

**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, **August 19, 2002** in the Rose Y. Caracappa Auditorium at 1:30 P.M.

Members Present:

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

Also in Attendance:

Paul Sabatino, Counsel to the Legislature
Bill Faulk, County Executive's Office
Eben Brofman, Aide to Legislator Guldi
Christine D. Costigan, Suffolk County Real Estate
Leticia Quintanilla, Self
Juan Quintanilla, Self
Donna Shaw, Self
Chris E. Howe, Self
Maxine Wilson, Gordon Heights Revitalization Project
Gabriela Quintanilla, Gordon Heights Revitalization Project
Jason Quintanilla, Gordon Heights Revitalization Project
Carbs Vasquez, Gordon Heights Revitalization Project
Carolyn Fahey, Economic Development
Johnathan Ross, Gabreski Airport Coalition
Tom Donovan, Aide to Presiding Officer Tonna
Christian Murray, Self
Beverly Sanchez, Gordon Heights Revitalization Project
Kristen Sanchez, Gordon Heights Revitalization Project
Janisa Sanchez, Gordon Heights Revitalization Project
Brianna Sanchez, Gordon Heights Revitalization Project
Eugene Sanchez, Gordon Heights Revitalization Project
Jim Spero, BRO
Phil Goldstein, Self
Ellen Martin, Aide to Presiding Officer Tonna
And all other interested parties

Minutes taken by:

Eileen Schmidt, Legislative Secretary

(The meeting was called to order at 1:43 P.M.)**CHAIRMAN GULDI:**

The Way and Means Committee meeting for August 19th will be begin with a pledge allegiance to be leg by Legislator Binder.

SALUTATION**CHAIRMAN GULDI:**

The correspondence has been distributed; presentations we don't have any scheduled. We'll go to cards first. The first card is by Maxine Wilson.

MS. WILSON:

Good afternoon ladies and gentlemen. I am here again today on the Toussie issue. I am speaking on behalf of the residents, in particular, of the Gordon Heights community, but I'm also speaking on behalf of a class of homeowners who have been victimized by Mr. Toussie. I just want to let you know that the frustration levels among these homeowners are extremely high at this point because we look around us and we see the Toussie's wanting to operate as if it's business as usual without any consideration as to the effects of their actions. I came here today with a little bit of a show and tell because each time we speak and each time we say something we get a response from one of his many attorneys that he stands by his quality among other things. And if you will permit me I just want to show you a small sampling of the quality of his construction and a small sampling of the effect of his and his transactions. It is no coincidence that the foreclosure rates are so high among homeowners who bought from the Toussie's. It is no coincidence that the problems are consistent only among the homeowners that have bought from the Toussie's.

It is also no coincidence that when you go into a community you can identify the Toussie Properties by price as against any other property in that community. These things are not a coincidence and if it is a coincidence then we have a big problem. There are many residents within many communities throughout Suffolk County. I look at my listing before I came here of the homeowners who are represented as part of a class and we have covered Bellport, Bay Shore, Central Islip, Huntington, Coram, Medford, East Patchogue, Selden, Centereach and throughout all these communities the problems are consistent. The problems are the same. We have will us today some of our children who are victims of these peoples actions. Victims because it's a summer vacation and they can have a vacation because it's a choice between paying your over appraised, over inflated mortgage and taking your children on vacation or putting food adequate food on the table or buying them the things that children need.

We have with us mothers and fathers who are feeling inadequate as parents because they can't provide for their children the way they are suppose to provide for their children. And we have seen all to often that each time the Toussie's do something in one community they change their names and move to another community and do the same thing all over again and the

arrogance that comes with what they're do is disgusting and it's frustrating and it has to stop. A lot of people say, oh, you're asking for something you're looking for riches. No, we're not. We're asking for what we paid for. We're basically asking for what we are entitled to because we paid for it. We're not asking for anything we don't deserve or we haven't paid for. Our children shouldn't have to suffer the things they suffer. They shouldn't have to see the stress, they shouldn't have to become latch key children because their parents have to work two and three jobs to subsidized the fraudulent practices of these people. And I say to you today to send a message to Mr. Toussie and his friends and his family members who do this over and over again and to quote Isaac Toussie when I asked him to move an attic that was placed in a three foot closet with no access back to the hallway as shown in the model, he said to me, it ain't going to happen. Well, I ask you to tell Robert Toussie and his friends today, walking into this County and demanding property just because he think he has the money that can pay for it. It ain't going to happen until he solves these problems that he's left behind and he has left many problems behind.

I ask your permission to ask someone to call in someone from the audience to assist me with my show and tell.

Packets were distributed to the committee members.

These pictures come from across section of different communities that were affected. And you will see that irrespective of the community the problems all the same and very consistent. You will see boarded up houses, that wasn't because the homeowner decided not to pay for it, that was because they could not afford to pay for it because of all the things that were going on with them. You will see open foundations that are left there that are a danger to our communities. You will see leaks, you will see roofs that are caving in and that is just a sampling. You will see cracked foundations, which is consistent with all the homes.

Two years we did a sampling from questionnaires that was submitted to the homeowners and what you will see from sampling there is one there with extensive flooding and that issue was addressed at the town board meeting on June 19th in the Town of Brookhaven. I have a transcript of that meeting and I will read briefly for you what Ted Sanford then Commissioner of the Department of Engineering had to say about that property. And he said, I am very familiar with Ms. Sanchez's predicament. She's in that eastern part of Gordon Heights, which is south of Spring Lake. A lot of hills in that area there. I don't have the file in front of me, but she at the very bottom of a watershed that is at least 100 acres so that all of the rain falls in the neighborhood two or three block east, west, north and south winds up basically in her basement. She is the lowest point of that area. You know clearly that parcel should not have been built on it should have been reserved for a recharge basis. He was asked if there was anyway to divert the water to circumvent her property, his response, no, like I said you can't fight mother nature. She's right at the bottom of this watershed. Just some quick calculations I did while she was speaking, I think we had probably two or

three inches on Father's Day that's the day those pictures were taken, that would have been about 4,000 cubic feet of water. Each one of those leaching pools might be able to handle several hundred feet or so, but there not probably clogged they are just totally over capacity. Mrs. Sanchez is here today with her children that live in that house. There is continuous mold and fungus sitting in her house. Her children have all including her newborn have all become asthmatic. They are on medication as a result of that.

On those pictures the house behind her has the effect. Mrs. Sanchez is left with a property that is slowly sinking and there is nothing that anyone can do for her, but she has to pay the mortgage for this property. The over inflated mortgage on this property and she can't even resell her -- she can't resell the property and she can't even get value for her property if she tried, but Mr. Toussie already put that money in his pocket and he's already walked away and he's trying now to come back to buy more property to do the same thing all over again.

There is a spreadsheet that we did a sampling of. It has the listing of the problems at the top a brief sampling of the problems at the top and the people who has these problems. I just wanted to give you a small sampling to let you understand. There's a lot of people think from time to time, oh, they're just overreacting, or they're just making up things as they go along. This is real; this is not anything that we are making up. This is the reality of our lives simply because we tried to obtain a piece of the American Dream of homeownership. This is because we worked hard and wanted to make a better life for our families and instead someone came along, Mr. Toussie and his friends and tried to take advantage of that situation. The fact that we were first home buyers and not just first time homebuyers, but minorities who bought these homes. It is not fair to us and all we're asking for is justice.

I remember Mr. Toussie often saying, it was his son it wasn't him. I have with me a copy of when his attorney's came to the Legislator's meeting and one of his attorneys who now have been discarded said that he think it's fair to say that Robert Toussie has benefited in part from the business of Isaac Toussie. I will also submit to you that from the New York Department of State we will see that Isaac Toussie was arrested on November 3rd and on November 9th Laura Toussie started a company called Folbert that finished the transactions that were started by the company Easy Homes that Isaac Toussie was operating. And when people caught on to that there was another company started called Marconi and the only way we knew that it was another Toussie company because it listed the famous 290 Exeter Street, Mr. Steve Hansen as the person. This is their style; this is there way of getting around everything. There is no accountability. He doesn't take responsibility and he couldn't care less who get affected in the wake. Well, we as homeowners we have had enough. We've had enough and all we're asking for is justice and I'm submitting to you again, these actions are not coincidence. It is not a coincidence and they only happen with people who bought homes from these families. The practices are alive and well. The people are being affected daily. Marriages are falling apart; people are

getting sick because of stress related issues. No one wants to hear anything about finances because we can't afford anything. I could name a number of people who would tell you that there are foreclosure notices being served everyday. I look in the paper today there's one of his homes up for auction September 11th. You ask that homeowner why and she will tell you, she's gotten so sick and she can't afford the house either even with the inflated mortgage. When you buy a home it is supposed to have a minimum appreciation of 7% per year. Our homes are depreciating because of construction flaws, because of fraudulent paperwork and there are many people who have gone forward and said, yes, we did it. Jed Nelson said he did it. Isaac Toussie said he falsified documents and who benefited, Robert Toussie did because if you look at the closing papers you will see large sums of money being paid directly to him. So there is no way he can say he didn't have any part of it. And he can use as many family members as he wants to try to circumvent the whole system. It doesn't work because we see through it all.

