

**WAYS & MEANS, REAL ESTATE TRANSACTIONS & FINANCE COMMITTEE
of the
Suffolk County Legislature**

Minutes

A regular meeting of the Ways & Means, Real Estate Transactions & Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, 11787, on **July 29, 2003**.

Members Present:

Legislator George Guldi - Chairman
Legislator Andrew Crecca - Vice-Chair
Legislator David Bishop
Legislator Michael Caracciolo
Legislator Ginny Fields
Legislator Vivian Fisher

Also In Attendance:

Tom Donovan - Aide to Legislator Guldi
Bob Clifford - Aide to Legislator Guldi
Meaghan O'Reilly - Aide to Presiding Officer Postal
Frank Tassone - Aide to Legislator Crecca
Carl Yellon - Aide to Legislator Crecca
Stephanie Mitchel - Aide to Legislator Fisher
Alexandra Sullivan - Chief Deputy Clerk/Suffolk County Legislature
Todd Johnson - Assistant Deputy County Executive
Bill Faulk - Intergovernmental Relations/County Executive's Office
Basia Braddish - County Attorney's Office
Robert Cabble - County Attorney's Office
Christine Costigan - Director/Division of Real Estate/Planning Dept
Vincent Iaria - Director/Suffolk County Probation Department
Jean DeNunzio - Suffolk County Purchasing Department
Steve Arata - Suffolk County Purchasing Department
Leslie Baffa - Civil Service Department
Charles Kerner - Fair Housing in Huntington
Joseph Needham - Fair Housing in Huntington
Bud Peyton - Housing Help, Inc.
Richard Koubek - Catholic Charities
Veronica Fellerath - Catholic Charities
Ann Hernandez - Kingdom People/Good Shephard Parish
Christoher Hernandez - Kingdom People/Good Shephard Parish
Elizabeth Ripp - Parent to Parent of New York State, Inc.
Patricia Gyseck - St. Sylvester Parish Outreach of Medford
Mary Weiler - St. Sylvester Parish Outreach of Medford
Nancy DiSanto - St. Sylvester Parish Outreach of Medford
Catherine Custance - CSEA
Dora Wilson - CSEA

Fred Wren - Local 338
Frank Spadaccini - Local 338
Jack Caffey - Long Island Federation of Labor
JoAnn Riggio - St. Cyril's Methodius Social Ministry & Outreach

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Mitchell Pally - Long Island Association
Jim Morgo - Long Island Housing Partnership
Lee Lutz - Executive Director/Campaign Finance Board
Nancy Marr - Suffolk County League of Women Voters
Cesar Malaga - Town of Babylon
Hugo Martinez - Spanish American Association
Edward Hernandez - Long Island Campaign for Affordable Rental Housing
All Other Interested Parties

Minutes Taken By:
Alison Mahoney - Court Stenographer

(*The meeting was called to order at 9:41 A.M.*)

CHAIRMAN GULDI:

I will call the committee to order. We begin with a salute to the flag to be led by Legislator Crecca.

Salutation

Thank you. I have a piece of correspondence that I received from -- on a matter that I neglected to bring with me, I'll distribute it to committee members before Tuesday, we'll discuss it at the next meeting.

I don't have a scheduled presentation, we'll begin with the cards. I hope they've been given to me in order, I will take them in the order that they've been handed up. Richard Koubek; Mr. Koubek, come on up.

MR. KOUBEK:

Good morning. My name is Richard Koubek, I am Coordinator of the Diocese and Public Policy Education Network for Catholic Charities. I'm also a member of the Steering Committees of the Long Island Campaign for Affordable Rental Housing, we're known as LICARH, and the Huntington Housing Coalition. I speak today on behalf of Catholic Charities in support of the Memorializing Resolution to create a Suffolk Government Facilities Agency which Catholic Charities, like Newsday, considers a, quote, "bold approach to the daunting dimensions of the housing problem on Long Island."

