

**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, **June 3, 2002** in the Rose Y. Caracappa Auditorium at 1:30 P.M.

**Members Present:**

Legislator George Guldi, Chairman  
Legislator Ginny Fields, Member  
Legislator Fred Towle, Member

**Members Absent:**

Legislator Allan Binder

**Also in Attendance:**

Paul Sabatino, Counsel to the Legislature  
Kristine Chayes, Civil Service/Human Resources  
Robert Cabble, Suffolk County Attorney  
Todd Johnson, County Executive's Office  
Lee Lutz, Campaign Finance Board  
Anne Riordan, Campaign Finance Board  
Andrew Raia, Aide to Legislator Binder  
Eben Brofman, Aide to Legislator Guldi  
Tom Donovan, Aide to Presiding Officer Tonna  
Marion Zucker, Director of Affordable Housing  
Paul DePasquale, County Executive's Office  
Gail Davenport, League of Women Voters  
Bob Shinnick, Department of Public Works  
Christine D. Costigan, Suffolk County Real Estate  
John Ortiz, Budget Review Office  
And all other interested parties

**Minutes taken by:**

Eileen Schmidt, Legislative Secretary

**(The meeting was called to order at 2:10 P.M.)**

**CHAIRMAN GULDI:**

We're going to call the meeting to order. We do not have a quorum. Counsel advises that we can take testimony though we can't consider resolutions. In the event that we do not have a quorum at the end of testimony we'll deal with it then. Counsel, I have one question and that is will we be permitted to entertain the litigation settlements in exec. session that the Department of

Law is here to present absent a quorum?

**MR. SABATINO:**

In the absence of a quorum, no, because we do need the quorum for eligibility to vote.

**CHAIRMAN GULDI:**

All right we deal with that when we get to it.

**Pledge of Allegiance was led by Legislator Fields.**

### **SALUTATION**

**CHAIRMAN GULDI:**

All right.

**MS. SCHMIDT:**

Put the mike on.

**CHAIRMAN GULDI:**

Are you yelling at me already? Let the record reflect that I'm being chastised by the stenographer for not using the microphone. It's the only place in the world that I can be accused of not being loud enough. I have three cards related to the Campaign Finance Reform. I have one card from Civil Service and one card from Legislator Binder's Office. As a suggestion -- oh, we do have a quorum, good.

**Legislator Towle joined the meeting at 2:15 P.M.**

**LEGISLATOR TOWLE:**

You're all set to go.

**CHAIRMAN GULDI:**

Thank you. We were just going to start taking testimony. Since I'm sure that the other speakers on Campaign Finance Reform will want to reply to Legislator Binder's remarks. Legislator Binder has requested an excused absence to attend his parent's 50th wedding anniversary and we have Andy Raia is here instead of being at his own fundraiser to deliver Legislator Binder's remarks. So I'll let him go first so that you guys -- so that the rest of the public speakers who are actually here to engage in dialogue can take shots at those remarks once they hear them.

**MR. RAIA:**

And I'll be watching --

**CHAIRMAN GULDI:**

No, Mr. Raia, I think you should use the podium. Come on its good practice for you.

**MR. RAIA:**

Thank you, Mr. Chairman and members of the committee. As it was stated, Legislator Binder is in Arizona at his parent's' 50th wedding anniversary. He told me at 6:30 -- it was 7:20 this morning it was already up to 90 degrees and expected to well over 100, but the reason I'm here is not to give you a forecast. It's basically to talk about Newsday's editorial on Friday. Suffolk should its' Campaign Finance Board and how it affects two pieces of legislation that you're going to be voting on 1391 by Legislator Cooper and 1541 by Legislator Binder. On Friday, Newsday did an editorial in which they compared both the Binder and Cooper resolutions in addition to suggesting that Suffolk County bolster its' Campaign Finance Board. Newsday states, the public voted to support a Campaign Finance Board. No. The public voted for a voluntary Campaign Finance Reform. In fact, on two separate occasions by more than a 60% vote the public voted not to use taxpayer dollars for the purpose of a Campaign Finance Board. The more we grow and fund the Finance Board the more we violate the voter's wishes.

It's the same old Newsday that is for high taxes and a bigger bureaucracy. The committee should vote against the Cooper resolution unless members are for higher taxes and bigger government. In addition, in no other state or municipality is a third party or in this case a single person put in charge of such a process. The County Board of Election was designed to be impartial and is charged by the State to carry out this process.

The alternative is to vote for the Binder resolution because the Federal and State election commissions already require electronic filing and it is only a matter of time before the State requires the County to do the same. The software and the technology already exists and we will eventually have to spend the money to upgrade the County BOE system anyway. Why not do it now? That's it, thanks. Questions.

**CHAIRMAN GULDI:**

That was faxed to you so you'll have to fax --

**MR. RAIA:**

No. Actually, it's dictated over the telephone.

**CHAIRMAN GULDI:**

Oh, dictated over the telephone. Thank you very much. Could you leave a copy with secretary?

**MR. RAIA:**

Yes, I can. Thank you.

**CHAIRMAN GULDI:**

Okay. Moving right along. It's nice to know that Legislator Binder was able to make a campaign stop here without being here.

**MR. RAIA:**

Thank you, Mr. Chairman.

**CHAIRMAN GULDI:**

Lee Lutz, you want to lead off? You want to come up three at a time and sit comfortably at the table or whatever?

**MR. LUTZ:**

I think it would be appropriate that I speak next cause I'm going to speak to what Mr. Raia said.

**CHAIRMAN GULDI:**

That's why I let him go first so that you would have that opportunity.

**MR. LUTZ:**

You're very kind and observant and astute.

**CHAIRMAN GULDI:**

Probably not, but go ahead anyway.

**MR. LUTZ:**

I also have a prepared statement and this was not dictated I actually wrote it. Good afternoon first of all. The Campaign Finance urges the Ways and Means Committee to move IR 1391 sponsored by Legislator Cooper to the full Legislature for its approval. This bill would serve the people of Suffolk County in two important ways. First, it would provide prompt and reliable access to public disclosure data that the Board requires in fulfilling its mandate to implement a computer database of this information available to the public. Second, the bill as amended will begin the process of implementing an electronic filing system of this data for the benefit of the residents of Suffolk County.

The first benefit would be facilitated by the elimination of a bottleneck that has plagued the Campaign Finance Board for two years. Since the data we require are filed with the Board of Elections, as per state law, our Board must request the staff at the Board of Elections to copy each and every disclosure statement and forward then to us. This creates extra work for their staff, costs the taxpayers money in time and copying expenses, and delays the Campaign Finance Board in our efforts to promptly post this data. All these problems would be addressed by passage of this bill.

The second benefit to IR 1391 is electronic filing of this disclosure data. This technological advance, already being put to good use across the country, will provide to the public the information it needs to monitor their elected officials and weigh this information in considering which candidate to vote for in a county elections. Even many opponents of Campaign Finance Reforms such as public finding of campaigns have stated that prompt and thorough disclosure is the only reform needed. This initiative will advance that goal.

There are several reasons that the Board does not support IR 1541, sponsored by Legislator Binder, even though it seems to be similar to IR

1391. First, Legislator Cooper's bill would immediately mandate the filing of disclosure statements with the Campaign Finance Board. Legislator Binder's bill would only achieve this goal sometime in the future. Second, IR 1541 mandates an electronic filing system established and maintained by the Board of Elections, not the Campaign Finance Board. It is already a mandate of Campaign Finance Board to compile and publicize this information, as set down in Suffolk County Charter §41-7(H). The Board of Elections has no such mandate in the state law dictating its duties. The Board of Elections, besides its other duties, is charge only with collecting this information and making it available to the public when requested. Requiring them to create this database would only duplicate a mandate already imposed on the Campaign Finance Board. In addition, the creation of an internet-accessible database including this information is a task the Campaign Finance Board is already doing. Starting over at the Board of Elections, which has shown no enthusiasm for the effort, seems wasteful and inefficient.

The Campaign Finance Board acknowledges Legislator Binder for his support for both prompt access to candidate disclosure data by the Campaign Finance Board and for creating an electronic filing system for the benefit of Suffolk's residents. However the Board feels both goals will be more quickly and effectively achieved by the approval of IR 1391. The Board urges Legislator Binder and all Legislators to support IR 1391 for the benefit of Suffolk's residents. I thank you and if you have questions I will do my best to answer. By the way if I may add something just to interrupt I'm sorry, Ginny. Andy Raia and his presentation just a moment ago indicated that the primary objection apparently that Mr. Binder has is the fact that the public keeps voting against public financing of campaigns. The initial bill submitted by Legislator Cooper and the bill, which is now in front of you, which is amended by Legislator Cooper has nothing to do with public financing of campaigns. It has to do with disclosure. It has to do with something with making available to the public promptly information, which is already dictated by state law to be public information. So I think that he's once again harping on his objection is perhaps philosophical objection to campaign financing to public financing of campaigns, but this bill doesn't have anything to do with it. And now I'm sorry.