I am frustrated. I am frustrated about everything that is going on. We have filed a suit; we're waiting for certification that is not happening as quickly as it should. We are frustrated. As of November the figures stood at of 230 homeowners there were 50% in default. There was 25% with foreclosure action started and there are 6% who have already lost their homes and that figure has changed because since then the actions of that papers that have been served so rapidly that we can even keep track of them. And all we wanted was homeownership. All we wanted was to take our hard-earned money and pay a mortgage we could afford. The paperwork guaranteed that we could. Once we moved into these houses we realized that all it was a lie. I come before you today to ask you to tell Robert Toussie and his family and his friends and his Dixie Cup lawyers it's not going to happen anymore in Suffolk County and that he's going to have to be held accountable for his actions and that he's going to have to take care of the people that he has brought such terrorism on because that is in essence what he's done. I thank you today for allowing me to present this to you.

APPLAUSE

CHAIRMAN GULDI:

Thank you for coming down. Questions by members of the committee?
Legislator Towle.

LEGISLATOR TOWLE:

Thank you, Legislator Guldi. Ms. Wilson, just a couple of things obviously I want to cover. I took a look at the list that you passed around on each of the houses and obviously a lot of the things that you point out are under the town code. The County obviously doesn't have housing powers. We can go in and tell people to enforce, you know, different things that you point out on that list that are that are justifiable in errors. I've asked Legislator Guldi's aide to make a copy of that list and I'm going to send a copy of it, I'm assuming you've given it to the Town of Brookhaven. Those are the folks who do enforce housing and building codes and obviously standards first and

foremost. As far as the Legislature's concern I won't speak for the full Legislature, but I can give you what I do know to be the case. This Legislature has opposed transferring any more properties from the last two auctions that the County has done to Mr. Toussie or any of his subsidiaries or family members. And I image that we're going to continue to do that despite the fact that he's now suing us personally and individually and collectively as a group that's okay that's what we get paid for. You know we're not obviously going to condone those types of business practices nor are we going to condone some of the other shenanigans that he's done over the last few years. You know as far as Suffolk County is concerned I don't see him getting any additional properties from us, but clearly that's going to be left up to the courts to decide not us. But a lot of the things you point out are legitimate concerns and that really need to be addressed by the local government and although I appreciate and respect your presentation you're preaching to the choir here. We're on your side on this particular issue when it comes to Mr. Toussie.

MS. WILSON:

Well, I just wanted to give you an idea, a sampling of like I said what the issues were. I do know that a lot of that falls within the town jurisdiction, but one of the problems we've had for the last four years that we've been pushing this is that everyone who -- most people who hear it says, well, it can be that bad, you know, you all just talking it about it.

LEGISLATOR TOWLE:

It's actually worst.

MS. WILSON:

It is at it's worst and I just wanted to let you have an idea of how people are living and the consistency and the problems because I get tired of hearing Mr. Toussie and his lawyers come up every time something comes up in the paper. I stand by the (inaudible). We're not making this up this is reality. This is our lives. This is the frustration we face everyday.

LEGISLATOR TOWLE:

The person you referred to Mr. Sanford was the town chief engineer; he no longer works for the town.

MS. WILSON:

I am aware of that, but that was a part -- now a part of the permanent record.

LEGISLATOR TOWLE:

Yeah. They haven't replaced him, but clearly the Deputy Planning Commissioner cause the Planning Commissioner also left and/or the Building Department, Mr. Dragone would be the places to focus on and maybe the thought would be to set something up between a representative from each home, you know, one person and their department to see what the Town could do as far as trying to get some of these things rectified because some of them are clear violations of the current Town code.

CHAIRMAN GULDI:

I do have a request. You had corporate documents and corporations that you indicated were related to the Toussie's. Could I ask that as soon as my aide gets back with the copies of your other paperwork that you give him an opportunity to copy those?

MS. WILSON:

Actually, you could have these, that's okay.

CHAIRMAN GULDI:

Thank you, thank you for that. Any other the other is just a question. What's a Dixie Cup lawyer?

MS. WILSON:

Well, Mr. Toussie when he can't have his own way with one set of high paid lawyers because he wants them, you know, he wants to make everything right and when his lawyers can't make it right he disposes of them as if you're throwing away paper cups and then he replaces them and when they can't make it right he keeps going. Very soon there won't be an attorney who hasn't worked for him.

LEGISLATOR TOWLE:

Just for the record Ms. Wilson. The only reason Legislator Guldi was offended by that comment unlike the rest of us is because he's a lawyer. I just want to point that out to you.

MS. WILSON:

That's okay.

CHAIRMAN GULDI:

I wasn't offended. I just didn't understand it.

MS. WILSON:

One quick question, if I might ask. We have some foundations in our community that are not capped and my understanding is that the County has the ability to have them capped off. They're a big concern to us. I just wanted to direct that out there.

LEGISLATOR TOWLE:

If we own the properties we would be responsible for capping them. If we don't own them and they're privately owned again, that would fall under the town's jurisdiction to go in and have them those particular foundations capped.

MS. WILSON:

Okay, because that's one of the big problems we're having with them and it's a concern to us because they're now overgrown with there's trees and everything growing over them. As you can see some of those pictures and we're afraid our children might just wander off.

LEGISLATOR TOWLE:

If you get my office a list of those properties we'll find out, speak to either Greg or Bill. We'll find out if those properties are owned by the County. If they're not owned by the County which I assume they're probably not.

MS. WILSON:

No, they're Toussie properties.

LEGISLATOR TOWLE:

Yeah, we would obviously forward a letter to the town requesting that they have the properties capped and they would charge that against the property owner if the property owner failed to do that via the tax bill they put a lien against the property.

MS. WILSON:

Okay. Thank you.

CHAIRMAN GULDI:

Mr. Towle I think that the next card you should chair the meeting for.

ACTING CHAIRMAN TOWLE:

Our next speaker will be Johnathan Ross. Mr. Ross, how are you?

MR. ROSS:

Good afternoon ladies and gentlemen. I'm here to speak about the proposal and resolution regarding the County ethics laws exemption concerning Gabreski Airport. I have a copy of the resolution here and I was unaware of this meeting until this morning. I just wanted to say that my feeling is that the ethics law as it exists is a good law and that in this day and age when we have many ethics violations somewhat perceived by the public, of course, we get away from the intention of good government. I don't think it's objective of the Legislature and the -- this committee to approve such an amendment to the law as is a clear contract -- conflict of interest regarding Legislator Guldi. I'd also like to advise you that on the 15th of this month I filed a complaint with the FAA regarding the suspension of funding under 14 CRF part 16 to suspend the funding Federal AIP funds that the Westhampton Airport do to discriminatory practices regarding leases.

Since the filing of that complaint I found that I had not included and became aware of the ethics law resolution and FAA has indicated to me that they'd like me to amend my complaint to include that ethics law proposal. They seem somewhat concerned because they've had complaints before and to my knowledge there are three or possibly four more complaints in the process of construction right now regarding similar issues. So I just would like to impart upon you my words of, please exercise caution with this. We're not going in a direction that the public is going to be best served by permitting County employees to -- able to -- become able to effect an exemption to a law that I think the public feels is a good law, especially, when you consider the conflicts of interest and the relative mismanagement of the Westhampton

Airport todate.

LEGISLATOR BINDER:

Mr. Chairman.

ACTING CHAIRMAN TOWLE:

Yes.

LEGISLATOR BINDER:

What exactly is the conflict of interest that you would see that would happen if we were to amend the ethics law? Where do you see a conflict of interest because the amendment would give transparency market raid, in other words it would put a Legislator in a position of everyone else. In fact, it would put him maybe at more stringent position than anyone else by giving or making him go through hoops that normally wouldn't -- people wouldn't have to go through just to avoid a conflict. So what exactly do you see as the conflict of interest?

MR. ROSS:

Good question, Mr. Binder. I'm ready the amendment 19C states, "does not receive discounts, preferential treatment or any other form of financial remuneration from the County of Suffolk." Well, there already has been preferential treatment and I don't think that --

ACTING CHAIRMAN TOWLE:

-- such as what? I mean, just don't do generics because I mean, if you're going to be specific on the record be specific or don't bring it up.

MR. ROSS:

Sure. Okay. In the procurement of leases it's been very difficult and we have been trying to obtain a lease of a small parcel of land for over three years at the Westhampton Airport and submitted numerous request which is the basis of my complaint.

ACTING CHAIRMAN TOWLE:

Before the Airport Lease Screening Committee?

MR. ROSS:

Yes.

ACTING CHAIRMAN TOWLE:

Okay.

MR. ROSS:

And we've gotten nowhere with that and become aware that there've some meetings where the meeting were held last minute cancelled and even one secret meeting we believe several months ago concerning this lease of land and I think the public needs adequate notice. There use to be regular meetings at the airport and since the airport manager's been changed and the previous manager left and Ms. Mize took over we seen not public

meeting, almost none. So we'd like to participate and air our views and we're not getting that and now all of a sudden we have a resolution put forth to amend the ethics law and then continue with a lease for Mr. Guldi's own private use and this was all the while being told numerous ways and times that there are no leases forthcoming. And we've seen traffic count go down and these are small aircraft. It's not like we're requesting to put large jet aircraft in there or anything like that. So I don't feel that that's been equitable. There have been many, many times that we've had meetings and when asked we were told there was a study being conducted and the study was not ready yet. So this has been ongoing for three years and there's a long paper trail with this attached to my complaint.

LEGISLATOR BINDER:

Are you a Suffolk County resident?