I'm sure that each of you is sensitive to the Island's housing crisis. Rather than dwell on the need for affordable housing, I know others

will be talking about the need, I want instead to focus on the politics of housing. While many Long Islanders understand the need for affordable housing, they are afraid to support affordable housing in their own neighborhoods. Too often their opposition is routed in myths, stereotypes, misconceptions and unfortunately class and racial prejudices. The struggle to expand the stock of affordable housing in Suffolk County is going to be one on the ground in countless zoning and planning decisions made by elected leaders in the ten Suffolk County townships. These are tough decisions; they can make or break a political career. This is why Catholic Charities, the Long Island Council of Churches and LICARH have launched Island-wide advertising and education campaigns and have helped to form affordable housing coalitions in seven of the Island's thirteen townships, and there are more coalitions on the way. But public education and town organizing

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alone will not succeed without a regional approach to our housing crisis.

I'd like to illustrate with my own community which is Half Hollow Hills, that's where I live. The current elected leaders of my school district have emerged as a powerful voice against affordable housing in Half Hollow Hills. I have publicly challenged their opposition to more affordable housing. Half Hollow Hills is an interesting place to live; I know this as a parent, I know it as a taxpayer. It's well known as one of the Island's highest performing school districts, less well known is the fact that Half Hollow Hills is racially integrated. About 15% of the students in our community are African-American, this is a good thing, it's a wonderful thing. And I'm proud that Half Hollow Hills has three times redistricted in the last 20 years to ensure that our African-American children will be fully integrated into the life of the school district.

Now, I know from staff and I know from parents that the leaders of Half Hollow Hills are kind of resentful of the fact that only three of the eight school districts in the Town of Huntington have any measurable number of minority students or affordable housing for that matter. Like it or not, for good or for bad, these leaders are asking a simple question, I guess it's one I'm going to ask you, too; why is Half Hollow Hills doing its part to be an inclusive community when so many of the other school districts in the Town of Huntington seem to be exempt from this responsibility? While I don't support their opposition, I kind of understand it because it flows naturally from the fact that we don't have a regional housing program.

So this is why Catholic Charities supports the GFA; it's going to break the balkonized approach to affordable housing. The GFA is bold because it dares to provide mechanisms for overriding local opposition

with regional expectations that every school district, every village, every township in Suffolk must be part of the solution.

I know that some of you have technical questions about how the GFA will accomplish it's mission. I urge you, set these questions aside for the moment, vote to support the Memorializing Resolution and then if need be fix it; time is on your side. It will be a long struggle to get the GFA through the State Legislature. Many compromises are surely going to lead to changes in the resolution. The important thing, Ladies and Gentlemen, is that you not let this bold and creative approach to affordable housing die in committee. Thank you.

CHAIRMAN GULDI:

Any questions for the speaker? Just asking. I mean, there are some members who have expressed concerns about the bill, I just wanted to do them an opportunity to raise questions. The -- it's just been brought to my attention that Alice T. Cone and Rachel Davis are here in the audience; yes, am I correct?

UNKNOWN AUDIENCE MEMBER:

They just stepped out.

CHAIRMAN GULDI:

Could you have them come in? These two bills to reappoint them to the

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Human Rights Commission have been discharged during the last meeting but were not considered because we didn't conclude the agenda. They are here in connection with their reappointments, I'd ask them to come forward and ask committee members to address their questions to them at this time since they're present at committee, even though the bills have already been discharged.

LEG. FIELDS:

What are the numbers?

CHAIRMAN GULDI:

Fifteen -- they're on page two of my copy, 1522 and 1526 respectively. Mr. Caracciolo, you have questions?

LEG. CARACCIOLO:

Good morning, Ladies.

MS. CONE:

Good morning.

MS. DAVIS:

Good morning.

LEG. CARACCIOLO:

Thanks for joining us. One of the criteria that I believe is important to serve on any volunteer board or commission is attending those meetings when they are scheduled or when special meetings are called. So in the absence of having an attendance roster here, could you just share with the committee, A, your tenure on the commission and, B, approximately what your attendance record would have been during that period of time.