**LEGISLATOR FIELDS:**

That was going to be my question. What your retort was to some of those.

**MR. LUTZ:**

He's objecting to the bill, but this bill doesn't do anything that he's objecting to.

**LEGISLATOR FIELDS:**

It's a shame he's not here.

**MR. LUTZ:**

It's not relevant as far as I'm concerned.

**CHAIRMAN GULDI:**

That's all right. If he were I'm sure the meeting would be longer. Do you have anything else, Lee?

**MR. LUTZ:**

No, no, that's it. Thank you very much.

**CHAIRMAN GULDI:**

All right. Anne Riordan and Gail Davenport do you want to come up one at a time or together?

**SPEAKERS:**

(inaudible)

**CHAIRMAN GULDI:**

Oh, I see. I thought you were together. You car-pooled though, didn't you?

**MS. RIORDAN:**

We car-pooled. Political correct thing to do.

**CHAIRMAN GULDI:**

Anne.

**MS. RIORDAN:**

Good afternoon, members of the Ways and Means Committee. I'm Anne Riordan, Chair of the Campaign Finance Board and I'm here today to ask you to vote against send IR 1534 to the Legislature for a vote. As the appointing authority for the Executive

Director of our Board, we protest that our properly filed request to the Civil Service Department, meant to create the position, was not considered.

Instead the Civil Service Department consulted with the Presiding Officer to create a totally inappropriate grade for the position. May I remind you that the Campaign Finance Board, not the Legislature, is the appointing authority for this position?

If as it seems to be the intention of the Legislature to get rid of this Board, IR 1534 may do it. We cannot operate with an Executive Director established at a grade 17, the same grade level as positions such as auditor trainee, locksmith, secretary, personnel analyst and map drafter. Our Executive Director is charged with administering the entire program, eventually supervising employees of a much higher grade such as an auditor and attorney. Surely no one on those levels, typically grades of at least 25 to 30, could be expected to take direction from a grade 17. As a matter of fact, the only requirement for the Executive Director as set forth in the Civil Service draft of the proposed job title is a college degree, not even specifying any particular field of study. There is no way a June college graduate, almost certainly the only college graduate who would accept a grade 17 position, could perform the duties of Executive Director of the Campaign Finance Board.

I'd like to point out that the Civil Service Department did not even follow its

own published procedures in the establishment of this position. This breach is documented in the Board's appeal of this job title submitted to Civil Service, which I submit for consideration along with their reply. After informing the Board, at a meeting convened at our request, that it could file an appeal of its determinations, the Civil Service Department, upon receiving that appeal, informed our counsel that it arrived too late, that a previously undisclosed deadline had passed. During the course of that meeting, the Personnel Director said that it made a sense to him to listen to the Legislature rather than the Board regarding the assigned grade level because it is the Legislature's budget that will have to fund the position. That is not so, but even if it were, the reason for the existence of a Civil Service Department is to take certain sensitive jobs out of the realm of politics and patronage. By treating the Presiding Officer as the appointing authority, the Civil Service Department has been a willing pawn in this very political process.

Interestingly, the duties and responsibilities of the newly created position of Director of Living Wage Compliance are very similar to those the Board outlined for the Executive Director of the Campaign Finance. Coordinating and supervising, conducting research analysis, developing policies regarding proposed rules and regulation necessary and appropriate for the implementation of the law. Supervising, scheduling and overseeing daily operations of duties assigned to staff. It is hard to see how anyone could justify paying the Executive Director of the Campaign Finance Board \$30,000 and the Director of the Living Wage Board \$80,000 for doing comparable jobs. It is also worth noting that the position of the Executive Director of the Campaign Finance Board exists as a result of a referendum approved by two-thirds of the voters of Suffolk County. The position of Director of Living Wage Compliance was not.

I would also like to point out two widely reported misconceptions about the Campaign Finance Board and its work. First, the Board never thought that a check-off or enclosure in the property tax bill would raise enough money to fund partial public financing as set forth in the law. That was the idea of the Legislature. In our first report to the County Executive and Legislature we said that our research and analysis predicted that it would fail. The Board has been attempting to create an alternative and viable funding mechanism as long as it has been in existence. Secondly, tying our budget of \$125,000 this year to the amount raised is comparing apples to oranges. The Board has other tasks this year in addition to raising funds, including administering the program, reporting candidate campaign contributions and expenditures to the public, analysis and recommendations for improvements to the law, and public education regarding the program. The self-serving over-simplification of the Board's mandate can only mislead the public who overwhelmingly approved of the law and whom all of you in the Legislature represent.

I strongly recommend that this committee table IR 1534 for further consideration and appropriate revision before forwarding it to the full Legislature. Thank you.

**CHAIRMAN GULDI:**

Thank you, Anne. Could you if you have a copy could you provide it to the Clerk. Counsel, I have a question for you. 1534 creates a position and the salary and grade level. What would the effect of us -- Counsel, I have a question regarding 1534 since it creates and funds the position I'll be it as the speaker just indicated inappropriately, what would the effect of defeating it versus tabling it be?

**MR. SABATINO:**

Well, defeating it keeps it from being considered at this committee again, because it can only be reconsidered at the same committee at which it's voted on. So the only way to get it to the floor would then be have a motion to discharge either directly or a written discharge whereas tabling it allows it to be considered again at this committee. That's the substantive difference.

**LEGISLATOR FIELDS:**

Could I ask a question?

**CHAIRMAN GULDI:**

Yes. Go ahead Legislator Fields.

**LEGISLATOR FIELDS:**

Do we have enough votes to table subject to call 1534?

**CHAIRMAN GULDI:**

The majority of those voting, right?

**MR. SABATINO:**

Correct. A majority of those present with a quorum present. So it would be --

**CHAIRMAN GULDI:**

So when we have a quorum that would be two of three of us.

**LEGISLATOR FIELDS:**

Thank you.

**MR. SABATINO:**

The bill also has a defect, Mr. Chairman, in that it --

**CHAIRMAN GULDI:**

-- just one?

**MR. SABATINO:**

Well, --

**CHAIRMAN GULDI:**

I think I dare say that it's been suggested there's more than one.

**MR. SABATINO:**

Well, that's conceptually true, but from a technical standpoint it puts the position in the legislative office of Budget Review and I don't know where that notion came from.

**CHAIRMAN GULDI:**

Wouldn't that be a violation of our Charter to put --

**MR. SABATINO:**

--yes.

**CHAIRMAN GULDI:**

-- political function in the Office of Budget Review.

**MR. SABATINO:**

Well, it would be a violation of a different section of the Charter, but the point is that it's not a Budget Review function to run the voluntary campaign systems. I don't know where the notion came from, but the position can not be in that department, that office.

**CHAIRMAN GULDI:**

Part of the Charter?

**MR. SABATINO:**

Correct.

**CHAIRMAN GULDI:**

Okay. All right. Legislator Fields has more questions. Go ahead.

**LEGISLATOR FIELDS:**

Not a question a comment. Maybe I'm not allowed to, but I'm going to anyway.

**CHAIRMAN GULDI:**

No, no, no you have to ask a question, so it's do you agree.

**LEGISLATOR FIELDS:**

Did you write that?

**MS. RIORDAN:**

This? I wrote it -- got comments from Lee Lutz and Homer Goldberg who is another member of our board.

**LEGISLATOR FIELDS:**

Well, in answer to my question then I think you did a great job.

**MS. RIORDON:**

Thank you very much.

**CHAIRMAN GULDI:**

Well, it's nice to have the actual author. Although I think we did in the last instances too. Your turn, Gail Davenport, please. Unless, Kris, unless you'd rather speak first that way everyone could take shots at what you have to say.

**MS. CHAYES:**

(inaudible)

**MS. DAVENPORT:**

My name is Gail Davenport I'm from Bridgehampton and I'm representing Jackie LoFaro, President of the League of Women Voters of Suffolk County. I just want to make a short statement saying that the League of Women Voters puts Campaign Finance Reform at the top their issues list so that I'm here to just urge you to continue to support and maybe in this instance save the Suffolk County Campaign Finance Reform Law, the Board and everything that goes along with it. And that we support Legislator Cooper's IR 1391 on disclosure and would urge you to vote it out of committee so that the whole Legislature can vote on it soon. That's the best chance we have for saving this board and for saving Campaign Finance Reform in Suffolk County. Thank you.

**CHAIRMAN GULDI:**

That was easy. Okay, we have one more card. Kristine Chayes, last card.

