISLATOR TOWLE:

Second.

CHAIRMAN GULDI:

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

1040. Sale of County-owned Real Estate pursuant to Local Law 13-Daniel P. Smith and Mindy Smith, his wife (0200-836.00-02.00-049.001). PRIME (Co. Exec.) We have two bids on this one; what's the winning bidder at 11 –

MR. SABATINO:

Appraised at 9900.

CHAIRMAN GULDI:

And we have it down for 11,001 to Daniel and Mindy Smith in 0200 which is –

MR. SABATINO:

North Patchogue.

CHAIRMAN GULDI:

Okay.

LEGISLATOR TOWLE:

Motion.

CHAIRMAN GULDI:

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

1041. Sale of County-owned Real Estate pursuant to Local Law 13-1976
Stephanie Caravolos (0204-022.00-01.00-014.001). PRIME (Co. Exec.)

CHAIRMAN GULDI:

1041 -

MR. SABATINO:

This is Patchogue with one bidder; appraised value is 7,500.

CHAIRMAN GULDI:

This is one adjacent owner transaction --

MR. SABATINO:

The County of Suffolk --

CHAIRMAN GULDI:

The County of Suffolk is the other adjacent owner, so --

MR. SABATINO:

The question should be whether or not the County would have any use or value for the land.

CHAIRMAN GULDI:

How big is the parcel?

MR. MASCARO:

This parcel --

CHAIRMAN GULDI:

Actually, isn't this -- why is this not in one of the flood protection programs since it's water -- virtually waterfront or across the street from waterfront?

MR. MASCARO:

Okay. I asked the same question this morning actually and it's not considered to be a flood protection area, although, it is a velocity area. The area -- there is going to be a covenant restriction of no building on the property.

CHAIRMAN GULDI:

Where's the adjacent land owners parcel?

MR. MASCARO:

Right next door.

CHAIRMAN GULDI:

I see, I'm looking at the -- we don't have the tax map; I'm just looking at the Hagstrom here and you can't see the lots. Oh, wait a minute we do.

MR. MASCARO:

I brought those files with me too just in case because I don't normally.

CHAIRMAN GULDI:

Which -- we're selling 14.1; the lot owner is at 8.1?

SPEAKER:

(inaudible)

CHAIRMAN GULDI:

Yes. It is and I see and it is going to be subject to {C and R's} against --

MR. MASCARO:

Yes.

CHAIRMAN GULDI:

-- building any structures, but it's in velocity area so it's got to comply with FEMA rules for expansion to the house though it will give them additional lot area for zoning purposes.

MR. MASCARO:

Correct.

CHAIRMAN GULDI:

I'm going to make a motion to discharge this without recommendation because I'm not intimately familiar with the area, but it may not be an appropriate site for the County to be disposing of property because of the proximity to water. Second by Legislator Towle. Discussion? All those in favor? Opposed? 1041 is discharged without recommendation. (Vote: 4-0-0-0)

1042 Local Law 13-1976 to Louis D. Messina --

MR. MASCARO:

Very similar to 1041.

CHAIRMAN GULDI:

Is this the same issue or --

MR. MASCARO:

Yes.

CHAIRMAN GULDI:

Same block?

MR. MASCARO:

Yes. Same area.

CHAIRMAN GULDI:

So these are two adjacent -- well, we have two adjacent parcels?

MR. MASCARO:

That's my understanding, yes.

CHAIRMAN GULDI:

Well, why aren't the two adjacent parcels merged and sold as a separate

building lot and in the auction as a waterfront lot in the event that this is a, you know, if our objective is to obtain maximum use. And if the land shouldn't be used for development why aren't we retaining it? Why are we selling it at all?

MR. MASCARO:

It was -- it was believed by the County that this particular parcel would be best disposed of, but not built on in regards to another house.

CHAIRMAN GULDI:

What would the value of the parcel be if sold as a single parcel instead of divided under two Local Law 13's?

MR. MASCARO:

Well, if you look at the valuation on the appraisal according -- you mean the both parcels merged together?

CHAIRMAN GULDI:

Yes. Combined as a building lot on that block.

MR. MASCARO:

As both I can't make a recommendation --

CHAIRMAN GULDI:

Okay. I'm going to make a recommendation to reconsider 1041 so we can table it in this committee. Do I have a second for that?

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. I like to -- motion to table 1041 and 1042. I'd like to know what the value of those parcels combined as a building lot and what the considerations for disposing of the property at what's got to be substantially less than our realizable gain on it are.