MS. DAVIS:

Okay. Thank you.

LEG. CARACCIOLO:

Just identify yourself first, for the record.

MS. DAVIS:

Thank you. My name is Rachel Lee Davis, I'm a resident of the Town of Babylon. My tenure for this very important commission -- and first I want to thank you, thank all of the members of this commission for giving me the opportunity to serve on such a distinguished commission, one in which I've been very proud of and one in which I've been very proud of my record. It has given me the opportunity to take those things that I have learned on the commission and transfer those things back to the community in which I work. And many of the organizations -- and I don't want to take too much of your time, but I could go on with many of the organizations, the New York State Human Rights Commission, United Nations Day, that I have been able to take this kind of information and take back and focus in on organizations and issues in my community.

Now, I believe your question was the attendance. I believe I have had an excellent attendance. I was a little bit taken back about that. As Vice-Chair -- I came to the commission in 2000. It was one of my

down points in 2000 with the loss of my husband and then, of course, the commission gave me a lot of opportunities, they embraced me and it was an experience I really can't tell you that the help, the support that I received from the Suffolk County Human Rights Commission; some day I should pen that. But after 2000, the following year I was elected Vice-Chair of the Human Rights Commission by my colleagues. At that particular time that I was elected Vice-Chair, I was absent because of a death in my family. The following -- and I believe the only other time I can remember being absent and, you know, they are not pleasant experiences, has been because of death in my family, out of state or most recently at the side of a brother who was hospitalized. But as far as my record, I have an excellent record of

attendance at the Human Rights Commission.

LEG. CARACCIOLO:

Okay.

MS. CONE:

Good morning. My name is Alice Cone. I have been on the commission since 1996 and I was a little taken back when they said about attendance. I went back in my records and when I was appointed to the commission I was Director of Personnel and Affirmative Action at the State University College at Old Westbury and my attendance -- of course I've taken part in many rallies on behalf of the commission, Farmingville, etcetera. In the last four years I've been Director of Human Resources for Long Island Head Start, so I go back to my calendar and I went back to last year, basically all the absences I have had were legal; April of 2002 I was in Arizona, okay. I met in May, we met in June. We don't -- the commission does not meet during the months of July and August.

(*Legislator Fisher entered the meeting at 9:53 A.M.*)

When I go back again to September I was present, November I was present, December I was present, January I was present, February I was away on a vacation because I retired, March I was present and also April which we didn't have a formal meeting, May and June.

But what I would like to bring to everyone's attention, one of the roles of a Human Rights Commission is not only to attend monthly meetings, we also do the Stop Bias. And for the past year, in addition to the monthly meetings, I have had about eight conferences at the CI Courthouse with individuals who for whatever reason used a bias term in addressing an African-American. So in addition to attending the meetings, I have also served the commission for the past since '96 in attending those meetings at the courthouse, working with those individuals. And at those meetings I believe an Assistant DA is present, also a probation appointment, a Probation Officer. So not only do I come once a month to the meeting, I can be at maybe, depending upon what the racial climate is in Suffolk County, I can have three or four conferences Stop Bias or teaching conferences at the Central Islip Courthouse. So basically my services is not on attendance at the monthly meeting but also in addition to working with individuals who for some reason may not be partial to people of African-American heritage, and I think the court records and the DA's office clearly speaks to that.

LEG. CARACCIOLO:

Based on the current composition, the colleagues you serve with, how

successful would you deem the Human Rights Commission to have been during your tenure since it dates back a number of years, 1996? And what changes would you offer this Legislative body to consider to make it a more effective Human Rights Commission? This is an opportunity to share that information with us, your thoughts.

MS. CONE:

Okay. Well, I think one of the things that -- accomplishments that I'm very proud of is the fact that you cannot use a derogatory term in this County to describe somebody for their sexual ethnic persuasion, and I think that's very important that we have that sort of respect. That if you call the N word or the J word or reply to someone in unflattering sexual terms that you can be arrested and you will do community service and you will come before either someone like myself, Ms. Davis or other, Dr. Williams, or other people on the panel; I think that's very important. We're a very diverse community, I've been in this town for 39 years and the culture is changing. We're much more diverse, we have to respect each other's ethnicity and also each other's sexual persuasions.