**MS. CHAYES:**

Basically, I'm just here to go over why the position was placed at a grade 17. Originally, we received information our classification division did contact the Presiding Officer of this. We note too that the position is in BRO -- it's was drafted -- that resolution was drafted in the Budget Office and our classification as such did contact the Presiding Officer's office to get a determination as to what grade that position should be and it was suggested the lower grade. And it was based on several things mainly, that the title at the time the resolution anticipated a greater financial response and the title was not going to be overseeing as large an amount of money as what's originally thought. And at this period time the Exec. Director title is sort of a misnomer because there is just one single employee and our classification staff can not classify a position based on supervisor responsibilities over titles that have yet to be created. So that was a consideration in setting the grade 17. Also the amount of money being less than what they had originally thought, however, if there is a consensus of opinion that there should be a higher grade then Alan Schneider our Personnel Officer said he certainly would consider that. But the original decision of grade 17 was based on these other factors that existed at the time.

**LEGISLATOR FIELDS:**

May I?

**CHAIRMAN GULDI:**

Go ahead.

**LEGISLATOR FIELDS:**

What about the comparison of the \$80,000 job for the Living Wage that was presented to us in comparison to this position?

**MS. CHAYES:**

That I really can't address. I know when the position was reviewed it was reviewed in light of the supervisory responsibilities of the title for which there are none at this point and also the amount of money being overseen and also that the Presiding Officer's Office is the one who did make the recommendation. We really don't give a grade for the position.

**LEGISLATOR FIELDS:**

What if you were do give the grade?

**MS. CHAYES:**

I can't really address that. What do you mean?

**LEGISLATOR FIELDS:**

What?

**MS. CHAYES:**

What do you mean if we were to give the grade?

**LEGISLATOR FIELDS:**

Instead of the Presiding Officer's Office doing it if your department were to recommend a grade.

**MS. CHAYES:**

What we have said is we really don't decide the salary grade. We base it on input from the department it reports to and other factors like that.

**LEGISLATOR FIELDS:**

Well, who does determine that?

**MS. CHAYES:**

If the Legislature feels at this point that it should be higher we would --

**LEGISLATOR FIELDS:**

No, no --

**MS. CHAYES:**

-- look at that.

**LEGISLATOR FIELDS:**

But when people are looking for a position don't you give the grade or do they say I want a grade such and such?

**MS. CHAYES:**

We base it on what I had said here, the amount of supervisory responsibilities. This position is a stand-alone position at this time. And

again we can't classify based on future titles being supervised that haven't been created yet. So that was a consideration in addition to a much smaller amount of money that was being overseen. That's how that position wound up at a grade 17 at this point.

**LEGISLATOR FIELDS:**

On the Living Wage did they know how much money that, I mean, do you really know that? I mean, shouldn't you base this on what you thing if the plan is going to work and people are going to submit money into the department shouldn't you be basing it on that not how much is in there?

**MS. CHAYES:**

It was one of the considerations. I know with the Living Wage there is also a staff that is being supervised with the Exec. Director title for that.

**LEGISLATOR FIELDS:**

Did that start by the way?

**MS. CHAYES:**

Excuse me.

**LEGISLATOR FIELDS:**

Did that start -- did that position start?

**MS. CHAYES:**

Yes it did.

**LEGISLATOR FIELDS:**

Motion to table subject to call.

**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.)**

**CHAIRMAN GULDI:**

Motion to take 1534 out of order tabled subject to call by Legislator Fields second by myself. Discussion on the tabling motion? All those in favor? Opposed? 1534 is tabled subject to call. **(Vote: 3-0-0-1 Absent: Binder)**Okay. We have no more cards. Let's do the agenda. Any other speakers? Okay.

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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.) Brookhaven.**

**MS. COSTIGAN:**

We understood that was going to be withdrawn.

**MR. SABATINO:**

The last item I think we were waiting for an appraisal.

**CHAIRMAN GULDI:**

Pardon me I didn't hear you, Ms. Costigan.

**MS. COSTIGAN:**

We understood this was resolution was going to be withdrawn. We have a new appraisal; we're going to need a new resolution.

**CHAIRMAN GULDI:**

So the sponsor is the County Executive Office's -- whose resolution is this? 1063 introduced at the Presiding Officer's by the Presiding Officer at the request of the County Executive so is the Executive's office requesting that 1063 be withdrawn?

**LEGISLATOR FIELDS:**

I'll make a motion to table subject to call.

**CHAIRMAN GULDI:**

Motion to table subject to call by Legislator Fields.

**LEGISLATOR TOWLE:**

On the motion.

**CHAIRMAN GULDI:**

Second by myself.

**LEGISLATOR TOWLE:**

On the motion.

**CHAIRMAN GULDI:**

On the motion by Legislator Towle:

**LEGISLATOR TOWLE:**

I'm assuming Christina that the new appraisal has advised us that -- what?

**MS. COSTIGAN:**

It's a higher price.

**LEGISLATOR TOWLE:**

Okay.

**MS. COSTIGAN:**

And I don't think the people are interested in buying it at a higher price. So you may not ever see this again.

**CHAIRMAN GULDI:**

Okay. All those in favor? Opposed? 1063 is tabled subject to call. **(Vote: 3-**

**0-0-1 Absent: Binder)**

**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.)**

**MS. COSTIGAN:**

We still have received nothing from Southampton on this.

**CHAIRMAN GULDI:**

Still waiting for a response from the Town of Southampton. Motion to table by myself second by Legislator Fields. Whatever the number is it's tabled. **(Vote: 3-0-0-1 Absent: Binder)**

**1168. Approving a settlement of litigation between Suffolk County and Frank Vigliarolo, ETAL. Prime (Co. Exec.)** Mr. Cabbie I see you're here on the record could you please come forward. At our last meeting we asked Mr. Sklar to be here to give us the graphics information detail and history that he did not have with him at the last meeting. I expected to see him. Could you please tell me what the status of this is?

**MR. CABBLE:**

Well, my understanding from Mr. Sklar is that all of the information at the committee had requested is not yet compiled among other things there was some --

**LEGISLATOR FIELDS:**

You have to speak into the microphone.

**MR. CABBLE:**

My understanding is that Mr. Sklar hasn't been able to compile all the information yet. Between the last meeting and this meeting that the committee had requested.

**CHAIRMAN GULDI:**

Today is June 3rd; this bill was laid on the table January 29th. Counsel when is our next meeting after this one?

**MR. SABATINO:**

This committee meets on the 17th, two weeks from today.

**CHAIRMAN GULDI:**

We're looking at the sixth month rule on this bill and you're sitting here with a straight face I might add telling me that the data to support the settlement agreement that was filed in January hasn't been compiled. Is that correct?

**MR. CABBLE:**

All of the data that was newly requested at the last meeting hasn't been

compiled.

**Many people talking at the same time. (inaudible)**

**CHAIRMAN GULDI:**

Hold on, I have the floor.

**MR. CABLE:**

My recollection of the last meeting was that there was some data that Mr. Sklar didn't have available at the time and had never been compiled and had to be compiled between then and now and it hasn't happened.

**CHAIRMAN GULDI:**

Guess what I'm going to do? I'm going to make a motion to discharge without recommendation for Tuesday's meeting. I want Mr. Sklar and his data before the full Legislature on Tuesday. Did you want to respond to that?

**MS. COSTIGAN:**

I can merely advise the committee that one of the data items that Mr. Sklar wanted was an appraisal what were appraisals which were ordered after the last meeting were not going to --

**CHAIRMAN GULDI:**

I've already seen three appraisals. I don't remember asking -- did we ask for a fourth appraisal at the last meeting?

**MR. CABLE:**

No, I believe you wanted appraisals of the new properties.

**MS. COSTIGAN:**

Of the new properties we had the appraisal of the County's property.

**CHAIRMAN GULDI:**

Hold it. We had a settlement agreement before us to swap properties for properties we had no appraisal on. We had no evaluation debt on, is that what you're telling me now?

**MS. COSTIGAN:**

Are you talking to me or him?

**CHAIRMAN GULDI:**

Anybody can have a piece of this.

**LEGISLATOR TOWLE:**

Any volunteers in the audience come on up.

**MS. COSTIGAN:**

At the last meeting was the first time we had been asked to appraise the new or I call them the swap properties. Those appraisals have been ordered; they won't be here for weeks. So I'm just telling you that the data will not be

available for the new meeting.

**CHAIRMAN GULDI:**

I hear you. Let's see.

**LEGISLATOR FIELDS:**

(inaudible)

**CHAIRMAN GULDI:**

I'm going to recognize Legislator Fields because I want to watch Legislator Towle suffer. Legislator Fields.

**LEGISLATOR FIELDS:**

I think the question was the property that you were swapping was that not appraised prior to making the decision that you were going to swap the property?

**MR. CABBLE:**

I can only speak to what I heard at the last meeting since I haven't been involved intimately in that litigation and my understanding is that's correct. The property that was proposed to be swapped for the lost County parcels had not been appraised.