MR. JOHNSON:

If I could just make comment, my name is Todd Johnson from the County Executive's Office. I believe with regard this issue that these parcels were considered as one, but there was an arrangement made and discussions made with the Village also that this parcel could not be disposed of as one property. These two adjacent landowners were going to split the cost of getting rid of this property. It was an eyesore down in the Village; they decided through an arrangement with the Village and the County that they would try to -- the owners takeover this responsibility. And so the effort here was to make that as simple as possible, but as fair as possible.

CHAIRMAN GULDI:

Okay. I understand the analysis and the goal you outline. I'd like to hear from the Village; I'd like to know what the maintenance issues with the parcel were. And I'd like to know what the taxpayer's equity in the parcels that we are foregoing in order to achieve these other goals are. Okay. So at our next meeting please be prepared to present not only the financial information, but what the other community concerns were as well. And I would be wholly welcomed to inviting anyone that you deemed appropriate in for that purpose.

1043. Sale of County-owned Real Estate pursuant to Local Law 13-1976 Thomas M. Hudgins and Susan E. Hudgins (1000-128.00-02.00-023.000). PRIME (Co. Exec.) That's 1000 that would be --

MR. SABATINO:
Southold.

CHAIRMAN GULDI:
Southold. One bidder \$5,000 for waterfront lot. It's a sliver.

MR. MASCARO:
It's a sliver; it's a flag lot.

CHAIRMAN GULDI:
Is it a right of way?

MR. MASCARO:
Yes. Apparently, right now I was told that there are a lot of kids that are using the area as a hangout and they're trying to put an end to that as well.

CHAIRMAN GULDI:
And the bidder is –

MR. MASCARO:
The adjoining owner.

CHAIRMAN GULDI:
Which side?

MR. MASCARO:
I believe directly to the I think it's lot number 11, if I'm not mistaken.

CHAIRMAN GULDI:
The question I ask is were the adjacent large parcels – is there any public land in this area?

MR. MASCARO:
No.

CHAIRMAN GULDI:
Town or County?

MR. MASCARO:
No.

CHAIRMAN GULDI:
Where's the nearest public beach? Or access point for public beach.

MR. MASCARO:
That I couldn't provide you with that information.

CHAIRMAN GULDI:
Has the Town of Southold been consulted with respect to this transaction?

MR. MASCARO:
Usually, the towns are consulted prior to any direct sale transaction to see if they have an interest in the particular parcel.

CHAIRMAN GULDI:
You don't know if you have anything from Southold in this file; you don't have it with you?

MR. MASCARO:

I can have that found out for you.

CHAIRMAN GULDI:

Yeah. I want to table this one too until we find out the -- what the town disposition or the towns attitude about this disposition is. Motion to table by myself. Is there a second?

LEGISLATOR BINDER:

Second.

CHAIRMAN GULDI:

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

1044. Sale of County-owned Real Estate pursuant to Local Law 13-1976
Stony Brook Medical Park Condominium (0200-418.00-04.00-0003.000).
PRIME (Co. Exec.)

MR. MASCARO:

Yes.

CHAIRMAN GULDI:

We're selling a condominium?

MR. MASCARO:

No. No. We are selling --

CHAIRMAN GULDI:

You're going into the business.

MR. MASCARO:

This is a -- it's a medical park and they are the adjoining owners of this land locked parcel.

MR. SABATINO:

Suffolk County's sewer district is the adjoining on this one.

MR. MASCARO:

It's buffered from the residential community.

CHAIRMAN GULDI:

And it's owned by three -- it's owned by -- yeah, the other adjoining are the Town of Brookhaven and the Sewer District (inaudible).

MR. MASCARO:

Yes.

LEGISLATOR TOWLE:

How big is the parcel?

MR. MASCARO:

According to -- 50 feet by 672 --

LEGISLATOR TOWLE:

What is the appraisal? 18,500 -- what do we get for it.

MR. MASCARO:
18,500.

LEGISLATOR TOWLE:
Have we spoken to the Town or the Department of Public Works as to whether or not they would be interested in that property?

MR. MASCARO:
I don't know.

LEGISLATOR TOWLE:
Okay. Motion to table too.

CHAIRMAN GULDI:
Second the motion. All those in favor? Opposed? (Vote: 4-0-0-0) It won't be the first time we're buying back stuff by contamination the we sold by Local Law 13.