And I'd like -- that's because I'm very controversial -- I would like for us to take a stronger role but then I'm not -- I don't work for the County so I can be as out spoken as I want to be. But I would like for us to take a firmer stand, especially on issues like Farmingville that brings back the south, that brings back Birmingham, when you burn a person's home. I'm a before integration baby and at 64 years old I have no time for nonsense, and that's my feeling. I think we should step boldly out there to the plate because discrimination against one is discrimination against everyone, and I think Germany taught us that. And I'm really appalled about things when you hear people -- homes being burnt because they speak a different language. And I think that the commission could be much more forceful. I understand we serve at the pleasure of, but I would like to see us step more boldly.

LEG. CARACCIOLO:

Well, you don't strike me in this brief presentation as being a shrinking violet.

MS. CONE:

No, I'm not.

LEG. CARACCIOLO:

So I'm certain that you and perhaps Ms. Davis have a lot in common with respect to speaking up and speaking about your feelings. But if there is a concern about your voices not being heard on the commission or elsewhere in County government, again, please share that with this committee and this is your opportunity to do that. That's really why, as part of the process of appointing or reappointing members to various boards and commissions, the Legislators like this opportunity

to interface. So while you may sometimes feel as though you cannot speak out, each and every one of us is accessible by phone any day of the week to share with us your concerns. And conversely, it's good for us to know who you are so that we feel comfortable picking up the

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phone and perhaps sharing concerns we have when our offices receive -- in my case very rarely -- complaints about human right abuses. Did you want to add anything to that, Ms. Davis?

MS. DAVIS:

And we have a chain of command, Rabbi Moss, our Chairperson of the Human Rights Commission, who has worked very tirelessly. And of course when the commission meets we have certain duties and responsibilities and we also know that we work with no budget, but our -- one of the restraints that I find for the Human Rights Commission is that we have all of these great ideas but we have no money to do, put on many of the programs that we would love to put on. I've been very active in all of the programs that we can put on which is our annual luncheon that we invite all of you to attend which is attended very well by the public. And here again, we get a chance to reach out to the various communities. Now, I would love to see us do that more in the minority community. I would love to see the Human Rights Commission with Stony Brook, both of us work with the diversity group there, program there, I've worked there for the three years that I've been here on the commission.

We have been -- our presence has been felt in the community. We have been just about everywhere there is a human rights problem. We had a human rights problem, I'm sure you can remember sometime back, with the minority district, the 15 Legislative District; we've had all kinds of problems where we could reach out to a minority group and talk to them and to not necessarily minority groups but to all of the citizens of Suffolk County. I believe we have had our effect somewhere on the 1.5 million Suffolk County residents, I believe we have -- our efforts have been felt.

LEG. CARACCIOLO:

Ms. Cone, just one final question. The Farmingville issue.

MS. CONE:

Yes.

LEG. CARACCIOLO:

You made reference to it in your remarks.

MS. CONE:

Yes.

LEG. CARACCIOLO:

Is there any specific recommendation that you believe the Legislature or County government should take up relating to that problem?

MS. CONE:

Yes, I feel there should be a hiring hall, we need one. They have them in Nassau County, we need one in Suffolk County. We need citizens to feel safe.

Applause

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You know, It must be a horrible feeling to go to bed at night and not know if you're going to wake up in the morning, whether your home will be fire-bombed. And I am -- although I did not live in the south, I'm a child of the south. I remember the segregation when I went to visit. I remember the segregation in the Catholic Church, and I'm Catholic and I couldn't sit in the front of the church, I had to sit in the back, I could not accept the host. And when I hear something like this where children were in the building and fire was set, that is our shame. It is the shame of Suffolk County and the Legislative body that we have not stepped boldly to the plate and say no not in our County.

Applause.