**LEGISLATOR FIELDS:**

Why would any attorney make that kind of a recommendation to swap one piece of land for another without knowing the value of the land, and where is Mr. Sklar?

**MR. CABBLE:**

Legislator Fields I can't answer the questions as I wasn't involved; I don't know the answers.

**LEGISLATOR FIELDS:**

Okay. Where is Mr. Sklar?

**MR. CABBLE:**

He's in the office.

**LEGISLATOR FIELDS:**

Why did he not come here so we could yell and scream? And the other thing was, is that the only reason why he didn't come here today because of the appraisals or was it --

**MR. CABBLE:**

Actually, yes. The committee requested that those appraisals be done so that the committee could make a determination whether it was an equal swap.

**LEGISLATOR FIELDS:**

Perhaps it would have been better if he had come with the box of information so that we could get all the other questions answered.

**LEGISLATOR TOWLE:**

And told us, look we're missing one thing and --

**LEGISLATOR FIELDS:**

Exactly. I think we would have felt --

**LEGISLATOR TOWLE:**

I appreciate the County Attorney Office thinking for us --

**CHAIRMAN GULDI:**

Hold on, hold on. You still have -- no wait it's still her turn.

**LEGISLATOR TOWLE:**

I haven't quite thought of what the adjective is, but I feel very upset about him not responding to us and having the amount of time that had, you know, that we did ask him to come before us and show us aerial views. We asked for a number of different things to help us and I think it was stated by almost everyone here that this whole thing was suspect and now it's becoming even more suspect that he's not showing up with the information.

**MR. CABBLE:**

Well, I don't know that I'd put sinister connotations to it. All I can tell you is my understanding is that you wanted all of the information in one sitting. He doesn't have all the information and that's why he's not here.

**LEGISLATOR FIELDS:**

Allan Grecco put in this decision to swap the property?

**MR. CABBLE:**

I don't honestly know to what extent he had involvement. I know he had involvement in this and I know that the Real Estate Department was an integral part of the negotiating process, but I wasn't and I don't know how to answer some of the questions. I'm not trying to pass the buck I'm simply not the right person to ask.

**LEGISLATOR FIELDS:**

That's why you're here and he's not because you can't answer the questions. Thank you.

**CHAIRMAN GULDI:**

It's your turn, Legislators Towle.

**LEGISLATOR TOWLE:**

You've covered most of the ground and so has Legislator Fields, but to show the disrespect that he has shown to this committee. I mean, we asked for eight to ten things most of, which are pro forma things that he could not even answer, you know. It wasn't Allan Grecco from my recollection it was Bill Burke that handled the file.

**CHAIRMAN GULDI:**

Actually, the memo just for the record the memo and backup from Ted Sklar to is addressed to Allan Grecco and Dave Grier dated December 11th indicating Judge Gerard's action with respect to the stipulation that's enacts. So, Allan's name is on it, but what the heck Dave Grier's names on it too. Where's Dave?

**MR. SABATINO:**

Mr. Sklar under questioning from the committee said that Mr. Grecco had negotiated the transaction that was explained to the committee.

**LEGISLATOR TOWLE:**

My recollection was also that I heard another name. He gave us a list of names.

**CHAIRMAN GULDI:**

Bill Burke started --

**LEGISLATOR TOWLE:**

Yeah, started if I'm not mistaken.

**MR. SABATINO:**

Yeah, but you asked specifically who negotiated and I'm not saying it's true, but I'm saying that was his response.

**LEGISLATOR TOWLE:**

I don't know first hand I obviously didn't partake in the negotiations. I did partake though as I mentioned to the committee the last time that, you know, I met with the constituent and I reviewed the constituents files and I reviewed the constituents, you know, position and it became apparently clear to me that our handling of this file has been less than stella in our response and our speed in trying to close this issue and bring it to some conclusion. And today is just only another demonstration of a failure as far as I'm concerned in a County agency the County Attorney's Office to respond to this committee's requests. It's an insult that, you know, sit here with two other committee members expecting to see, you know, files and records today and there is no one here to present that. And quite honestly, you know, Legislator Guldi's request is something I'm going to report if not for anything else for that reason alone and, you know, I don't care if the appraisals aren't done on Tuesday. You know we've had six months to properly put this file together to present it to the Legislature. We thought it was together enough to put the resolution in back in January. The darn resolution should have never been filed if the package should not been presented properly, you know, and once you've let the cat out of the bag it's too late to try to put it

back in and it's not my job or this committee's job to sit here and tell the County Attorney's Office how they should do their job. But it seems to me that the questions we've asked are not, you know, unique questions to this process. To even present the resolution and not have some of this information to file it and there was no backup to this resolution of, you know, maps and things of that nature is just ridiculous. It just I believe stresses the lack of procedure and process that we've used in bringing this case to some conclusion and I just echo my disappointments to Legislator Guldi and Fields in the way that this was handled and Mr. Sklar should be prepared on Tuesday, you know, to answer any and all questions that other people may have along with the stuff that the committee's had or, you know, you suffer at those consequences. I mean, that's just the way it is.

**MR. CABLE:**

I understand your comments Legislator Towle. The only thing I can say is I recall Mr. Sklar's presentations to the committee at the last meeting was in the ultimate analysis it's up to the committee to vote it up or vote it down and that's the best that anyone can do.

**LEGISLATOR TOWLE:**

How do you vote something up and down when you ask a person a question who's handling the file and they can't even answer it? You know what I want you to go out and buy me a car tonight. I want you to pay for it, but I'm not going to tell you what kind of car I want, what I'm looking for and how much to spend. You figure it out cause that's what you're asking us to do and that's ridiculous.

**MR. CABLE:**

Well, that's what my sons been asking me to do for college.

**CHAIRMAN GULDI:**

Oh, I could get you such a deal, Freddie, on a car.

**LEGISLATOR TOWLE:**

Exactly. If I let the County Attorney's Office negotiate I get even a better deal.

**CHAIRMAN GULDI:**

Well, we could take one of the forfeiture vehicles; we'll get it pinstriped for you.

**LEGISLATOR TOWLE:**

I've sat here today through three committees and I've had numerous people appear before the Legislature and we ask them the most simplest questions. We're not talking we came up with things. We asked the print shop this morning something in another committee that we've been asking them for five months and can't get an answer on. I mean, I don't understand this; I don't understand how people can come to these committees and expect us to vote yes or no on something and you can't even answer some of the most

basic questions. And that's not your fault, but I want you to pass this message back. Unfortunately, you're the person they've sent to suffer the perils. This is not directed towards you by the way.

**CHAIRMAN GULDI:**

Deal with a catches mitt. Can you take a breath for a second so I can get in a word?

**LEGISLATOR TOWLE:**

Go ahead.

**CHAIRMAN GULDI:**

Thank you. If I may this is what we've going to do. I have just as you noticed the absence of Paul Sabatino or his presence by his absence his absence by his presence. He is off in his office drafting a Davis Law letter to the Law Department to demand the categories and classifications of information that we did not that we asked for two weeks ago and it isn't here today. That Davis Law letter was going to be operative for Tuesday the General Meeting of the Legislature and we'll be able to come on down and answer and if Teddy, Teddy the tank Sklar isn't available for the session because he's afraid we're going to have an open pit and a spit with a fire in it a spit over it for him he can send his buddy Bob Cimino over and he can answer our questions for us, okay?

**LEGISLATOR FIELDS:**

Or we'll have a subpoena for both of them.

**CHAIRMAN GULDI:**

Okay. So you get to be not only do you get to take the beating here, but you get to take the message back there and take the beating there too.

**LEGISLATOR TOWLE:**

I want to do it by phone.

**CHAIRMAN GULDI:**

Okay. I have a motion to discharge without recommendation. On notice that Counsel is preparing a Davis Law letter for Mr. Sklar and in his absence Mr. Cimino to be at our Tuesday meeting with the information.

**LEGISLATOR FIELDS:**

Second.

**LEGISLATOR TOWLE:**

Second.

**CHAIRMAN GULDI:**

I have a second by Legislator Towle and a second by Legislator Fields. I have two seconds which one do you want, flip for it. You pick.

**MS. SCHMIDT:**

Me?

**CHAIRMAN GULDI:**

Yeah, you pick. Whichever one you wrote down first I don't care. Okay. All those in favor? Opposed? Discharged without recommendation. (Vote: 3-0-0-1) See you Tuesday.

**MR. CABLE:**

Hopefully, you'll see Mr. Sklar and not me.

**LEGISLATOR TOWLE:**

You may want to take a personal day on Tuesday.

**CHAIRMAN GULDI:**

If I were you I might consider a personal day on Tuesday.