MR. ROSS:

Yes.

LEGISLATOR BINDER:

You are.

MR. ROSS:

Yes, a resident of Northport, yes.

LEGISLATOR BINDER:

So you live in Northport.

MR. ROSS:

Yes.

LEGISLATOR BINDER:

Okay. Do you fly aircraft into --

MR. ROSS:

-- yes, I'm a commercial pilot by trade and aviation consultant.

LEGISLATOR BINDER:

Okay. So commercial pilot you own your own plane or --

MR. ROSS:

-- no, no, I fly for a corporation. We operate these aircraft for charter use, but that's not the intent of the lease that we seek that was just for private use.

ACTING CHAIRMAN TOWLE:

We you say we is it we meaning you and someone else?

MR. ROSS:

Well, yes. The agent I used to procure the lease was Joe Fischetti of Northside Hangers and he's been on my behalf going after a lease for some

property that he has an option on and at every step of the way he's been stonewalled.

ACTING CHAIRMAN TOWLE:

Legislator Binder if you'd suffer two interruptions.

LEGISLATOR BINDER:

Go ahead.

ACTING CHAIRMAN TOWLE:

Obviously, Legislator Guldi recused himself, which was the appropriate thing to do as the purpose of chairman today I'm filling in on that role so I'd ask you first of all to send a copy of your complaint to my office.

MR. ROSS:

Yes.

ACTING CHAIRMAN TOWLE:

Or with anything else that you filed, obviously, your complaint seems to be a three year running complaint and this is the first I've heard of about it. I've gone to some of the Airport Lease Screening Committee meetings for the purpose of a constituent whose had an application before that board now for probably well over four years. And I don't concur with your analogue that something there that's, you know, going on that it shouldn't be going on because clearly, you know, I've not been able to push my application for my constituent no me personally forward do to the fact that the studies been ongoing. Do to the fact of some issues with the Air National Guard. Do to the fact with some issues of health concerns at the facility. Do to a whole host of reasons. As far as Legislator Guldi is concerned and any other County employee that is in a position where they may wind up attempting to get space at that facility they should not be restricted from doing that just because they happen to also be employee of the County of Suffolk.

They're obviously required to go through the same process that you would be as a citizen. None of those processes are going to be, you know, waived and they're also going to be required to pay fair compensation if and when that space becomes available for them to access. In this particular instance obviously because of the way things currently exist employees of the County of Suffolk who happen to fly or who are interested in space at that facility would be exempted from doing that. And I don't believe that's appropriate that just because you happen to have a governmental job and you happen to be able to fly or you're interested in flying or own a plane and we may or may not have space available that you should be restricted from accessing that space as long as you're paying fair value like everyone else and that would be the intention of what we're looking to do. But as I said I'd be interested in reading your complaint specifically so that we can address those things if we can through the Legislature on a case by case basis because your complaint obviously centers around the fact that your application hasn't moved forward. And you know you've made a whole host of, I'll use the word accusations or comments about things some of which you've supported and

some of which you did not. So I guess looking at everything and the whole package would be the best way to try to address your concerns.

MR. ROSS:

Right. The complaint is quite lengthily 66 pages of data so that speaks for itself and I will supply you will a copy of it, but I'd just like to go on record and everyone's aware here that Legislator Guldi is chair of the Lease Screening Committee to my knowledge.

LEGISLATOR GULDI:

That's correct.

MR. ROSS:

That's wherein I find that conflict.

LEGISLATOR GULDI:

Well, you know, the reality is that he serves in that in his capacity of being a County Legislator representing that area and I believe he's appointed to the committee if I'm not mistaken by the Presiding Officer or by your capacity as Ways and Means chairman. Which is it Legislator Guldi, I don't recollect?

CHAIRMAN GULDI:

By operation of the Charter Law, Counsel is that correct?

MR. SABATINO:

It's by virtue of being the Legislator in the district it's statutory.

LEGISLATOR GULDI:

So clearly if that's something that you want to change that's something you'd have to appeal to Legislature as a whole to. Or fire Legislator Guldi and I imagine many people have tried that so far and have not been successful in that regard so I'll just leave it at that as far as that subject goes.

LEGISLATOR BINDER:

Mr. Chairman I concur with your sentiments. We're talking about saying that someone runs for office, becomes a Legislator in an area, but in this case it's a government official who is serving the public and because of operation of law becomes chairman of the Lease Screening Committee and then he no longer has a right to utilize space as long as he goes through a method that would be transparent. One of the things that would seem to me that coming out of hand and saying a change in the ethics bill is per se not something that is good for the public because we have a fine ethics bill law so we shouldn't change it. Well, I don't think that flies because sometimes you can look at an exception and say under these circumstances as long as XY and Z happened and you can eliminate conflicts of interest and you can make sure there's full public disclosure, light of day, market rate all these things, same process everything is the same. So if that's the case then there really shouldn't be a reason why you're denying someone access to a public facility that everyone else has access to by virtue of the fact that they're a County employee. So I

don't have a problem as long as the change affects those things that I discussed. Put that public employee on a basis that doesn't give him or her the ability to do something {untoward} behind the scenes, payless, get away with something I mean, that's the idea of ethics. It's not suppose to box you out of something that you should be able to do otherwise.

MR. ROSS:

I must agree with you that the intent of the change is to accomplish what your description is; my concerns comes principally from jumping the line of people that are already waiting and I feel there's a risk here based upon past performance. There's been no leases forthcoming. Well, okay, well, there have been people waiting for four years, do I have your assurance that Legislator Guldi won't jump the lines sort to speak and get his lease approved?

LEGISLATOR BINDER:

It really depends on what – how that line is constituted. Is that line constituted because someone's waiting four years because they shouldn't have a lease there because of the nature of the lease, the type of lease that's why it's called a Lease Screening Committee. There's a reason for a screening so.

MR. ROSS:

Well, we've been told all along that we're waiting for County studies and that sort of thing and all that stuffs in right now to my knowledge I didn't think we were waiting for anything else.

LEGISLATOR BINDER:

Well, that's something that we can look at to see that the process is going forward in normal manner and that the process on this wouldn't be any different than the process on anything else. In this case it might be the type of plane or aircraft that we're talking about here there might have been no {line}. I mean, I don't know because I haven't looked at the leasing process out there in some years. I don't know –

MR. ROSS:

-- our request is somewhat identical to Legislator Guldi's.

ACTING CHAIRMAN TOWLE:

Obviously, Legislator Binder, if you'd suffer another interruption? With the exception of asking Legislator Guldi for more insurance considering the number of accidents he's had in airplanes I think that would probably be the only special treatment he gets. The County will be indemnifying him I think big time.

MR. ROSS:

Well, I'm a flight instructor and I'll go on record and be happy to give him some additional instructions.

LEGISLATOR TOWLE:

Yeah. You couldn't possibly know enough to teach him how to fly considering I've seen him drive so if that's any relationship and I've seen him legislate too. I mean, he actually needs a class for that, but we'll just lease it at that.

MR. ROSS:

Perhaps the committee will find Legislator Guldi would be better off staying on the ground?

ACTING CHAIRMAN TOWLE:

That's a very good possibility although there's a few people who want to send him up in the plane and not allow him to land again.

MR. ROSS:

At least they want to put him into orbit.

ACTING CHAIRMAN TOWLE:

Yeah, I've heard that. It's the once in awhile that we get to do a payback as to the chairman of the committee.

MR. ROSS:

You know I guess what I'd really like to say is I'd like to hear some assurance that they'll be, you know, some sort of equitable finding on some of these lease applications and that they'll move forward in the date of application should be the fair way.

ACTING CHAIRMAN TOWLE:

Clearly that's why, you know, this resolution is before public committee and I'll go before the full Legislature for consideration not just this committee.

MR. ROSS:

When might that be?

ACTING CHAIRMAN TOWLE:

Before our next meeting which will be next Tuesday.

MR. ROSS:

Which is the 27th.

ACTING CHAIRMAN TOWLE:

Yeah, in Riverhead and that'll be before the full assuming it's passed it's out of committee today.

MR. ROSS:

Right.

ACTING CHAIRMAN TOWLE:

I'm not going to predict how the committee is going to vote. I mean, obviously, I'm going to vote for the resolution I sponsored it. And secondarily, once I get a copy of your complaint and backup paperwork I'll meet with Ms. Mize to discuss where your application is and, you know, try to

get you some kind of response in relationship to the who, the what, the where, the when, the why, how so on and so forth regarding your application and some of the other people who are holding.

MR. ROSS:

I'd like to request that you withhold any sort of vote until such time as you review my complaint.

ACTING CHAIRMAN TOWLE:

I would've had hoped that you actually brought it with you today, but I'm assuming you didn't so.

MR. ROSS:

Well, I have a copy in the car, but I don't have a copy I can give you.

ACTING CHAIRMAN TOWLE:

Yeah, if you get a copy to my office in the next day or so I'll have it copied and distributed to the committee as a whole and then I'll speak to her before the week is over to review your complaint and see exactly where you stand.

MR. ROSS:

Okay.

ACTING CHAIRMAN TOWLE:

Okay.

MR. ROSS:

Very good, that's all I have thank you.

ACTING CHAIRMAN TOWLE:

Any other questions of the committee? Okay. There being none we'll move to our next speaker a friend and a legend himself Phil Goldstein. Phil, I'm going to start off with invoking the three minutes and I'm including the time that you're walking. I'll give you the full three minutes and maybe we'll even ask you a question. If you want to sit you're more than welcome.