1053. Amending Resolution No. 1106-2001. PRIME (Co. Exec.) This is --

MR. SABATINO:
It dealt with Gabreski Airport; the previous resolution from the Executive had appropriated money for that perimeter survey and --

CHAIRMAN GULDI:
Oh, this for the interim fencing project?

MR. SABATINO:
Right. This is just going to change from Economic Development to Public Works for the directive to do the actual work.

CHAIRMAN GULDI:
Motion to approve by myself, second by Legislator Towle. All those in favor? Opposed? Abstentions? 1053 is approved. (Vote: 4-0-0-0)

1054. Adopting Local Law No. --2002, A Local Law to amend the Suffolk County Code of Ethics. PRIME (Co. Exec.)

LEGISLATOR BINDER:
Has to be tabled for a public hearing. Table for a hearing.

CHAIRMAN GULDI:
Motion to table for a public hearing by Legislator Binder, second by myself. All those in favor? Opposed? (Vote: 4-0-0-0)

1057. Sale of County-Owned Real Estate pursuant to Local Law 13-1976 Judith A. McGrath f/k/a Judith A. Hellriegel (0200-771.00-05.00-020.000). PRIME (Co. Exec.)

MR. SABATINO:
This is Medford.

CHAIRMAN GULDI:
One bid.

MR. MASCARO:
One bid.

CHAIRMAN GULDI:
At a appraised value.

MR. SABATINO:
\$10 above.

LEGISLATOR TOWLE:
What's the size of the lot?

MR. MASCARO:
50 by 100

LEGISLATOR TOWLE:
Are they buying this for the purpose of building or are they buying this for the purpose of adding it to --

MR. MASCARO:
They can't build separate on there they wouldn't be allowed a separate building on it --

LEGISLATOR TOWLE:
So they're adding it to a lot that they own.

MR. MASCARO:
Merging it to their adjoining lot.

LEGISLATOR TOWLE:
Are they built on the lot that they own already?

MR. MASCARO:
I believe so.

LEGISLATOR TOWLE:
Okay.

CHAIRMAN GULDI:
Motion to approve by Legislator Towle, second by myself. All those in favor? Opposed? Abstentions? (Vote: 4-0-0-0)

LEGISLATOR FIELDS:
Can I ask a question, Mr. Chairman?

CHAIRMAN GULDI:
Yes.

LEGISLATOR FIELDS:
When they have an auction, I've never been to one, and someone would like purchase the property are they told the value of the property and then they bid above it or do they just -- how does that work?

CHAIRMAN GULDI:
The auction book generally has a minimum price, which is a percentage of which I understand is a prior practice set as a percentage of our appraised value as the minimum price to open the bidding on the parcels. So were they not told, I mean, it's do the math and you have one appraiser opinion.

LEGISLATOR FIELDS:

Do you know?

MR. MASCARO:

We do not give them the appraised figure when it's put up for the general auction. We give the people the appraised figures on the direct sales because that's the minimum bid price is the appraised value on a direct sale purpose. But on the purpose of the general auction we're allowed to set an upset price that is below the appraised value.

LEGISLATOR FIELDS:

Below the appraised, why below? Why not the appraised value?

MR. MASCARO:

Because the market, the market will determine what the valuation is at the auction. There's no prohibition against doing that. It also stimulates bidding and so it's been a tradition that's been adhered to for many, many years from what I understand.

MS. SCHMITT:

It wouldn't be inviting.

LEGISLATOR FIELDS:

Would it hurt, excuse me.

MS. SCHMITT:

It wouldn't be inviting to a prospective purchaser if it wasn't a little below market.

LEGISLATOR FIELDS:

How much below is it though? What's the percentage? I'm just wondering because just because we've done things for a number of years maybe we need to look at that again.

MS. SCHMITT:

We don't quote a percentage it's just below. It's determined --

LEGISLATOR FIELDS:

Who determines the price?

MS. SCHMITT:

It's usually a committee that determines to market it down from the auction -- from the appraisal amount.

LEGISLATOR FIELDS:

Who's the committee?

MS. SCHMITT:

It's probably someone from appraisals, someone from maybe the deputy, you know, several -- the supervisor of the auction unit. It would be several people --

CHAIRMAN GULDI:

If I may follow up what the percentage of the parcels sold at auction knock down at the minimum price?

MR. MASCARO:

Knocked down at the minimum price?

CHAIRMAN GULDI:

Yes. Very few.

MS. SCHMITT:

Few, very few.