**LEGISLATOR TOWLE:**

I know you're going to feel very ill on Tuesday. Well, how have we resolved Mr. Brofman my aide the question about whether the disappearing withdrawn reappearing 1219 is on or off our agenda and what is the bill? Did you have a copy of it?

**MR. BROFMAN:**

(inaudible)

**CHAIRMAN GULDI:**

1219 is not on our agenda, but maybe should be cause we can't tell at the moment.

**LEGISLATOR TOWLE:**

Motion to table the bill that maybe should be on our agenda.

**CHAIRMAN GULDI:**

Yes. So what I'm going to do is make a motion to table. This is a local law 13 to Abart Holding Corporation for a parcel in 904 the Village of Sag Harbor? North Haven? Where is it? Village of Southampton. Motion to table by myself.

**LEGISLATOR FIELDS:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Fields. Now if it is on our agenda it's tabled. If it's been withdrawn it's still withdrawn.

**1391. Adopting Local Law No. -2002, A Local Law to facilitate full public disclosure of County Election Campaign Finances. PRIME (Cooper)**

**LEGISLATOR FIELDS:**

Motion to approve.

**CHAIRMAN GULDI:**

Motion by Legislator Fields a local law to facilitate full public disclosure of Campaign Finances. Second by myself. All those in favor? Opposed? Approved. Oh, abstentions. **(Vote: 3-0-0-1 Absent: Binder)** Point of order Counsel, with a three member committee if you have two votes yes and a abstention would that constitute approval? Not for prime discharge purposes.

**CHAIRMAN GULDI:**

Motion to table by myself.

**LEGISLATOR FIELDS:**

Second by Legislator Fields. All those in favor? Opposed? 1391 is tabled.

**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)**

**MR. SABATINO:**

It has to be tabled for one more cycle cause we're still waiting for the final document.

**CHAIRMAN GULDI:**

Motion to table by myself. Yeah, leases are subject to --

**LEGISLATOR TOWLE:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Towle. All those in favor? Opposed? 1393 is tabled. **(Vote: 3-0-0-1 Absent: Binder)**

**LEGISLATOR TOWLE:**

Mr. Chairman.

**CHAIRMAN GULDI:**

Yes.

**LEGISLATOR TOWLE:**

On that resolution if we could request I guess the Department of Health and or Social Services to be at the next meeting to discuss the lease for the purpose of the committee and the -- so that I can also invite some of the community residents that are supportive of this particular facility to get their questions answered and addressed.

**CHAIRMAN GULDI:**

If I may, the reason I know that the tabling came up because of Legislator Caracappa is expressing community concerns at a Lease Screening Committee two cycles ago and the committee approving those concerns to be incorporated in the lease and the delay has been in finalizing those approvals. Now the Space meeting this last week I managed to miss and goes into problem having to be in three other places at the same time as a Space, but Ms. Costigan you were at the meeting did the Coram Health Center lease get entertained or a status report at the last Space meeting?

**MS. COSTIGAN:**

I was at the meeting. It was entertained and it was approved.

**CHAIRMAN GULDI:**

The final lease --

**MS. COSTIGAN:**

Well, all of the concerns that had held it up the last time had been addressed and Mr. Caracappa was there.

**CHAIRMAN GULDI:**

Okay. So those have been addressed and we're waiting final documentation at this point memorialization of that.

**MS. COSTIGAN:**

That's right.

**CHAIRMAN GULDI:**

I think that Legislator Towle then at the next cycle at the end of the month we should be able to entertain the lease approval and not just hearing so go ahead and have him come on down cause even if they are -- actually, Mr. Brofman why don't you notify Health and Social Services that we will be discussing the substitutive of the lease even if Counsel's Office hasn't completed the drafting negotiation lease terms. Okay. Cause we will be able to discuss conceptual and design components at that point. Okay. Motion -- next we already tabled that item. Next item is,

**1405. Adopting Local Law No. --2002, A Local Law to shorten deadline for sale of land sold at public auction. PRIME (Bishop)** Does that need to be tabled for public hearing or it right, Counsel?

**MR. SABATINO:**

The public hearing was closed, Mr. Chairman.

**LEGISLATOR TOWLE:**

Just a quick explanation for the record.

**CHAIRMAN GULDI:**

Counsel, could you give us an explanation it seems to be missing from my book.

**MR. SABATINO:**

Well, this is the initiative that was suggested by the Land Acquisition Committee at one of its sessions. It's basically change the two-year deadline and shorten it to a one year deadline.

**CHAIRMAN GULDI:**

One year from auction, one year from contract?

**MR. SABATINO:**

One year from auction.

**CHAIRMAN GULDI:**

Okay. And now if I remember Ms. Costigan you testified at the public hearing on this matter that the closing because of frequent substantial delay between the auction and final contract that the one year would be problematic if running from auction date, but not necessarily if from contract date. Am I correct --

**MS. COSTIGAN:**

No. Mr. Guldi you recall I correctly that I did testify, but we wanted the time to run from the legislative approval. In an auction situation the contract and the auction date are the same.

**CHAIRMAN GULDI:**

That's correct, okay, but the legislative approval date is usually four to six months thereafter.

**MS. COSTIGAN:**

That's right. This has become somewhat complicated by the passage of 1388 in the last legislative session which conflicts with this. So 1388 says six months and we have two different deadlines on the books in other words.

**CHAIRMAN GULDI:**

So 1388, hold on. Counsel correct me if I'm wrong. 1388 took the two year from approval process and shortened it to six months from approval?

**MS. COSTIGAN:**

That's right.

**MR. SABATINO:**

It's more complicated. What happened was --

**CHAIRMAN GULDI:**

This turns it into one year from contract.

**MR. SABATINO:**

It's more complicated. When the Land Acquisition Committee was going

through the process two Legislators suggested that the contract provision which currently was opened ended have a provision in it that said you're going to close within six months understanding that like all real estate contracts it's on or about date and that would be subject to the same at that particular juncture there was the two year from the date of contract which happens to be the same thing as the date of auction provision. But they simultaneously recommended this bill to shorten the two years to the one year, so it's not inconsistent because what they were asking for is that that contract you sign on the date of the now in this case happens to be the date of the auction will say close within six months. Obviously, you can adjourn that three months, three months until you get to the one year deadline or to the two year deadline if you don't change the two year abstention.

**CHAIRMAN GULDI:**

Well, the two year deadline however runs from currently runs from date of contract.

**MR. SABATINO:**

Date of contract, right.

**CHAIRMAN GULDI:**

The -- so your interpretation of the other provision is that it's the contract should recite that it's the closing shall occur on or about six months from date of contract. Is that correct?

**MR. SABATINO:**

That was the genesis of the proposal in that committee. So I know on the surface it sounds like it's inconsistent, but it's really not because what they was saying is the contract tougher than the statute understanding that that they maybe adjournments, but you're never going to get another situation where you have a ten year adjournment or a nine year adjournment. The most you can adjourn under existing law would be out to the full two years.

**CHAIRMAN GULDI:**

Yeah.

**MR. SABATINO:**

And if you believe in the one year deadline then it's one year.

**CHAIRMAN GULDI:**

Let me ask this question; are you aware not realizing that you're still taking over somebody else's ship as it were. How many open contracts for sale are there in the Real Estate Department today?

**MS. COSTIGAN:**

Over 50.

**CHAIRMAN GULDI:**

Over 50 and what was the --

**MS. COSTIGAN:**

Not counting the recent of course the recent --

**CHAIRMAN GULDI:**

Not the fresh ones cause they haven't been approved by the Legislature yet.

**MS. COSTIGAN:**

Right.

**CHAIRMAN GULDI:**

But the -- of those 50 they're all over a year old aren't they because we haven't had an auction in more than a year?

**MS. COSTIGAN:**

Yes.

**CHAIRMAN GULDI:**

Okay. Why are -- can you give us the categories and classifications -- so if we adopt this law all 50 of those contracts would have to be cancelled because we shortened it to a year.

**MS. COSTIGAN:**

Assuming that the application was retroactive, yes.

**CHAIRMAN GULDI:**

Okay.

**MS. COSTIGAN:**

The -- I would say over 80% of them are title problems. Maybe over 90%.

**CHAIRMAN GULDI:**

What's the nature and scope of the title problems that you're talking about?

**MS. COSTIGAN:**

Some Mennonite derived kind of problems.

**CHAIRMAN GULDI:**

Lack of notice claims --

**MS. COSTIGAN:**

Yes, yes.

**CHAIRMAN GULDI:**

-- both to primary owners at the third party --

**MS. COSTIGAN:**

That's right.

**CHAIRMAN GULDI:**

-- secure creditors.

**MS. COSTIGAN:**

Yes.

**CHAIRMAN GULDI:**

And under Mennonite statute six years isn't it?

**MS. COSTIGAN**

Yes.

**CHAIRMAN GULDI:**

It thought that we however excluded property from the auction that we hadn't held more than that period, is that not the case?