MR. GOLDSTEIN:

Okay.

ACTING CHAIRMAN TOWLE:

Pull up a chair and relax.

MR. GOLDSTEIN:

Thank you. The purpose of my visit is with regard to 1802.

CHAIRMAN GULDI:

You have to speak louder.

ACTING CHAIRMAN TOWLE:

Don't encourage him, please. Hey, I'm chairing this committee be quite over

there for a minute.

MR. GOLDSTEIN:

As I started to say the purpose of my visit if with regard to 1802 which is not new although it would appear to be. I believe it originally was 1204 and the reason why I'm here is to raise some questions as to how it happens because this is a bill that was proposed by Legislator Fisher. And in speaking to her about it she expressed surprise with regard to the fact that it has been resurrected and put on the agenda for the 27th and quite frankly from a tactical point of view I'll be quite open about it, it is not in the interest of a bill regarding public disclosure of campaign finances --

CHAIRMAN GULDI:

(inaudible)

MR. GOLDSTEIN:

-- to have this bill on the agenda at the same time because we don't want to mix apples and oranges.

CHAIRMAN GULDI:

Phil, I guess they heard you. I've just been informed that the bill's been withdrawn.

LEGISLATOR FIELDS:

Right.

MR. GOLDSTEIN:

Okay.

LEGISLATOR FIELDS:

I got a fax this morning that she withdrew the bill.

MR. GOLDSTEIN:

That was my impression. Okay. I thank you very much. Oh, is it possible to know just for the sake of my own knowledge procedurally how this comes to pass?

CHAIRMAN GULDI:

(inaudible)

MR. GOLDSTEIN:

That the 1204 bill was resurrected?

LEGISLATOR BINDER:

She would've had to file it. My understanding basically the only way around here is for something to get on a agenda is for the Legislator to take their bill and file it with the Clerk that's it. So she might have done it without realizing the timing of it and then withdrew it to slow it down and so now she'll put it back in again and so forth.

MR. GOLDSTEIN:

Okay. Thank you very much.

ACTING CHAIRMAN TOWLE:

Thanks, Phil. See now George you always complain that Phil takes more time. When I run the meeting it's one, two, three lickety split. Anybody else who wishes to appear before the committee and speak to us before we move to the agenda. Last call. Okay. I'll turn the committee back over to you for the purpose of the agenda.

CHAIRMAN GULDI:

Legislator Towle do you want to take -- do you want to continue to chair the meeting and take the other two issues out of order and then do the agenda or vice versa?

ACTING CHAIRMAN TOWLE:

(inaudible) we're going to move right to the agenda and we're going to move to tabled resolutions. I'll make a motion to move 1784 out of order for the purpose of consideration. Second by Legislator Binder. Any discussion? They're being none. All those in favor? All those opposed? Any abstentions? Legislator Guldi I'm assuming yours listing as an abstention.

CHAIRMAN GULDI:

Yes.

1784. Adopting Local Law No. –2002, A Local Law to include Gabreski Airport facility use as Ethics Law Exception. ASSIGNED TO WAYS & MEANS (Towle)

ACTING CHAIRMAN TOWLE:

Okay, resolution is now before us. I'll make a motion by myself to approve 1784 and second by Legislator Fields.

LEGISLATOR BINDER:

No.

ACTING CHAIRMAN GULDI:

Okay, not by Legislator Binder. Any discussion on that resolution?

LEGISLATOR FIELDS:

Yes.

ACTING CHAIRMAN GULDI:

Legislator Fields.

LEGISLATOR FIELDS:

In view of some of the information I think that just came before us I think I would prefer just to table this one go around to see if they're indeed are some problems before we go forward with it.

ACTING CHAIRMAN GULDI:

Okay. Any other discussion? I had a motion by Legislator Fields to table it. Counsel, since obviously there's only four of us on the committee and since it appears that the vote would be 2-1-1 would the resolution fail at this meeting if we move to approve?

MR. SABATINO:

On a motion to discharge that would be a defeat because you would need three members to be approved.

ACTING CHAIRMAN GULDI:

Okay. I'll second Legislator Fields motion then to table 1784. Any discussion? There being none, all those in favor? Any opposed? Abstentions, Legislator Guldi listed as an abstention. We'll move right to 1786.

1786. Authorizing the lease of vacant land located at Francis S. Gabreski Airport, Westhampton, New York for aircraft hangar purposes. ASSIGNED TO WAYS & MEANS (Towle) I'm assuming the same motion Legislator Fields? Motion by myself. Second by Legislator Fields to table. Any discussion? 1786 is tabled. All those opposed? An abstention, Legislator Guldi. **(Vote: 3-0-1-0 Abstention: Guldi)** Okay we'll go back to the rest of the agenda.

CHAIRMAN GULDI:

Tabled resolutions:

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.) Town of Southampton. We're still waiting for --

MS. COSTIGAN:

We've been advised by the Town that they do want this parcel so we're not recommending that we proceed.

CHAIRMAN GULDI:

Motion to approve for purposes of defeating by myself.

MR. SABATINO:

I thought it was withdrawn. My records show it was withdrawn.

CHAIRMAN GULDI:

All right I don't have -- mark it as withdrawn.

1219. Sales of County-owned Real Estate pursuant to Local Law 13-1976 Abart Holding, LLC (0904-001.00-00-01.00-004.001 & 004.003) PRIME (Co. Exec.) That's the Village of Sag Harbor?

MS. COSTIGAN:

We have received a writing from the Village of Southampton; it's in the Village of Southampton that they are not interested in this property.

CHAIRMAN GULDI:

That's all right that's a Local Law 13 going to the merit it's going at or above bid?

MS. COSITGAN:

That's correct. The appraised value is \$15,000 and the bid was 16,000.

CHAIRMAN GULDI:

Motion to approve by myself. Approve and placed on the consent calendar by myself. Is there a second?

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. Discussion? All those in favor? Opposed? 1219 is 4-0 approve and on the consent calendar. **(Vote: 4-0)**

1532. Sale of County-owned Real Estate pursuant to Section 72-h of the General Municipal Law (Town of Brookhaven). PRIME (Co. Exec.)

Are you still waiting for the town letter, Counsel?

MS. COSTIGAN:

No.

CHAIRMAN GULDI:

Oh, yeah. This is the one with the detail and breakdown. Are we still waiting information? Motion to approve by Legislator Towle. Second by myself. Discussion? All those in favor? Opposed? 4-0, 1532 is approve. **(Vote: 4-0)**

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)

MR. SABATINO:

That has to be tabled, Mr. Chairman.

CHAIRMAN GULDI:

What are we waiting for, Counsel.

MR. SABATINO:

On this one you're waiting for the Appellate Division to rule on that decision.

CHAIRMAN GULDI:

The litigation involves this particular redemption, Counsel.

MR. SABATINO:

What Judge Doyle had done is he's left you with only one recourse now which is to do Section 30 certification from tax assessors which this clearly is not one of those categories on he has stricken the waivers of interest and penalties. And until the Appellate Division can resolve that issue you can do any of them except like I said before is and that's going to be a very narrow circumstances where you can get the assessor from a town to issue a written certification and that's as you know from past experience is not commonly done.

LEGISLATOR FIELDS:

I'll make a motion to table.

CHAIRMAN GULDI:

Motion to table by Legislator Fields second by -- is there a second to tabling?

LEGISLATOR TOWLE:

Mr. Chairman.

CHAIRMAN GULDI:

Legislator Towle.

LEGISLATOR TOWLE:

Counsel, prior to Judge Doyle's ruling which I'm not sure if I agree with his ruling or not, but would this have qualified? Would it have met one of the criteria's? I mean, obviously I didn't speak to Legislator Foley so I don't know.

MR. SABATINO:

Well, this one actually met the criteria of Local Law 18 which is the statute that Judge Doyle based on County Comptroller's lawsuit has set aside.

LEGISLATOR TOWLE:

What's the total on this property? The waivers and interest? What was the total we were wavering on the interest and --

MR. SABATINO:

-- well, this one the total dollar amount was \$2,882.98.

LEGISLATOR TOWLE:

Okey dokey.

CHAIRMAN GULDI:

I'm confused, counsel. The situation leaves us as follows: we cannot basically we cannot accept the payment of taxes. This property remains in default as time passes and this default ripens we'll end up taking the deed under a -- in a situation which qualifies under a statute. What part of Judge Doyle's decision prohibits us from approving this resolution?

MR. SABATINO:

The whole thing. I sent out about four memos out on this.

CHAIRMAN GULDI:

I know I understand that.

MR. SABATINO:

It's a ridiculous decision, but this is --

CHAIRMAN GULDI:

-- that's why we're going to approve it today.

MR. SABATINO:

This is Long Island, okay. This is State Supreme Court, but putting that aside. As I indicated in my {memorandous} somebody, you know, should ask the County Comptroller for his advice is to how we should solve these problems because you're going to start to see all of the dozens of applications that you see on a regular basis which, you know, probably get into the, you know, close to the hundred range coming back to you asking you for relief. The County Comptroller brought the lawsuit he must have some goal or objective in mind in terms of how to deal with these people. In the interim I've got Judge Doyle's saying you can't do waivers and penalties even though it's absurd. We're on appeal and the only think left is Section 30 of the Suffolk County Tax Act, but the problem with Section 30 of the Suffolk County Tax Act is that you've got to get a certification from the -- a written certification from the Assessor and I think everyone knows how difficult that's been over the last 20 years.