LEG. CARACCIOLO:

Well, you know, I have to take issue with pointing fingers at County government and the Legislature specifically as it relates to an incident that is obviously motivated by hate. I don't know how anyone can prevent that in another human being, whatever it is in someone that causes them to undertake an action like that. The best we can do, whether it's that kind of fortunately random act or others that take place and we read in the newspapers daily, is respond to the act and try to apprehend to bring to justice those responsible.

As far as the hiring hall, I don't want to leave that subject because I think left unsaid in that issue is what is the role of government -- be it town, County, State or Federal government -- as it relates to the individuals who are -- who congregate for a better term at these locations, the 7-Eleven in Farmingville, and who are not paying their fair share in the way of taxes. In other words, this is a double-edge sword. I mean, taxpaying citizens don't accept the fact that there are those who can be hired who are not contributing to the very society that is provided for them and their loved ones usually in another country.

MS. CONE:

Do they buy a loaf of bread?

LEG. CARACCIOLO:
Pardon me?

MS. CONE:
Do they go to the store and shop?

LEG. CARACCIOLO:
Do they pay taxes?

MS. CONE:
When they pay taxes --

LEG. CARACCIOLO:
I mean, we all pay taxes. You have to be a U.S. citizen to be entitled to certain benefits, but even if you're not you're still entitled to health care benefits in cases of emergency, and that puts a tremendous burden on our society. So this is really an issue that has to be addressed at the Federal level, because it's not one unique to Farmingville or to Suffolk County, this is a national problem.

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MS. CONE:
It is.

LEG. CARACCIOLO:
And if you go out to the west coast and the southwest and Florida and other border states with central America and Mexico, it's even more pronounced. So I welcome, you know, your sentiment, but I think it's an issue that has to be addressed at the national level.

And what I'd like to see the Human Rights Commission do is I'd like to you see you call upon our Federal officials, our Congressional representatives, our Senatorial representatives to address this problem that, again, is not unique to Farmingville or Suffolk, you alluded to Nassau County having hiring halls, but you still have the same situation. How do we tolerate a two class system where people work and pay taxes on their wages and others don't? That's immoral.

MS. CONE:
But you know --

LEG. CARACCIOLO:
That's not justice.

MS. CONE:
You know, when my mother came to New York City, my mother took a boat,

she came to New York on a boat, you could go and stand on the corner in Harlem and people would drive by to hire you to clean their house for the day, okay.

What I'm saying here is Suffolk County must be bold and decisive. Let us assume a leadership responsibility for the country. Let us step boldly to the plate and say this is how we have addressed the issue in Suffolk County.

LEG. CARACCIOLO:

I don't know that the existence of a hiring hall in and of itself really deals with the broader issue.

MS. CONE:

But I think we need to address -- you know, this Saturday I sat and I cried. I cried because a young man, {Rahee Heida}, died, got killed in Iraq for freedom, but yet we don't have it here. I knew that young man before he was born, I knew his mother, I know his mother, his grandmother, his aunts. We're sending people off to die in a country for them to have freedom but we can't address issues here; that's sad.

LEG. CARACCIOLO:

Well, let me just say that I would certainly agree to work with you and your commission and others who really want to deal with the issue of illegal immigration in this country, but it has to be dealt with first and foremost at the Federal level.

So I'm going to conclude there and I look forward -- I'll contact you within the next week to, you know, explore ideas, maybe sit down with representatives of the Congressional Delegation. Because quite frankly, it doesn't matter to me what political party you belong to,

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both parties are guilty of not addressing this issue.

MS. CONE:

Correct, yes.

LEG. CARACCIOLO:

Thank you.

CHAIRMAN GULDI:

Legislator Fields is next.