MR. MASCARO:

Very, very few, especially now in this market most of them quite a few of them actually end up ultimately being bid at higher than what are –

CHAIRMAN GULDI:

Substantially higher.

MR. MASCARO:

Yes, than what our appraised value is.

CHAIRMAN GULDI:

(inaudible) bid.

LEGISLATOR FIELDS:

I would still be very much interested to see if maybe we shouldn't be doing this in these times for different amounts. Like what is the absolute percentage that you're using. What is the appraised value? Who's on the committee; who's determining these prices? How does the bidders know? You know I really would be interested in knowing what the procedure is.

MS. SCHMITT:

The bidders know –

CHAIRMAN GULDI:

If I may, let me cross talk a little. The – when the last economic down turn we had our auction prices were generally higher – higher percentage of appraised value and we would instead of spawning bidding and closing at prices higher than the values we would have them carry properties forward for years from auction to auction and never open bidding on them. So we had parcels go to auctions for three and four and five years in a row with no bids on them. The practice -- when we adopted the practice of going to a discount of our appraised value which is a hypothetical value anyway the auction become much more successful; we got more bidding and we closed at substantially higher prices with respect to our own analysis of what the properties were worth.

LEGISLATOR FIELDS:

I still would like to see perhaps at the next meeting a report of exactly how it's done. What the exact percentages are; are they all the same? Do they pick and choose, that's 10%, that's 50%, that's, you know –

MS. SCHMITT:

No, but they usually don't make them public. Can that be done to you individually or –

LEGISLATOR FIELDS:

They don't make what?

MR. MASCARO:

We don't make that public.

LEGISLATOR FIELDS:

We're not the public; we're elected officials.

CHAIRMAN GULDI:

No. What they're suggesting is that if they put it on the record here it's a

very much public. It's public record and you may as well tell your prospective bidders –

LEGISLATOR FIELDS:

They don't have to put it on the record. They can give the –

CHAIRMAN GULDI:

We can have an exec. session or an informal discussion when you want to review that material.

LEGISLATOR FIELDS:

Let me finish.

CHAIRMAN GULDI:

Go ahead.

LEGISLATOR FIELDS:

Perhaps you could submit a report to this body. It doesn't have to be part of the public record just as long as we know what's going on because again, you know, maybe it's time to review the way that's done. And maybe it can be done a better way; maybe the County can make more money.

CHAIRMAN GULDI:

All right. We are up to 1058.

1058. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Zonnie Mobley and Dorothy Mobley, his wife (0100-123.00-02.00-008.001).
PRIME (Co. Exec.) Town of Babylon.

LEGISLATOR FIELDS:

What about 1057.

CHAIRMAN GULDI:

1057 was approved 4-0 according to my notes. You too, okay. 1058 motion to approve. These are the Treasurer's resolutions not Real Estate's is that correct?

MS. SCHMITT:

No. They're Real Estate's; they're the redemption unit's. This is time filed usual application. We have the monies; they're getting refinancing, but the mortgage advanced the monies the tax arrears, so it's just a standard – yes.

CHAIRMAN GULDI:

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

1059. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act William B. Jensen and Gail M. Jensen, his wife (0200-592.10-01.00-068.000).
PRIME (Co. Exec.)

MS. SCHMITT:

Similar.

CHAIRMAN GULDI:

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

1060. Authorizing the sale, pursuant to Local Law 16-1976 of real property acquired under Section 46 of the Suffolk County Tax Act Hilda Rainer and Otto Rainer, as joint tenants with right of survivorship (0200-980.50-01.00-004.000). PRIME (Co. Exec.) Is also timely of right?

MS. SCHMITT:

Yes. Same basic facts.

CHAIRMAN GULDI:

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

1061. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jerry Artarian and Donna Artarian, his wife (0200-980.70-08.00-035.000). PRIME (Co. Exec.) Is also of right as in and time?

MS. SCHMITT:

Yes.

CHAIRMAN GULDI:

Same motion, same second, same vote. (Vote: 4-0-0-0) 1061 of right? 1061 is of right?

LEGISLATOR TOWLE:

That's the same one.

CHAIRMAN GULDI:

1062 I mean, excuse me.

1062. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sally Kempf, as surviving tenants by the entirety (0500-121.00-03.00-097.000). PRIME (Co. Exec.) 1061 of right? 1061 is of right?

LEGISLATOR TOWLE:

That's the same one.

CHAIRMAN GULDI:

1062 I mean, excuse me.

MS. SCHMITT:

Yes.

CHAIRMAN GULDI:

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

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.)