SPEAKER:

(inaudible)

MR. SABATINO:

You can be in contempt of court and I don't think you want to do that.

CHAIRMAN GULDI:

Well, there's no part of his decision that enjoins us from acting, is there? Did he issue an injunction against the County?

MR. SABATINO:

He struck the statute you would now be violating the judge's decision. I wouldn't, you know, as bad the decision is --

CHAIRMAN GULDI:

-- there is no injunction however in the decisions.

MR. SABATINO:

You don't need an injunction; you've got a court decision saying you don't have authority to do something.

CHAIRMAN GULDI:

I understand that.

MR. SABATINO:

And also just so you know, no just so you know --

CHAIRMAN GULDI:

He's the Judiciary and we're the Legislative Branch. I understand that.

MR. SABATINO:

Just so you know, just so you know in addition to all of that the County Comptroller has brought another lawsuit against one of the individual waivers that you recently granted for the individual in Legislator Alden's district and also sued that person individually as well as the County of Suffolk. So it does have ramifications. You have to deal with it seriously as much as you're frustrated. And you're putting people at risk because that individual is being sued. I mean, obviously, that individual who couldn't even make the payment on taxes is now in a position where she has to defend herself in the lawsuit. So it's serious stuff.

LEGISLATOR BINDER:

I would make a motion to discharge rather than table here because I think there should be aired at the full Legislature and discussed.

CHAIRMAN GULDI:

And also would resolve the six month rule problem we're going to have on these.

LEGISLATOR BINDER:

Right. So all of them should be discharged to the full Legislature rather than tabled.

CHAIRMAN GULDI:

I hear a motion to table a motion to approve and a motion to discharge. Let me think which one am I going to second. I'll second the one to discharge. Okay. All those in favor of discharging without recommendation? Opposed? 1585 is discharged without recommendation.

LEGISLATOR FIELDS:

Opposed.

CHAIRMAN GULDI:

One opposed. Approved 3-0 -- 3-1. **(Vote: 3-1-0-0 Opposed: Fields)**

1596. Authorizing installation of monument on County property in Town of Babylon to honor volunteer firefighters and rescue workers. PRIME (Postal)

MR. SABATINO:

The only reason it was tabled, Mr. Chairman, was we were waiting for a review by that Symbols Memorial Siting Committee and they didn't consider it at the last meeting they had. I don't know if they had one today, I don't

think they did.

LEGISLATOR TOWLE:

Motion to discharge without recommendation.

CHAIRMAN GULDI:

Second by Legislator Fields. Motion by Legislator Towle. All those in favor? Opposed? 1596 is discharged without recommendation. **(Vote: 4-0)**

1730. Authorizing the sales of surplus property sold at the May 15 and May 16, 2002 Auction pursuant to Local Law 13-1976 as per Exhibit "A1" sold May 15, 2002 and "A2" sold May 16, 2002 (Omnibus Resolution). ASSIGNED TO WAYS & MEANS (Co. Exec.) Motion to table by myself. No, wait a minute. This is the County Exec's original resolution?

MR. SABATINO:

This is the original omnibus.

CHAIRMAN GULDI:

Okay. Motion to table subject to call because we've already approved most of this.

MR. SABATINO:

Right.

CHAIRMAN GULDI:

Second by Legislator Fields. All those in favor? Opposed? 1430 is tabled subject to call -- 1730. **(Vote: 4-0)**

LEGISLATOR FIELDS:

Can we explain to the audience what tabled subject to call mean so that they understand what we just did?

CHAIRMAN GULDI:

Where was I?

1744. Authorizing the Department of Public Works to transfer surplus a paratransit van to the Village of Patchogue for use on its Municipal Bus Service. ASSIGNED TO WAYS & MEANS (Foley) I don't remember why we tabled this, Counsel.

LEGISLATOR TOWLE:

What's the value of that?

MR. SABATINO:

This is \$200. It wasn't tabled there was no quorum at the last meeting.

CHAIRMAN GULDI:

Motion to approve by Legislator Fields second by myself. All those in favor? Opposed? Approved. **(Vote: 4-0)** Should we place that on the consent

calendar?

MR. SABATINO:

It takes a 2/3 vote.

CHAIRMAN GULDI:

Okay fine.

1748. Authorizing transfer of surplus County computers to the Pilot Club of Sayville. ASSIGNED TO WAYS & MEANS (Lindsay)

LEGISLATOR FIELDS:

Motion.

CHAIRMAN GULDI:

Motion by Legislator Fields second by myself. Discussion? All those in favor? Opposed? Approved. **(Vote: 4-0)** Let's place that on consent calendar, all right. 1748.

MR. SABATINO:

That needs 2/3 vote too, just so you know.

CHAIRMAN GULDI:

Yeah, I know, but the consent calendar usually gets 2/3.

MR. SABATINO:

I need to inform you before (inaudible).

CHAIRMAN GULDI:

Motion to place 1748 on the consent calendar by myself second by Legislator Fields. Discussion? All those in favor? Opposed? All those in favor approved. **(Vote: 4-0)**

1770. Adopting Local Law No. –2002, A Local Law to update County Financial Disclosure Statement Form. ASSIGNED TO WAYS & MEANS (Tonna) Yeah, I'll make a motion.

LEGISLATOR TOWLE:

Explanation on the, Counsel.

MR. SABATINO:

This is a recommendation that was made by the Suffolk County Ethics Commission. It's really a double set of changes. It's a little bit complicated, but you have to know what the current law says before you can understand the amendments. The request that they made I believe is based on the Grecco amendment that was done earlier in the year which kind of changed that perception area. The two categories of the disclosure form that they're changing or requesting to be changed are two categories where currently a Suffolk County employee who's required to disclose would only be disclosing if he or she was in a trade or occupation or business relationship with the

County where he or she actually has a trade or an occupation or business relationship with the County or which is regulated or licensed with the County or which is a matter pending in front of the County. What the Ethics Commission is suggesting is to take the State's standard which is different. The State standard says, regardless of whether you've got a matter pending something is regulated or licensed by the County or a business relationship you have to disclose what your business is and what you're doing.

In addition it says that if you have a substantial business relationship with somebody else who has a substantial and regular business relationship with the County you also have to disclose that. So it's doing two things, I know it's a little bit complex, but first it's broadening the category of what you have to disclose which is it not based on just solely having an existing relationship with the County. It's saying if you got a business, if you got trust, if you got directorship, if you got partnership you've got to disclose that, but secondly, the second set of disclosure that you're doing now is if you have a regular substantial relationship with a third party and that third party has a substantial and regular relationship with the County you've got to disclose that.

LEGISLATOR TOWLE:

Just a question if I could follow backup. Are you saying that currently it exist that if your business does not have a relationship with the County you don't have to list that on your disclosure cause that's not the way I was reading the disclosure I mean, maybe I miss heard you.

MR. SABATINO:

Yeah, well, right now if --

LEGISLATOR TOWLE:

-- if I owned the --

MR. SABATINO:

-- if you have a trade, okay, if you have a trade, occupation --

LEGISLATOR TOWLE:

-- let's say I own a car dealership, hypothetically I don't, but let's use that.

MR. SABATINO:

You have to disclose your trade you have to disclose your occupation or you got to disclose --

SPEAKER:

(inaudible)

MR. SABATINO:

Right. Okay.

LEGISLATOR TOWLE:

Under the new bill what would happen the same?

MR. SABATINO:

What the new bill is saying is that not only do you and your spouse have to disclose that, but if it's something that's not regulated or not licensed by the County, but it's not a business relationship with the County you still have to disclose that. That goes one step beyond, but more importantly it goes to the this third party disclosure which is currently not -- it's third party disclosure is currently not something you have to disclose.

LEGISLATOR TOWLE:

I know, but I just want to go back to the let's use the car dealership cause to the best of my knowledge we don't regulate car dealerships. I'd list the car dealership now if I owned a car dealership in addition to my occupation or if my wife owned a car dealership, correct or not or not correct?

MR. SABATINO:

Correct.

LEGISLATOR TOWLE:

If under the new Ethics forms I'd still list the car dealership under the amendments.

MR. SABATINO:

That's correct.

LEGISLATOR TOWLE:

So how's this changing that category? I mean, give me an example of how -- what I would not have had to do under the first scenario and now I'm going to have to do under the second, if you could? I'm trying to think of a business we don't regulate, but I mean, we regulate almost everybody in some way shape or form. I understand the second part which is like a third entity. You know, Counsel, let me speak to the sponsor so maybe I'd try to figure out what his intentions are cause I don't understand where he's going with this.

SPEAKER:

(inaudible)

LEGISLATOR TOWLE:

The question was, give me an example how is it if I own a car dealership I have to declare it now. If I own a car dealership under the new under new amended ethics forms how does that change? It doesn't change.

SPEAKER:

(inaudible)

LEGISLATOR TOWLE:

You do that now.

SPEAKER:

(inaudible)

Oh, yes, you do. You have to list the business. You have to list the business and where the income –

MR. SABATINO:

Let me just – I have – let me just get the old statutory provisions. I thought it was attached to this, but it's not. It'll just take me one minute.

LEGISLATOR BINDER:

Mr. Chairman.