**MS. COSTIGAN:**

That's not the case.

**CHAIRMAN GULDI:**

Okay. So how many parcels where the hammer dropped on it the last auction?

**MS. COSTIGAN:**

122 in the General Auction; 28 or so in the Affordable Housing Auction.

**CHAIRMAN GULDI:**

So roughly the volume of title problem files in your office is roughly equal to a third of the volume you did at the last auction.

**MS. COSTIGAN:**

Yes.

**CHAIRMAN GULDI:**

So this could, arguably could effect one in three contracts.

**MS. COSTIGAN:**

Yes.

**CHAIRMAN GULDI:**

Okay. I know everything I need to know. Legislator Towle. Legislator Fields any questions?

**LEGISLATOR FIELDS:**

No.

**CHAIRMAN GULDI:**

All right. Do we -- we're on 1405 do we have a motion?

**LEGISLATOR FIELDS:**

Motion to approve.

**CHAIRMAN GULDI:**

Motion to approve by Legislator Fields. I'm not supporting this. Do I have a second on the motion to approve? Well, motion fails for lack of -- actually, lets clear if from our calendar. I'll second it for purposes of a vote. All those in favor? Legislator Fields opposed myself and Legislator Towle. 1405 is defeated. **(Vote: 0-3-0-1 Absent: Binder)**

**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.)**

**LEGISLATOR TOWLE:**

Explanation.

**CHAIRMAN GULDI:**

This is a poetic symbolic thing. It has to do with the resin revolution. Counsel.

**MR. SABATINO:**

First of all there's a corrected copy that was filed today in response to questions that were raised by this committee at the last session which was three weeks ago. So --

**CHAIRMAN GULDI:**

I don't have the corrected copy.

**MR. SABATINO:**

It was only filed this morning. I just happen to see it a couple of hours ago, but basically this is -- the Legislature had taken the proposed increase of \$11.5 million in the Self- Insurance Fund for the Human Resources Department in the current fiscal year and didn't allocate the full amount because Budget Review was not getting satisfactory answers to questions it had raised during the budget review process last November. And this was a request that came in in this resolution to now appropriate the full amount of that fund, but because Budget Review at the last committee meeting indicated that it wasn't satisfied that there was justification for the full amount. A request was make that only that amount which was verifiable be allocated and that's what the corrected copy proposes to do.

**LEGISLATOR TOWLE:**

What was the difference? What was the difference what they originally filed and what they have corrected -- the corrected copy?

**MR. SABATINO:**

Well, it's a whole series of line items. I mean, look at --

**LEGISLATOR TOWLE:**

Total amount what would you say the amount total is?

**MR. SABATINO:**

I think it's about a \$4 million swing, but I have to defer to Budget Review to verify --

**LEGISLATOR TOWLE:**

-- four million more or four million less?

**MR. SABATINO:**

Four million less because this committee was saying they still weren't satisfied with the documentation. So only give that amount which was identifiable.

**MR. ORTIZ:**

It's going from eleven million in change to seven million.

**LEGISLATOR TOWLE:**

Okay.

**LEGISLATOR FIELDS:**

Right. 11.5 to 6.7.

**LEGISLATOR TOWLE:**

And you're comfortable you being Budget Review with the new numbers.

**MR. ORTIZ:**

That was based upon our recommendations.

**LEGISLATOR TOWLE:**

Okay. And Counsel just in effect if we were not to approve this resolution what would happen?

**MR. SABATINO:**

Well, in the corrected copy version you will still have the ability to review the other \$4 million. If you don't pass the resolution in any form then for the 6.7 that is identifiable you won't have the ability to pay the bills.

**CHAIRMAN GULDI:**

We haven't seen the corrected copy. Is there any financial urgency in doing this before our next meeting cycle? Let the record reflect that the Budget Review head went from side to side. Motion to table and second. All those in favor? Opposed? Tabled. **(Vote: 3-0-0-1 Absent: Binder)** Okay, I'm going to give up on the glasses cause I can't see when I wear them anyway.

**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 resolution on this, Counsel?

**MS. COSTIGAN:**

Mr. Guldi, these were tabled the last time because you asked a question about whether they involve pieces that the cable crossing.

**CHAIRMAN GULDI:**

Oh, yes, that's right.

**MS. COSTIGAN:**

Yes.

**CHAIRMAN GULDI:**

Okay.

**MS. COSTIGAN:**

These are a myriad of small pieces that we're cleaning up our inventory. They're sumps and little strips all of which are the County has no use for. These are -- none of them are pieces of any particular use.

**LEGISLATOR TOWLE:**

And we're giving them to the town.

**MS. COSTIGAN:**

Yes.

**CHAIRMAN GULDI:**

Together with the liability on them and the -- and our ability to advance taxes that we don't collect to the town and other special tax districts.

**MS. COSTIGAN:**

You have it in a nutshell.

**MR. SABATINO:**

It was a town resolution though August 15th of 2000.

**CHAIRMAN GULDI:**

We do have a town resolution?

**LEGISLATOR TOWLE:**

How many parcels are we talking about?

**MR. SABATINO:**

68 is what it, well, --

**CHAIRMAN GULDI:**

No. I'm looking at --

**MS. COSTIGAN:**

There's a lot.

**MR. SABATINO:**

It's unclear; it's either 68 or 236.

**LEGISLATOR TOWLE:**

Okay, we're in the right ballpark.

**MR. SABATINO:**

It's one of those two numbers. Those are the two numbers --

**CHAIRMAN GULDI:**

No. I have a different number.

**LEGISLATOR TOWLE:**

Oh boy. More or less?

**CHAIRMAN GULDI:**

I have 87 plus --

**LEGISLATOR TOWLE:**

Well, that's in between.

**CHAIRMAN GULDI:**

No, I have a 103. No, 100 minus the three for the Village of Patchogue. So I don't have the number you have -- does the Real Estate Division can they give us a little more accurate number of at least how many parcels are involved in this transaction?

**MS. COSTIGAN:**

Just a second. I think 68 is the right number. They're listed on --

**CHAIRMAN GULDI:**

Well, then explain to me the schedule I'm looking at with 103 parcels on it.

**MS. COSTIGAN:**

On exhibit "A" to the backup for the resolution is a grid listing 68 parcels and the use of the parcels.

**CHAIRMAN GULDI:**

Yeah, but then the second exhibit "A" listing 100 parcels.

**MS. JOHNSON:**

(inaudible)

**CHAIRMAN GULDI:**

You need to come up and use the microphone.

**MS. COSTIGAN:**

The second one is the town's resolution, which is what they asked for. The first exhibit "A" signed by with Wayne Thompson of my office on it is what we're proposing to transfer. It is those parcels to which the resolution refers.

**LEGISLATOR TOWLE:**

I'd like to get a listing of -- all it is is tax map numbers. It doesn't give us addresses or sizes of the lots, does it?

**CHAIRMAN GULDI:**

No, it does not.

**MS. COSTIGAN:**

Yes it does.

**CHAIRMAN GULDI:**

No, actually, column half is acreage.

**LEGISLATOR TOWLE:**

Okay.

**CHAIRMAN GULDI:**

And its -- but its not totaled.

**LEGISLATOR TOWLE:**

But it doesn't give you the location it just gives you the tax map number.

**MR. JOHNSON:**

The Clerk had that information (inaudible) --

**LEGISLATOR TOWLE:**

Okay.

**CHAIRMAN GULDI:**

The Clerk was lurking here apparently you chased him out of the room  
Legislator Towle.

**LEGISLATOR TOWLE:**

No, I didn't actually. He was getting ready to leave he said he got tired of  
the circus you were running. I'd just like to see where the properties are  
located.

**CHAIRMAN GULDI:**

You know the easiest way to do that would be is a map showing them.

**MR. JOHNSON:**

(inaudible)

**CHAIRMAN GULDI:**

Okay. Could we get my aide to go to the Clerk's Office and get -- and pull  
the backup on 1532 so that we can entertain it and dispose of it. Okay.

**MS. COSTIGAN:**

Do you want a copy?

**CHAIRMAN GULDI:**

Oh, Ms. Costigan has a full backup. Is this a duplicate of what was filed with the Clerk's Office? Yeah, could you hand it up and let us borrow it for a moment.

**LEGISLATOR TOWLE:**

Can we just pass it over and I'll pass it along.

**CHAIRMAN GULDI:**

Good idea. Okay. We'll skip 1332 and remind me to go back to it.

**LEGISLATOR TOWLE:**

Not a problem.

**CHAIRMAN GULDI:**

1534 was tabled subject to call.

**1541. Adopting Local Law No. –2002, A Local Law to facilitate full public disclosure of County Election Campaign Finances through the internet. PRIME (Binder)** Do we have a motion?