MS. SCHMITT:

Similar.

CHAIRMAN GULDI:

Same motion, same second, same vote. Oh, that's a Local Law 13.

MR. MASCARO:

No, no. That's a direct sale. 1063 is a direct sale.

CHAIRMAN GULDI:

Direct sale – we have one bidder?

MR. MASCARO:

Yes. One bidder 40 by 100 lot appraised value 2,000. Successful bid 2100.

CHAIRMAN GULDI:

It's waterfront in Bellport again. What are we having a – we're doing a waterfront sale this week?

LEGISLATOR TOWLE:

How large is the parcel?

MR. MASCARO:

40 by 100.

LEGISLATOR TOWLE:

And they're using this to add to the property they already own?

MR. MASCARO:

Yes.

CHAIRMAN GULDI:

Is this going to be covenants against building on it?

MR. MASCARO:

I don't see any listed.

CHAIRMAN GULDI:

I don't see any listed here either.

LEGISLATOR TOWLE:

Is this in the Village of Bellport?

MS. SCHMITT:

No.

MR. MASCARO:

It is not, no.

LEGISLATOR TOWLE:

It looks like the Village of Bellport to me. Do we have anything from the Village in regards to this?

MR. MASCARO:

It doesn't show a Village tax map number on this. It shows a Town of Brookhaven tax map number.

CHAIRMAN TOWLE:

40 by 100 you said this lot is?

MR. MASCARO:

Yes.

LEGISLATOR TOWLE:

A \$2,000 lot 40 by 100. I'm going to make a motion to table this one. I want to look at this piece of property.

CHAIRMAN GULDI:

Motion to table by Legislator Towle, second by myself. All those in favor? Opposed? Abstentions? (Vote: 4-0-0-0) 1064 is tabled. 1065 is a Local Law 16.

LEGISLATOR TOWLE:

Explanation.

1064. Authorizing the Director of the Division of Law to issue a certificate of abandonment of the interest of the County of Suffolk in property designated as Town of Brookhaven, Suffolk County Tax Map No. (0200-400.00-05.00-020.000) Item 2236720 pursuant to Section 40-D of the Suffolk County Tax Act. PRIME (Co. Exec.)

CHAIRMAN GULDI:

Certificate of abandonment, no, 1064.

LEGISLATOR TOWLE:

Where is this located?

MR. MASCARO:

Middle Island.

CHAIRMAN GULDI:

1064 is certificate of abandonment in Middle Island for what did we take?

MS. SCHMITT:

Lack of notice.

CHAIRMAN GULDI:

Lack of notice to – we noticed what?

MS. SCHMITT:

Lack of notice of the arrears in taxes.

CHAIRMAN GULDI:

We have a moved left no address return envelope, but somebody obliterated the address it was mailed to. Oh, there it is, mailed to the premises. No?

MS. SCHMITT:

Yes, it was mailed to the premises.

CHAIRMAN GULDI:

What's the address of the –

MS. SCHMITT:

I don't have that with me.

LEGISLATOR TOWLE:

Do you have the explanation on why we did the resolution?

MS. SCHMITT:

Let's see the formal owner was Dominick Spampanato, he survived his wife, but he died in 1999. He never received notice. His sister Minnie was appointed as executrix of the estate of Dominick and they have no notice.

CHAIRMAN GULDI:

Motion to approve myself.

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

All those in favor? Opposed? Abstentions? 1064 is approved. (Vote: 4-0-0-0)

1065. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Carlton Riddick and June Riddick, his wife (0200-958.00-07.00-027.000). PRIME (Co. Exec.)

MS. SCHMITT:

(inaudible) redemption.

CHAIRMAN GULDI:

We have the money and it's of right?

MS. SCHMITT:

Yes.

LEGISLATOR TOWLE:

Located where?

MR. MASCARO:

South Medford.

LEGISLATOR TOWLE:

They're adding this to their property; what's the size?

CHAIRMAN GULDI:

No, no, this is a redemption.

LEGISLATOR TOWLE:

Oh, I'm sorry. Right, I'm sorry.

CHAIRMAN GULDI:

Motion by Legislator Towle, second by myself. All those in favor? Opposed? 1065 is approved. (Vote: 4-0-0-0)

1066. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jose Rojas and Olga Rojas, (0200-982.00-08.00-007.003). PRIME (Co. Exec.) Is a redemption Local Law 16, Mastic Beach.

MS. SCHMITT:

All the taxes have been paid. We collect the current 2002 taxes and they will get the deed when the resolution is approved.