LEGISLATOR TOWLE:

Go ahead. Do you want Counsel to be here for this?

LEGISLATOR BINDER:

Well, we'll wait until he comes back.

CHAIRMAN GULDI:

Well, can I make a suggestion why don't we run down the rest of the agenda and come back to this?

LEGISLATOR TOWLE:

Well, I want to table this forget about it. I want to talk to him and find out what his points are.

CHAIRMAN GULDI:

All right, then we'll wait then.

LEGISLATOR TOWLE:

Talk to the Presiding Officer the sponsor of the bill with his points.

CHAIRMAN GULDI:

So you want to—

LEGISLATOR TOWLE:

-- make a motion to table.

CHAIRMAN GULDI:

Motion to table by Legislator Towle.

LEGISLATOR TOWLE:

I mean, it's a basic question we can get an answer.

CHAIRMAN GULDI:

Second by myself. Legislator Binder do you want to put your questions on the record so that they're on the record so that we can –

LEGISLATOR TOWLE:

-- Presiding Officer can look at the record and maybe get us some answers.

CHAIRMAN GULDI:

Go ahead, Legislator Binder.

LEGISLATOR BINDER:

Yes. I think the reason it was sent back even by the sponsor when it was realized on the second page of the resolution there's a new category listed and Counsel probably could might want to take a look at it. Question #2 paragraph B #2 is says list below any person or entity that you know or have reason to cause to know –

MR. SABATINO:

-- that's the third party –

LEGISLATOR BINDER:

-- no, no, but this is well, the way you explained the third party was it would be someone that I would do business with that has a relationship. It doesn't say that here. It says that I have to list anyone – I would have to list anyone I know or have reason or cause to know that has any kind of contract with Suffolk County.

MR. SABATINO:

(inaudible) it's a long sentence.

LEGISLATOR BINDER:

Okay, they have to have –

MR. SABATINO:

-- it's two prongs. Again, I can't speak for the Ethics Commission, but my understanding was they were trying to do with that category I think is that's their attempt to make the new disclosure form deal with that amendment that the County Executive had suggested earlier in the year which, you know, I called the Grecco amendment. So that's the third party disclosure meaning that it's got to be regular business substantial relationship or contacts between that person the third person and the County and then you as an individual with that person so it's like a double (inaudible). It is far reaching though I mean I acknowledge that it's far reaching. And that is a new provision you're absolutely right.

LEGISLATOR BINDER:

Right. Well, and this would probably – would this include let say attorney's who have a client you might not know some business that they have that is separate from anything you're representing them on and in fact you might be part of a law firm. So now –

MR. SABATINO:

-- I think the key from the Ethics Commission perceptive is that it's gotta

be, you know, regular or significant in other words it's gotta be more than an isolated transaction. They did track, you know, the State – they did track the state form with regard to that particular change. And as far as I pulled the old form on the first point which was the one that Legislator Towle was making and what that form currently states is that you list your occupation, trade, business or profession which does business or has any matter pending with or is licensed or regulated by County agency. So it means is that's it's gotta be a business relationship with the County or is pending with or is licensed to regulated by the County. The new form goes beyond that and says it's just you have to disclose whatever your business interest is (inaudible) employment trade, business profession regardless of whether there's that next level of relationship with the County.

LEGISLATOR BINDER:

Okay. Well, what it does also is it says you have to list that person or entity. I mean –

MR. SABATINO:

-- it goes beyond what you have to do today. Today you --

LEGISLATOR BINDER:

-- there's no list. The other thing is it says that at the end of the sentence, the long sentence, other organizations which you or family member hold a position does that mean is a position a status of employment? Could it be that you just happen to be employed by a company –

MR. SABATINO:

-- board of directors for example; you could be a shareholder.

LEGISLATOR BINDER:

Well, could it be just basic employee? Could you just be flipping burgers at Burger King, you know, and Burger King in some ways –

SPEAKER:

(inaudible)

LEGISLATOR BINDER:

Right, subject to (inaudible) no, but could it be that you're an employee a basic employee of some company and they do they have a business relationship with someone who has some kind of regular business relationship with the County and there's way for you to know, but, you know, I guess someone could say that you have reasonable cause to know because that's always a big catch statement reasonable cause to know.

MR. SABATINO:

This, you know, the form now shows why they were concerns earlier in the year about the other language change cause it –

LEGISLATOR BINDER:

-- that's the same question as when you have this reasonable standard anyone can bring an action on reasonableness because it's vague enough for anyone to attack on. Okay.

CHAIRMAN GULDI:

Motion to table and a second on Legislator Towle's motion. Okay. I thought that would work. All those in favor? Opposed? 1770 is tabled. **(Vote: 4-0)**

1785. Authorizing planning steps for acquisition under Water Quality Protection Component of the ¼% Drinking Water Protection Program (property at West Broadway and Barnum Avenue, Port Jefferson Village, Suffolk County Tax Map No. 0206-012.00-06.00-003.000 & 007.000). ASSIGNED TO WAYS & MEANS (Fisher) Why is this before us and not in Land Acquisitions.

MR. SABATINO:

1785 it actually is in Environment. I –

CHAIRMAN GULDI:

Is it tabled there or has it already been moved?

MR. SABATINO:

It's tabled in Environment.

LEGISLATOR TOWLE:

Defer to prime.

CHAIRMAN GULDI:

Motion to defer to prime by Legislator Towle second by Legislator Binder. All those in favor? Opposed? 1785 is deferred to prime. **(Vote: 4-0)**

1800. Authorizing the sales of surplus property sold at the May 15 and May 16, 2002 Auction pursuant to Local Law 13-1976 (Toussie Parcels). ASSIGNED TO WAYS & MEANS (Guldi) I make a motion to table this resolution. We're still awaiting for any of the prospective purchases here to come and explain their interest in the properties. The silence has been resounding. Is there a second to table?

LEGISLATOR TOWLE:

Second.

CHAIRMAN GULDI:

Second by Legislator Towle. Discussion? All those in favor? Opposed?

LEGISLATOR BINDER:

Abstain.

CHAIRMAN GULDI:

Abstention by Legislator Binder. Tabled. **(Vote: 3-0-1-0 Abstention:**

Binder)

LEGISLATOR TOWLE:

Folks, that's obviously the one you were concerned about.

CHAIRMAN GULDI:

All right. Counsel, what's the date that was laid on the table 178 – 1800?

MR. SABATINO:

That was a late starter; it should have been June 25th, but I'll just double check. June 25th, yes. June 25th.

CHAIRMAN GULDI:

June 25th, so it'll expire under our six month rule on Christmas Day.

MR. SABATINO:

Well, it'll expire by the first meeting of the New Year.

CHAIRMAN GULDI:

Okay.

INTRODUCTORY RESOLUTIONS

1802. Adopting Local Law No. –2002, A Charter Law authorizing partial County funding of voluntary public financing for County elections through County contract processing fee. ASSIGNED TO WAYS & MEANS (Fisher) 1802 has been withdrawn.

1805. Establishing procedures for access to Living Wage Contingency Account. ASSIGNED TO WAYS & MEANS (Bishop)
Motion to approve by myself.

LEGISLATOR TOWLE:

Just an explanation.

CHAIRMAN GULDI:

Counsel, you want to –

MR. SABATINO:

-- yes. This legislation would redirect the County Labor Department to establish procedures in terms of applications and documentation necessary to access the \$3.5 million contingency fund that was established in the last budget cycle for this year to accommodate implementation of Living Wage law. Apparently, the department never did the regulations so Legislator Bishop is redirecting it.

LEGISLATOR TOWLE:

So just a question, Counsel, if I could. So this would establish the policy of how people would access that \$3.5 million fund?

MR. SABATINO:

Well, it's not that much the policy it's really the paperwork. It should have been in place as of July 1st, but Legislator Bishop was advised a couple of weeks before that apparently that the people administering the program needed more direction than what the local law had. This would tell them put the paperwork together on the applications so people that are affected by Living Way law can apply for the \$3.5 million that was funded. It's not going to change policy it's just going to say –

LEGISLATOR TOWLE:

-- well, it says establishing procedures so I just want to make sure, I mean, the title is a little more over bearing that it actually needs to be. I want to make sure I understand this. Does this resolution, is it going to establish new procedures or just reinforce the procedures that were already in place or make some amendments or what?

CHAIRMAN GULDI:

You know, I'm looking at the bill, its authorizing them and directing them pursuant to prior resolutions to establish procedures.

LEGISLATOR TOWLE:

So that tells me there's no procedures then.

CHAIRMAN GULDI:

There is no procedure; they haven't created it yet. We put the money in place and there's no way to access it.

LEGISLATOR TOWLE:

This is directing them to establish procedures to access the \$3.5 million.

CHAIRMAN GULDI:

Right.

LEGISLATOR TOWLE:

Is there a reason that we don't want to set up the procedures ourselves and just tell them what these procedures are going to be legislatively since we implemented them.

MR. SABATINO:

It's really I mean, it's I have to be careful, you know, how I choose the words, but I mean, this is really an administrative function. It should have been done pursuant to the local law which said put regulations in place. You know when we got the phone call on June 18th or June 19th that the Labor Department was indicating that they couldn't let people access the money cause there was no authority to do that. I mean, it was kind of silly, but this resolution is, I guess, reinforcing the notion that you really truly, honestly, totally, completely are directed to put the paperwork on the table so that people can access the money. It's like the day care remember day care from

a year ago I mean, people couldn't get the money because the department (inaudible) implement the bill. We had to pass another resolution to redirect them to do what they were supposed to do under the first bill.