LEG. FIELDS:

I just wanted to thank both of you for service, and the reason that you were asked to come here in person was for a couple of reasons. There are some boards that we have in the County that meet or don't

meet and they just exist or their members don't attend and so it was important to us to know who you are in person, and especially for the members of the Legislature who didn't know you perhaps when you were first appointed so that they could meet you in person and not have any of our boards just be kind of a rubberstamp board. And so it wasn't really that we were questioning your attendance but just making sure that you do attend on a regular basis and that you are active members of the commission. But I just have one thing that I'd like to ask, and perhaps you do it already, but do you provide an annual report to the Legislature?

MS. CONE:

One was prepared this year for the first time by Paulette in print which gave an overview, the Executive Director had prepared one I believe this year.

MS. DAVIS:

And she put --

LEG. FIELDS:

What I was going to ask is perhaps you could come together at your next meeting and go over what the major issues have been or the more important issues that we've been discussing and submit a report to the Legislature about -- an advisory report because that's kind of what the commission does, too, and just advise the Legislature how you feel and what your recommendations are. The point that you made before was, you know, maybe some of the ideas you have don't come forward; well, that may be a way of reaching out to us and letting us know that you feel a certain way and maybe that's something that we could try to implement. Okay?

MS. CONE:

Okay.

LEG. FIELDS:

But thank you for your service.

MS. CONE:

Thank you.

CHAIRMAN GULDI:

Legislator Crecca is next. We have more questions.

LEG. CRECCA:

No, I don't have any questions. I just wanted to thank MS. CONE and Ms. Davis for their service and tell you that I supported the discharge on the floor and I'm happy to support your nominations. And

again, it's people like you who commit themselves to committees like this in our County that really help this County move along progressively. So I want to just thank both of you for your service and tell you that I'm proud to support your reappointments.

MS. DAVIS:

Thank you very much.

MS. CONE:

Well, thank you. I didn't want to rush you but I'm also the Educational Chair for the NAACP Central Long Island and I am representing a parent this morning at the Committee on the Handicapped. So this is why I have to be in North Babylon, so I can fight with the school district about the services that they're not providing this youngster.

LEG. CRECCA:

You keep fighting.

CHAIRMAN GULDI:

We have one more question before you go, Legislator Fisher.

LEG. VILORIA-FISHER:

Just very quickly, I know that you have to leave. Thank you for being here. I believe that there is a disconnect and perhaps the suggestion by Legislator Fields that there be a report of some kind that comes to us so that we have that connection. Because I think you both know that at the dinners and the luncheons, I have usually been the only Legislator who has attended those.

MS. CONE:

Yes, yes.

LEG. VILORIA-FISHER:

And so there might be a problem with the message getting to the other Legislators; I'm not certain to of that.

I have a lot to say regarding the comments that were made vis-a-vis the Farmingville issue, but I won't get into that now because you're not dealing with illegal immigration. What the Human Rights Commission is dealing with is the rights of human beings, that's not your purview and so that's a very important message that needs to be there.

I would have liked to have seen you more involved when we were talking about redistricting and setting up the minority district, because those people who were working on that came to me that I don't think they knew who to go to. And you're right, Alice, I think I would like to see you be bolder, and I believe that we need to empower you to

feel like you can be bolder. And as far as you said, Rachel -- do you mind if I call you by your first names?

MS. DAVIS:

That's all right, that's fine.

LEG. VILORIA-FISHER:

Rachel, as you said, you have felt that some of your restraints have been that you didn't have the financial support to follow through with some of the projects; let us know when you're interested in a particular project. Come to the Legislature, just as all the contract agencies come to us, and say, "We have an idea for something. Can you help us out? Can we put this in the budget?", okay, and get people to champion what you're looking at, okay.

And when I talk about a disconnect, very recently after the County light vigil after the fire bombing and some remarks I read in the newspaper, I began to put people together to try to look at other ways to deal with the Farmingville issue. And I have to be honest, even though I see my friend Linda here, that I didn't think of the Human Rights Commission, I thought of people that I had seen from different churches who were at the vigil. So we have to make a stronger connection between the Legislature and the commission. Thank you for being here. Thank you for the good work that you do.

MS. DAVIS:

Thank you very much.

MS. CONE:

Thank you.