**LEGISLATOR TOWLE:**

I'll make a motion to table since he's not here. Obviously, he had a family obligation that he couldn't get out of.

**CHAIRMAN GULDI:**

Motion to table by Legislator Towle. Motion to table going once, going twice. Fails for lack of a second.

**LEGISLATOR TOWLE:**

Do you need a second on a tabling? You don't need a second if I'm not mistaken --

**CHAIRMAN GULDI:**

No. You don't need a second on tabling is that right, Counsel. That was a question.

**MR. SABATINO:**

You always need a tabling for second, yes.

**CHAIRMAN GULDI:**

Yeah, you need a second for tabling. Okay. Motion to approve for purposes of discussion by myself. Is there a second on the motion so we can bring it to a vote?

**LEGISLATOR FIELDS:**

What happens if you don't vote -- if it doesn't have a second it fails?

**CHAIRMAN GULDI:**

Oh yeah, if it doesn't have a second and there's no moving party it fails, but it can be reconsidered at our next meeting in that event.

**MR. SABATINO:**

No. A bill defeated in committee can only be reconsidered at a committee meeting. If you want --

**CHAIRMAN GULDI:**

If it however fails for lack of a motion it can be -- can it not be --

**MR. SABATINO:**

It still fails, but you have to actually have a formal recitation of its failure either by vote or by inaction.

**CHAIRMAN GULDI:**

Lets vote on it. I'd like to vote it up or down. I'll make a motion to approve for that purpose. Second by Legislator Towle. All those in favor? Legislator Towle. Opposed? Myself, Legislator Fields. Defeated. 2-1 failed. 1-2 excuse me. **(Vote: 1-2-0-1 Absent: Binder)**

**INTRODUCTORY RESOLUTIONS:**

**1562. Modifying vendor service approval for "Joe the Corn Man" Gamper. PRIME (Towle)** Legislator Towle your resolution.

**LEGISLATOR TOWLE:**

Motion to approve.

**CHAIRMAN GULDI:**

What's the substance, briefly?

**LEGISLATOR TOWLE:**

The substance briefly is that we approved a resolution allowing last year Joe the Corn Man to take part in a bid process. He was given three days to respond to the Department of Public Works and provide some pretty substantial information. He was not able to do that and because of that no one bid on this project and the issue fell by the wayside. He is once again contacted my office and is interested in continuing to peddle fruits and vegetables, but mainly vegetables in from of the Robinson Duck Farm property. I don't know if you recollect the issue.

**CHAIRMAN GULDI:**

Yes, I remember.

**LEGISLATOR TOWLE:**

Former veteran and had been there for 10 years. They put a fence up.

**CHAIRMAN GULDI:**

The Department of Public Works created a three day response to bid program. Is this the same Public Works that I'm waiting for prints for six months from a renovation of a County office for my district office?

**LEGISLATOR TOWLE:**

Yeah. Aren't you out of a trailer now -- you're living in if I'm not mistaken?

**CHAIRMAN GULDI:**

Yes.

**LEGISLATOR TOWLE:**

Oh, that's your office rather, excuse me.

**CHAIRMAN GULDI:**

Yes we are. Motion to approve by Legislator Towle second by myself. Discussion? All those in favor? Opposed? Approved 3-0. **(Vote: 3-0-0-1 Absent: Binder)**

**1565. Transferring funds for year 2001 in accordance with policy established for use of fees collected from Title Examiners utilizing County facilities. PRIME (Pres. Off.)**

**LEGISLATOR TOWLE:**

I make a motion on this. This is was the resolution as part of the settlement that we have done with a title company some years ago where the funds that are collected from their fees are rededicated back to different projects, programs and equipment's in the Clerk's Office.

**CHAIRMAN GULDI:**

I'll second the motion. I see the breakdown; it's all equipment. Questions? All those in favor? Opposed? 1565 is approved.

**1585. Authorizing waiver of interest and penalties for property tax for Joseph Bryan and Marie Bryan (SCTM No. 0200-979.70-02.00-025.000). PRIME (Foley) Counsel.**

**MR. SABATINO:**

Mr. Chairman, just in light of the pending litigation if you could just table this one cycle it would be helpful.

**CHAIRMAN GULDI:**

Motion to table by myself second by Legislator Towle. All those in favor? Opposed? Abstentions? Tabled. **(Vote: 3-0-0-1 Absent: Binder)** Do you want to table all of the waivers? Do we have any of them, Counsel?

**MR. SABATINO:**

Unfortunately, there's only one I think only one on this cycle, but yes, until we get that stay in effect we have to hold up.

**CHAIRMAN GULDI:**

Fine.

**1596. Authorizing installation of monument on County property in Town of Babylon to honor volunteer firefighters and rescue workers. PRIME (Postal)** This is a resolution for the use of the County property by the town.

**MR. SABATINO:**

Excuse me, Mr. Chairman. This bill is going to have to go through that review committee for county siting of memorials and symbols, which Legislator Postal had set up. I don't think they've met yet on this one.

**CHAIRMAN GULDI:**

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

**1611. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act James B. Murray (0100-102.00-01.00-027.000). PRIME (Co. Exec.)** Town of Babylon. These are Local Law 16's that are before us today.

**MS. COSTIGAN:**

They are.

**CHAIRMAN GULDI:**

Are they all of right and correct in every respect?

**MS. COSTIGAN:**

They are normal timely filed redemptions.

**CHAIRMAN GULDI:**

Okay. I'll make a motion 1611 and place on the Consent Calendar. Second by --

**LEGISLATOR TOWLE:**

Second.

**CHAIRMAN GULDI:**

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

**1612. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act James B. Murray (0100-102.00-01.00-029.000). PRIME (Co. Exec.)**

**MS. COSTIGAN**

It's the same person adjacent lot.

**CHAIRMAN GULDI:**

Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1613. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act James B. Murray (0100-102.00-01.00-030.000). PRIME (Co. Exec.)**  
Again, Town of Babylon a third lot adjacent?

**MS. COSTIGAN:**

Yes.

**CHAIRMAN GULDI:**

Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1614. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Frances M. Henriksen, Surviving Tenant by the Entirety (0200-288.00-01.00-012.000). PRIME (Co. Exec.)** Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1615. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Decorative Estates, Inc. (0200-677.00-01.00-014.005). PRIME (Co. Exec.)** Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1616. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Decorative Estates, Inc. (0200-677.00-01.00-014.006). PRIME (Co. Exec.)** Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1617. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sandra Haggerty and Gwendolyn Miller, as Tenants in Common (0100-058.00-01.00-026.000). PRIME (Co. Exec.)** Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1618. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Beverly Janice Nurse (0100-202.00-02.00-020.000). PRIME (Co. Exec.)** Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1619. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Hallock Associates (0200-102.00-01.00-005.000). PRIME (Co. Exec.)** Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1620. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Margaret Vaughn (0200-206.00-03.00-005.000). PRIME (Co. Exec.) Same motion same second same vote. (Vote: 3-0-0-1 Absent: Binder)**

**1621. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Cathy Schatzger and Stewart Tannenbaum (0200-491.00-01.00-037.000). PRIME (Co. Exec.)** There's a typo. This is a Local Law 16 there's a typo in the agenda. Is that correct, Counsel?

**MR. SABATINO:**

That's correct, it is a Local Law.

**CHAIRMAN GULDI:**

That's to Cathy Schatzger and Stewart Tannenbaum and I presume 0200 is Brookhaven and the tax map number is not typed correctly. Is that correct, Counsel?

**MR. SABATINO:**

That's correct, it's actually Selden, but it's in Brookhaven.

**1622. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act George C. Davila, Jr. (0500-392.00-03.00-005.000). PRIME (Co. Exec.)** 0500 is --

**MR. SABATINO:**

Bay Shore, Islip.

**CHAIRMAN GULDI:**

All those in favor? Opposed? Same vote. **Vote: 3-0-0-1 Absent: Binder)**

**1623. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Arturo Regalado and Maria Regalado, his wife (0200-720.00-03.00-017.000). PRIME (Co. Exec.)** Again, this is Brookhaven. Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1624. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Maria E. Regalado (0200-750.00-06.00-008.000). PRIME (Co. Exec.)** Same owner in Brookhaven adjacent lot. Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1625. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Arturo Regalado and Maria Regalado, his wife (0200-853.00-04.00-005.000). PRIME (Co. Exec.)** Yet a third lot to the same owner again an adjacent owner. No, it's a different block, different section.

**MR. SABATINO:**

Yeah, it's not adjacent.

**CHAIRMAN GULDI:**

It's not an adjacent lot, but it's the same owner different parcel. Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1626. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Arturo Regalado and Maria Regalado, his wife (0200-881.00-07.00-039.001). PRIME (Co. Exec.)**

**MS. COSTIGAN:**

Same.