LEGISLATOR TOWLE:

Sounds familiar, we've been there before I think it's called DWI too.

MR. SABATINO:

That's where we are –

LEGISLATOR TOWLE:

Let me just make sure I've got this straight. We hired a person to operate the Living Wage Program in the Labor Department and we're still being told they haven't implemented any program yet.

CHAIRMAN GULDI:

You got it.

LEGISLATOR TOWLE:

And we're into July now at this point.

CHAIRMAN GULDI:

August.

LEGISLATOR TOWLE:

Yeah, going into August.

CHAIRMAN GULDI:

You're in July and the rest of us are in August.

LEGISLATOR TOWLE:

Well, July as far as the time frame in the resolution was obviously tabled. So, okay.

CHAIRMAN GULDI:

There's a motion and a second. Legislator Binder, you want a piece of this?

LEGISLATOR BINDER:

Yeah. A little bit. The difference between this, I would assume, and other resolutions like the child care bill or DWI lets say it's all said. Those weren't contingencies were – they were appropriations, is that not correct? The others were regular appropriations under particular line items in the budget, is that –

MR. SABATINO:

Correct.

LEGISLATOR BINDER:

Right, but this is a legislative contingency account is the question. Okay, so now do we have other examples – now let me ask a question before I ask

that question. Is this are they – is the Labor Department required to come back to us for appropriation of the amount so let say they go through a procedure, they find ten profit, non for profit whoever under this under their new procedures if they ever get to them, under their new procedures they find ten deserving applicants, do they come back to us or do they write the checks or do they just go through the administrative process of writing the checks and getting them the money? Or do we see that and does that become resolution to the Legislature?

MR. SABATINO:

All they need is a resolution to release the money from the contingency fund. So at some point, yes, the answer -- not necessarily on a case by case basis, but it's like the bio-terrorism money was release earlier this year from that contingency account. At some point the \$3.5 million would have to be released. I don't know what stage that would occur, but presumably after some applications were received.

LEGISLATOR BINDER:

Would they have to be specific as to who they were releasing it to or would we just be looking at a resolution to generally release money at the behest of the Labor Department?

MR. SABATINO:

It's occurred both ways in the past and a contingency account, I mean, generally you want to have some degree of specificity, but for example on the bio-terrorism, you know, when they in they just said, you know, we're doing supplies, materials, equipment release the money. And then they came back with a report after the fact. You could do it either way it's as long as you – as long as legislature would have some degree of satisfaction that the amount be requested for release, you know, had some basis in reality that would be sufficient.

LEGISLATOR BINDER:

Well, that would also be my concern that it was proper, that the process had gone properly. My concern is that not only it comes back to us, but that we have some control over. This is \$3.5 million, I mean, we're pleading poverty, screaming poverty and we'll have \$3.5 million set aside when we don't have money for "other things" that seem to be important and yet we could in – under this legislation and under the original legislation we could have before us a general piece of legislation that says just release \$2 million of the \$3.5 million and I would think that would be inappropriate that we would want to know more than that. And so I don't know if – I would make a motion to table this just to ask Mr. Bishop to be specific in his legislation as to – that the resolution that comes to us has to be specific. Has to note maybe the reasoning behind it and how the process was done otherwise we're going to be in the dark and I think the danger is there's going to be a lot of need out there. There's going to be less money than the need and that will definitely happen next year. Maybe not as much this year, but definitely next year because the task force is projecting that it could be \$13 million in need to

cover the expense incurred by this bill. And so that means some will get and some won't if we don't put \$13 million in or something approaching that if that's the need and if we don't understand how money was doled out there is a very big danger when this kind of money is being passed out. A very big danger of I hate to I wouldn't call it government corruption, but a danger of favoritism, a danger of even the accusation of perception of favoritism. So I would ask – I'm going to ask the sponsor to change that to make that a requirement so we have more oversight on this.

CHAIRMAN GULDI:

I hear the motion to table. Do I hear a second on the motion to table? No second on the motion to table. We have a motion to approve and a second before us. All those in favor? Opposed? 3-1

LEGISLATOR TOWLE:

Abstain.

CHAIRMAN GULDI:

You're going to abstain? Motion to table.

SPEAKER:

(inaudible)

CHAIRMAN GULDI:

Oh, now you're going to oppose the tabling? All those in favor? Opposed? Tabled. 4-0. Fred?

LEGISLATOR TOWLE:

Another thing, Mr. Chairman, if we could ask the new director of the Living Wage Program to come to our next meeting. I'd be curious what their insights under –

CHAIRMAN GULDI:

-- Mr. Brofman, why don't we do that is might be amusing.

1807. Authorizing transfer of surplus County computers to Riverhead High School in Riverhead. ASSIGNED TO WAYS & MEANS (Caracciolo) Motion to approve and place on the consent calendar by myself second by Legislator Towle. Discussion? All those in favor? Opposed? 1807 is approved and on the consent calendar. **(Vote: 4-0)**

LEGISLATOR BINDER:

Let me interrupt for a moment if you don't mind cause I thought of Legislator's request to have the Living Wage Program come here also have the Commissioner of Labor Commission if that's whose supposed to be doing the program?

CHAIRMAN GULDI:

Okay.

1808. Authorizing transfer of surplus County computers to various shelters. ASSIGNED TO WAYS & MEANS (Postal) Is different than the other resolutions in that it's 81 computers, but I haven't looked at the other computers. They're Pentium I's; do you want to put the 81 computers for various agencies on the consent? Motion to approve and place on the consent calendar by Legislator Towle second by Legislator Fields. Legislator Towle is a co-sponsor. All those in favor? Opposed. Approved and place on the consent calendar. **(Vote: 4-0)**

1842. Amending the 2002 Capital Program and Budget and appropriating funds for renovation & construction of facilities at Francis S. Gabreski Airport, Westhampton (CP 5702.317). ASSIGNED TO WAYS & MEANS AND FINANCE & FINANCIAL (Guldi) Incidentally, this is one of those Federal Aid Programs. Motion by Legislator Towle second Legislator Fields. Discussion? All those in favor? Opposed? Approved. **(Vote: 4-0)**

1847 Authorizing use of Blydenburgh County Park property by the Sierra Club, for fundraiser. ASSIGNED TO WAYS & MEANS AND PARKS, SPORTS & CULTURAL AFFAIRS (Crecca) Motion by Legislator Fields second by myself.

LEGISLATOR TOWLE:

On the motion.

CHAIRMAN GULDI:

On the motion by Legislator Towle.

LEGISLATOR TOWLE:

(inaudible) fundraiser is this do we know because obviously --

MR. SABATINO:

It's to raise public awareness of the need for cleaner air and the need to preserve the environment.

LEGISLATOR TOWLE:

Okay. I mean, I'm concerned because this. I'm not concerned about the Sierra Club. I mean, I've, you know, supported them. I think they do a great job, but they are somewhat political and you know in that they endorse candidates, support candidates. They donate to candidates. I'm a little concerned that we're giving them County property. What was the fee on this?

CHAIRMAN GULDI:

\$125.

LEGISLATOR TOWLE:

Yeah. I mean, we've kind of I don't want to say we've stayed away from political organizations, but this group is kind of double edge sword.

SPEAKER:

(inaudible)

LEGISLATOR TOWLE:

I don't see how they could be.

LEGISLATOR BINDER:

I would assume right since they endorse they can't be a 501c3, so I'm you know what I'm concerned also and I don't know if the sponsor of the bill was endorsed or not endorsed and others would or wouldn't --

LEGISLATOR TOWLE:

I just want to be clear that if we're doing this, this would be the first time we're moving towards political group.

CHAIRMAN GULDI:

Legislator Fields.

LEGISLATOR FIELDS:

If a political -- if a politician wanted to rent one of the County facilities and paid for it for a fundraiser he or she would be allowed to do that.

LEGISLATOR TOWLE:

But we have to do it through a resolution.

CHAIRMAN GULDI:

So I think that would be under the same resolution that we we're considering of entering before. Prohibiting contracts between County employees for County facilities without an exception. I'm I right, Counsel?

MR. SABATINO:

I think it's two different ideas. Your question is whether or not somebody can use County property --

LEGISLATOR FIELDS:

-- if they pay for it, but I see what --

CHAIRMAN GULDI:

-- the specific question was could a candidate political County employee County elect --

LEGISLATOR TOWLE:

-- one of us --

CHAIRMAN GULDI:

-- hold a fundraiser on a County facility or would that be prohibited by our conflicts?

MR. SABATINO:

It's not the conflicts law. You can't hold political fundraisers on County

property because of criminal statutes not because of this.

LEGISLATOR BINDER:

What would make it political just because of the candidate status or involvement in the political process which --

LEGISLATOR TOWLE:

-- which Sierra Club would --

LEGISLATOR BINDER:

-- right, with Sierra Club who endorses candidates would be included in the political process. So in a sense this could be a political fund -- a political fundraiser. So that's the question, could this be a political fundraiser.