CHAIRMAN GULDI:

Motion to approve by Legislator Towle, second by myself. All those in favor? Opposed? 1066 is approved. (Vote: 4-0-0-0)

1067. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act William D. Wilk (0208-017.00-01.00-042.000). PRIME (Co. Exec.) Lake Grove. No wait a minute they have waterfront there too. I just want to make –

MS. SCHMITT:

It's a redemption now.

CHAIRMAN GULDI:

I want to make sure it's not part of the waterfront fire sale and clearance we seem to be running. Motion to approve by myself.

LEGISLATOR TOWLE:

Second.

CHAIRMAN GULDI:

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

1068. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Stephen L. Thomas & Willie J. Richardson (0800-108.00-04.00-001.000). PRIME (Co. Exec.) We have the \$37,000 in taxes already?

MS. SCHMITT:

Yes.

CHAIRMAN GULDI:

And it's of right?

MS. SCHMITT:

Yes.

CHAIRMAN GULDI:

Motion to approve by myself, second by Legislator Fields?

LEGISLATOR FIELDS:

Yes.

CHAIRMAN GULDI:

All those in favor? Opposed? Abstentions? 1068 is approved. (Vote: 4-0-0-0)

1069. Sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Marcos 16:15 of Salvacion Missionary Church, Inc. (0900-139.00-03.00-050.000). PRIME (Co. Exec.) What do we have here?

MS. SCHMITT:

It's timely filed, it's considered a, you know, an ordinary application for redemption.

CHAIRMAN GULDI:

And we're taxing the church? Or is this –

LEGISLATOR TOWLE:

Apparently.

MR. MASCARO:

They may not have not-for-profit status.

MS. SCHMITT:

It says here they're going to apply --

CHAIRMAN GULDI:

They may have had some trouble qualifying for the exemption.

LEGISLATOR TOWLE:

How much was the total?

CHAIRMAN GULDI:

But it's of right and it's timely?

MS. SCHMITT:

Yes, it is.

MR. MASCARO:

\$2900.

MS. SCHMITT:

Yes.

CHAIRMAN GULDI:

Motion to approve by myself.

LEGISLATOR TOWLE:

Second.

CHAIRMAN GULDI:

Second by Legislator Towle. All those in favor? Opposed? (Vote: 4-0-0-0) Let's do the Consent Calendar briefly and then we'll go the Executive Session. Okay, for the Consent Calendar we'll do it as usual everything that doesn't move. Counsel you yell at me when I try to put them on and I'm not allowed to. Cars, 1008, 1012, 1013, 10 --

LEGISLATOR TOWLE:

If you want to put my 215 it's fine with me.

CHAIRMAN GULDI:

Yes, 215.

MR. SABATINO:

Just so you know the 215 also takes a 2/3 vote. The only reason it's been an issue in the past is in case you don't have everybody there and it's not 12 votes.

LEGISLATOR FIELDS:

(inaudible)

MR. SABATINO:

No, no. It's 2/3 on the floor; it means 2/3 on the floor.

CHAIRMAN GULDI:

Okay. 1013, 1014, 1015, 1017, 1018, 1019, 1020. 1038 -- excuse me I put -- I made an error. I said 1015, I meant to say 1016; I skipped the wrong one. 1015 is tabled, 1016 was approved for the Consent Calendar. Going back down to 1038, 1039, 1040, 1053 the amending resolution. 1054 no. 1054 is tabled.

MR. SABATINO:

Public hearing it was tabled.

CHAIRMAN GULDI:

I got my notes wrong. 1057, 1058, 1059, 60, 61, 62, 64, 65, 66, 67, 68

and 69. Motion to place on the Consent Calendar by myself, second by Legislator Towle. All those in favor? Opposed? Abstentions? (Vote: 4-0-0) We need to do a brief exec. session. Since there's no one in the room we'll meet in this room. We will note on the out on the record when at the conclusion of the exec. session the time we come out; we don't need you to come back for that. My aide will bring that into you. To discuss litigation settlements approving the presence of Mr. Cabble, Mr. Bauccio, legislative staff, Counsel to the Legislature. Okay. Motion by myself, second by Legislator Towle. All those in favor? Opposed? (Vote: 4-0-0-0)

Executive Session started at 3:24 P.M. and ended at 3:48 P.M.

(Having no further business the Ways and Means Committee was adjourned at 3:48 P.M.)

{ } denotes spelled phonetically.