**CHAIRMAN GULDI:**

Same owner yet another parcel. Same motion same second same vote. **(Vote: 3-0-0-1 Absent: Binder)**

**1627. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Karlene Williams (0500-165.00-02.00-068.000). PRIME (Co. Exec.) 0500 is Islip. Same motion same second same vote. (Vote: 3-0-0-1 Absent: Binder)**

**1628. Sale of County-owned real estate pursuant to Local Law 13-1976 Shawn Craft (0500-086.00-02.00-013.001). PRIME (Co. Exec.)**  
In Islip, same motion, no, that's a Local Law 13. Motion by Legislator Fields. How many bidders did we have on this on this Local Law 13?

**MS. COSTIGAN:**

It was put out to bid to three, only one bid.

**CHAIRMAN GULDI:**

Only one bid and they bid at or above the appraisal value?

**MS. COSTIGAN:**

They bid above the appraised value.

**CHAIRMAN GULDI:**

Above the appraised value of \$425 we have a big one here.

**MS. COSTIGAN:**

The appraisal was \$400.

**CHAIRMAN GULDI:**

But that's a substantial amount percentile wise above our appraisal.

**MS. COSTIGAN:**

They wanted to make sure they locked it up.

**CHAIRMAN GULDI:**

Second Legislator Fields motion. Motion to approve and place on the Consent Calendar. Is that the motion? Legislator Fields second. All those in favor? Opposed? Approved. **(Vote: 3-0-0-1 Absent: Binder)**

**1630. 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. 1000-138.00-02.00-024.000 pursuant to Section 40-D of the Suffolk County Tax Act. PRIME (Co. Exec.)** The Town of Southold hold on this parcel -- we're abandoning a parcel to the Town of Southold under --

**MS. COSTIGAN:**

1630 the name is Dimitrios and Adamantia Magiellos.

**CHAIRMAN GULDI:**

Okay. It's in the Town of Southold it's not to the Town of Southold. It's again a typo on my agenda. The resolution appears to be correct. Motion to approve and place on the Consent Calendar. Lack of notice prior fee owner. Second by Legislator Towle and the backup contains the returned mail. All those in favor? Opposed? **(Vote: 3-0-0-1 Absent: Binder)**

**1632. Sale of County-owned real estate pursuant to Local Law 13-1976 Z & P Realty of L. I., Inc. (0500-198.00-05.00-006.001). PRIME (Co. Exec.)** That is a --

**MS. COSTIGAN:**

A Local Law 13.

**CHAIRMAN GULDI:**

-- in the Town of Islip we had one bid at 15 1 what was their appraisal, two owners?

**MS. COSTIGAN:**

11,000.

**CHAIRMAN GULDI:**

Approve and put on the Consent Calendar by Legislator Fields second by myself. Discussion? All those in favor? Opposed? Approved and place on the Consent Calendar. **(Vote: 3-0-0-1 Absent: Binder)**

**1640. Adopting Local Law No. --2002, A Local Law to implement Living Wage Policy for County of Suffolk. PRIME (Bishop)** This is Legislator Bishop's resolution.

**MR. SABATINO:**

Public Hearing, Mr. Chairman.

**CHAIRMAN GULDI:**

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

**1672. Approving the appointment of Amy Carol Illardo. PRIME (Co. Exec.)** The title is Audio Visual Specialist and the reason it is before us is because she's the niece or nephew of the Chief Deputy County Clerk.

**LEGISLATOR TOWLE:**

Motion.

**CHAIRMAN GULDI:**

Motion by Legislator Towle to approve and place on the Consent Calendar or no actually we should probably puts this on the agenda, should we not?

**LEGISLATOR FIELDS:**

Who is the Chief Deputy Clerk?

**LEGISLATOR TOWLE:**

Judy Pascal.

**MR. SABATINO:**

Well, it's not a legal issue.

**CHAIRMAN GULDI:**

It's a notice issue though.

**MR. SABATINO:**

It's not a legal issue, but from the standpoint it is anti-nepotism. It does take on a different tone.

**CHAIRMAN GULDI:**

Yeah.

**MR. SABATINO:**

It's not ministerial as some of the other ones.

**CHAIRMAN GULDI:**

Lets put it on the general calendar. Motion to approve by --

**LEGISLATOR TOWLE:**

Myself.

**CHAIRMAN GULDI:**

Legislator second by myself. All those in favor? Opposed? Approved.  
**(Vote: 3-0-01 Absent: Binder)**

**1673. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law. (Incorporated Village of Southampton). PRIME (Co. Exec.)** What does Southampton want this time and do we have a resolution? Actually, with the Southampton Village has recently been working with Habitat for Humanity and done several of these projects.

**MR. SABATINO:**

One is for highway purposes and the other one's for park purpose. One parcels on North Sea Road and the one's on the corner of Willow Street and North Main Street.

**CHAIRMAN GULDI:**

No. Neither one of these is for affordable housing then are they?

**MR. SABATINO:**

Yeah, they're specifically not affordable housing. One is park and one is highway.

**CHAIRMAN GULDI:**

Motion to approve by myself.

**LEGISLATOR TOWLE:**

Second.

**CHAIRMAN GULDI:**

Do we have the Village resolution, Counsel?

**MR. SABATINO:**

Yes.

**CHAIRMAN GULDI:**

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

**1674. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Incorporated Village of Southampton for affordable housing purposes. PRIME (Co. Exec.)** Is this the affordable housing resolution?

**MR. SABATINO:**

These are the affordable housing parcels. There are three of them and they're on Bailey Road.

**CHAIRMAN GULDI:**

Motion to approve by myself.

**LEGISLATOR TOWLE:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Towle. All those in favor? Opposed? 1674 is approved. **(Vote: 3-0-0-1 Absent: Binder)**

**1678. Apportioning mortgage tax by: County Treasurer. PRIME (Co. Exec.)** This is ministerial to allocation of mortgage tax based on collections from the County Clerk's Office is that correct, Counsel?

**MR. SABATINO:**

That's correct. It covers a period ending March 31st. of 2002.

**CHAIRMAN GULDI:**

It's in total --

**MR. SABATINO:**

It's 2.8 million to the villages and 37.6 million to the towns.

**CHAIRMAN GULDI:**

Now it's for \$4,518,752.

**LEGISLATOR TOWLE:**

A mere bag of shells.

**CHAIRMAN GULDI:**

A mere bag of shells, but it is after all their money. Motion to approve by myself.

**LEGISLATOR TOWLE:**

Second.

**CHAIRMAN GULDI:**

And not -- we're not allowed to even take a quarter out of it, Fred.

**LEGISLATOR TOWLE:**

(inaudible)

**CHAIRMAN GULDI:**

Second -- do we have a second on this one?

**LEGISLATOR TOWLE:**

Second.

**CHAIRMAN GULDI:**

To give \$40 million to other levels of government. Second by Legislator Towle. All those in favor? Opposed? 1678 is approved. **(Vote: 3-0-0-1 Absent: Binder)** We have not other resolutions before us?

**MS. COSTIGAN:**

1532.

**CHAIRMAN GULDI:**

1532 that's right.

**LEGISLATOR TOWLE:**

I want to make a motion to table.

**LEGISLATOR FIELDS:**

I'll second the motion to table.

**CHAIRMAN GULDI:**

Then I don't need to look at this today, but Legislator Towle's motion to table.

**LEGISLATOR TOWLE:**

I'd like to get a copy of that so I'll ask the Clerk's Office or maybe Division of Real Estate.

**CHAIRMAN GULDI:**

Mr. Brofman could you arrange for all of the members of the committee to get a full copy of the backup so we're all looking at the thing.

**LEGISLATOR TOWLE:**

You also may want to send a copy to Legislator Haley and Caracappa cause the bulk of the properties are actually in their district, but about 25% of them are in mine and some of them are buildable lots. So I want to see those before we approve that.

**CHAIRMAN GULDI:**

Okay. Motion to table by Legislator Towle second by myself or second by Legislator Fields excuse me. All those in favor? Opposed? 1532 is tabled. **(Vote: 3-0-0-1 Absent: Binder)** I'll make a motion to go into executive session to consider litigation settlements with what's left of Mr. Cabble after the abuse that he took earlier at our meeting approving the presence of Presiding Officer's legislative staff, Counsel to the Legislature -- Mr. Cabble, there's no transportation cases or are these ordinary tort.

**MR. CABBLE:**

Mr. {Senic} should be here as well.

**CHAIRMAN GULDI:**

Mr. {Senic} as well, okay, and Budget Review. We will not reconvene in public session, but my aide will advise the Clerk's Office at what time we terminate the executive session. We will hold it in this room. Okay.

**Executive Session began at 3:25 P. M. and ended 3:55 P.M.**

**(Having no further business the Ways and Means Committee was adjourned at 3:55 P.M.)**

**{ } denotes spelled phonetically.**