MR. SABATINO:

Well, there's a couple of things. First of all, it's how they do the distribution piece. If they do a distribution piece saying, we're getting together to talk about the environment to promote candidates that we view as being sensitive to the environment, that's number one. Number two, in terms of how they count for the money; if all the money is raised -- if they raised \$5,000 and then distribute 4,000 of it, you know, to candidates, yeah, you clearly have a -

LEGISLATOR BINDER:

-- no, but here's my question -- there's a further question and I think we've taken a step further. If they raise \$5,000 and they use \$5,000 not even to give to candidates, but in promotion or endorsement in putting out piece -- whatever they do that's in the political process even if they don't account for it that that money was used specifically for that purpose you can easily make the argument that raising \$5,000 at one site freed up \$5,000 on the other site to do the same kind of thing. Unless they're totally segregated accounts which is the problem inherent in an organization that's not 501c3 and barred by Federal law from engaging in political lobbying, political endorsement, political process other than pure lobbying on issues and because of the 501c3 status --

MR. SABATINO:

-- they're unbarred; they're limited. They can't do more than 5%. They're not barred they can't --

LEGISLATOR BINDER:

-- right, but --

MR. SABATINO:

-- but more important they can do up to 5% of what they take in.

LEGISLATOR BINDER:

But here you're talking about an organization that clearly on a regular basis even for issue basis involves itself in political campaigns in the political process and so for us to give them whatever this rate is, well, though it seem

to me somewhat of a special rate cause it's pretty inexpensive that we to --

MR. SABATINO:

-- I've been arguing this for several years.

LEGISLATOR BINDER:

Right.

MR. SABATINO:

We are not getting fair market value for --

LEGISLATOR BINDER:

(inaudible)

MR. SABATINO:

-- right, for anybody. We don't it across the board --

LEGISLATOR TOWLE:

-- we've done this for other people, yeah, but for charities.

LEGISLATOR BINDER:

But almost every time, every time I've been here for almost 12½ years I don't remember it being right. It's been 501c3; it's been charities. They've been causes so you don't -- I think Legislators are not trying to extract fair market value, but here you're talking about though you may agree or disagree with their issues or whatever. Beyond that they're a group that gets specifically with the political process in endorsing of candidates for campaigns and so for that I don't know that we want to be involved then with giving them what really amounts to a special rate below what would be a fair market rate giving them that when certain Legislators in a sense then are in somewhat of a conflict of interest because they have been endorsed or haven't been endorsed and then there could be a threat of endorsement or non-endorsement because of voting for or not voting for this and giving them a special rate. And so there's at least the appearance of impropriety on that too. So I would --

LEGISLATOR TOWLE:

-- what's the date of the event?

LEGISLATOR BINDER:

I don't know, but I won't vote for this.

LEGISLATOR TOWLE:

I'd make a motion to table and maybe we can ask the sponsor to have somebody from the Sierra Club at the next meeting to explain what it is they're going to do.

LEGISLATOR FIELDS:

I'll second that.

CHAIRMAN GULDI:

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

1855. Authorizing the sale of one surplus County car to the Village of Westhampton Dunes. ASSIGNED TO WAYS & MEANS (Guldi)

Motion to approve and place on the consent calendar by myself second by Legislator Fields. Discussion? All those in favor? Opposed? Approved and placed on the consent calendar. **(Vote: 4-0)**

1858. Authorizing action to re-claim County property for affordable housing. ASSIGNED TO WAYS & MEANS (Postal) Explanation, Counsel.

MR. SABATINO:

This is another one with a little bit of a history. The property was originally taken by the County and was going – was transferred for affordable housing purposes, but the entity which was going to provide the affordable housing services went into bankruptcy and out of existence. The Treasurer now has a tax deed, but the, you know, the status of the property is up in the air. This is basically directing the Law Department to bring some kind of judicial proceeding. It would probably be a bar claim action to reassert in basically establish that the town that the County actually has title to the property so then it could be put on public auction.

CHAIRMAN GULDI:

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

1867. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Robert Dennis Hoey and Barbara Hoey, his wife (0100-142.00-02.00-090.000). ASSIGNED TO WAYS & MEANS (Co. Exec.) Is this on of right, Ms. Costigan?

MS. COSTIGAN:

Yes. It's a normal timely filed application.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar by myself second by Legislator Towle. All those in favor? Opposed? Approved and placed on the consent calendar. **(Vote: 4-0)**

1868. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Doreen M. Powell, Surviving Tenant by the Entirety (0200-498.00-02.00-004.000). ASSIGNED TO WAYS & MEANS (Co. Exec.) Same question.

MS. COSTIGAN:

Same answer.

CHAIRMAN GULDI:

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

1869. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Edward Rafano (0204-013.00-06.00-13.003). ASSIGNED TO WAYS & MEANS (Co. Exec.) Same question? Actually, are these all of right and in time the 16's that are before us?

MS. COSTIGAN:

They are. 1869, 70, 71, 72 are all the same.

CHAIRMAN GULDI:

Should we do them one at a time, Counsel?

MR. SABATINO:

Yes.

CHAIRMAN GULDI:

Okay. 1869, 1870, 1871 and 1872 Motion to approve and place on the consent calendar by myself second by Legislator Fields. All those in favor? Opposed? Those are approved and place on the consent calendar. **(Vote: 4-0)**

1870. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Nissim Azoulay (0300-146.00-05.00-006.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)

1871. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joseph Vieceamon Jones and Anna T. Jones, his wife (0100-173.00-02.00-021.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)

1872. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Citibank, N.A. (0400-046.00-01.00-001.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)

1876. Amending the 2002 Capital Program and Budget and appropriating funds for the acquisition of land for the reconstruction of C. R. 35, Park Avenue in the vicinity of Old Country Road to C. R. 86 Broadway-Greenlawn Road, Town of Huntington (CP 5519). ASSIGNED TO WAYS & MEANS AND FINANCE & FINANCIAL SERVICES (Co. Exec.)

MR. SABATINO:

It's to pay for the land to do the road construction.

CHAIRMAN GULDI:

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

1888. Authorizing use of Blydenburgh County Park property by the Crohn's & Colitis Foundation of America. ASSIGNED TO WAYS & MEANS AND HEALTH (Co. Exec.)

LEGISLATOR TOWLE:

Motion.

CHAIRMAN GULDI:

Motion by Legislator Towle second by Legislator Fields. Discussion? All those in favor? Opposed? Approved. Should we put that on the consent calendar, guys? Okay, leave it on. **(Vote: 4-0)**

1889. Authorizing use of Southaven County Park by the Alzheimer's Association, Long Island Chapter. ASSIGNED TO WAYS & MEANS AND HEALTH (Co. Exec.) Motion by Legislator Fields second by Legislator Towle. All those in favor? Opposed? Approved. 1889 is approved. **(Vote: 4-0)**

1890. Authorizing use of Southaven County Park property by the American Diabetes Association for fundraiser. ASSIGNED TO WAYS & MEANS AND HEALTH (Co. Exec.) Motion by Legislator Fields second by Legislator Towle. All those in favor? Opposed? **(Vote: 4-0)** I think those three really belong on the consent calendar. Do you want to reconsider? Well, it's really the kind of thing that I think the consent calendar is for. I'm going to make a motion to --well, let do --

1891. Authorizing --

MR. SABATINO:

That was done by CN.

CHAIRMAN GULDI:

CN is done. So I'm going to make a motion to put 1888, 1889 and 1890 on the consent calendar. Motion by myself second by Legislator Binder. Discussion? All those in favor? Opposed? **(Vote: 4-0)** Watch as the idea of hearing Legislator Tonna pronounce some of these organization names. What appeals to me, placed on the consent calendar?

1909. To Convey Title to County-owned real property pursuant to Section 215, New York State County Law Ridge Motor Inn, Inc. (0100-157.00-02.00-132.000). ASSIGNED TO WAYS & MEANS (Co. Exec.) What's the story on this one, 1909?

MR. SABATINO:

I defer to Christine I think she has a clearer understanding. I think it's last year's auction, it got left off by accident, but I defer.

MS. COSTIGAN:

This was purchased at last year's auction. The piece was two different parcels; one of which the County acquired title by tax default. The other it acquired title by condemnation and then the condemnation did not move forward. It was abandoned and we auction the piece. The resolution which approved this sale; this sale was already approved. It happened to have in it, it said all the following properties approved -- acquired by tax default. So this is a correction because this particular piece was acquired by condemnation and then abandoned. So it's correcting that so the deed speaks correctly when we transfer.

CHAIRMAN GULDI:

(inaudible) parcel that we surplus and we put in what, the 2000 auction?

MS. COSTIGAN:

Yes.

CHAIRMAN GULDI:

Okay. Motion to approve by myself placed on the consent calendar. Is there a second?

LEGISLATOR FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. Discussion? All those in favor? Opposed?

(Vote: 4-0) I have received a note from one of our fans that reads, George Paul, you left out John and Ringo. With your indulgence, oh, this is always a good one, would you please address what if any consequences these legal notices, no duplication, will have ray to hold or not hold of public hearings. Hah? I'm looking at a -- you want to address that, Paul?

MR. SABATINO:

(inaudible)

CHAIRMAN GULDI:

You can't talk without the microphone I won't let you because the stenographer and I have a deal.

MR. SABATINO:

It's real short. If the legislation was withdrawn by the sponsor today, there will be no public hearing.

CHAIRMAN GULDI:

There being no further business before us we stand adjourned.

(Having no further business the Ways and Means Committee was adjourned at 3:15 P.M.)

{ } denotes spelled phonetically.