CHAIRMAN GULDI:

As Chair, I wanted to tell you both that I'm proud of your work with the Human Rights Commission and proud to support it. And exercising the prerogative of the Chair, since these are discharged, I would like to approve them. So I'm going to move to take 1522 out of order.

LEG. CARACCILOLO:

Second.

CHAIRMAN GULDI:

Second by Legislator Caracciolo.

1522-03 - Approving the reappointment of Alice T. Cone as a member of the Suffolk County Human Rights Commission (County Executive). Motion to approve by myself.

LEG. CRECCA:
Second.

CHAIRMAN GULDI:
Second by Legislator Crecca. All those in favor? Opposed?
1522 is unanimously approved (VOTE: 7-0-0-0).

With respect to -- same motion to take out of order with respect to
1526.

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LEG. VILORIA-FISHER:
Second.

LEG. FIELDS:
Second.

CHAIRMAN GULDI:
Second by Legislator -- who was first? Fields. All those in favor?
Opposed? It's now before us.

1526-03 - Approving the reappointment of Rachel Davis as a member of
the Suffolk County Human Rights Commission (County Executive).

Discussion? Motion to approve by myself.

LEG. VILORIA-FISHER:
Second.

CHAIRMAN GULDI:
Second by Legislator Fisher; Viloría-Fisher, excuse me. On
discussion, all those in favor? Opposed? Approved unanimously
(VOTE: 7-0-0-0). Thank you very much. Please keep up your work and
please keep us -- please let us share your energy and your light.

MS. DAVIS:
Thank you.

MS. CONE:
Thank you.

Applause

CHAIRMAN GULDI:
The next card is Jack Caffey; Jack Caffey, come on up.

MR. CAFFEY:
Good morning. My name is Jack Caffey, I'm the President of the Long

Island Federation of Labor, AFLCIO. I represent 200,000 members of the working men and women of Long Island.

I come to speak to you about a bill that is before you and this bill will tackle the problem in the building, working class and the housing in our country. It fulfills three components that solve the problem; money, zoning and political will. Since 1998, housing costs have risen by 80%, and while salaries have only gone up some 14%. Even in union jobs where workers are at higher salaries, we cannot negotiate high enough salaries to keep up with our housing inflation. I urge you to vote for the bill, Sense Resolution 52, that will affect all working people in Suffolk County. I thank you.

Applause

CHAIRMAN GULDI:

Thank you. Any questions for the speaker? Thank you, Jack. Patricia {Gishek}? How badly did I mispronounce your name?

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MS. GYSCEK:

It's Gyscek.

CHAIRMAN GULDI:

Gyscek, okay.

MS. GYSCEK:

Good morning. My name is Patricia Gyscek, I'm the Outreach Coordinator at St. Sylvester's Church in Medford. The most difficult need that comes to us on a daily basis is the lack of affordable housing on Long Island, but I speak to you today from a much more personal perspective. I'm a life-long resident of Long Island and my husband and I have raised our three now adult children in Farmingville. I live in Farmingville; to be more precise, my husband and I live in our garage in our house in Farmingville. Why are we living in our garage? Well, when I say Farmingville, and considering I've testified before many of you about the need for tolerance in our community, you might think we're harboring undocumented day laborers in our house, but you'd be wrong. Our oldest daughter, her husband and their two children came back to live with us and our youngest son last year so that they could save enough money to buy a house in Suffolk County.

The time came about about two months ago to start an active search for the house of their dreams. They even applied for and received a \$7,000 Matching Funds Grant from Suffolk County for first-time home buyers. While that money could be helpful, they found out when house hunting that \$7,000 is a small drop in the bucket when you're talking about affordable on Long Island. Considering their income and their savings, the outside limit that they could afford was \$250,000. They looked and

they looked, they even brought me with them to look at a couple of houses. Many of the homes that they saw within their price range were either in serious need of renovation and repair or lacking the space or needs that they felt were bare minimums. Even at \$250,000 they were both going to have to work full-time and perhaps even another part-time job for my son-in-law.

Well, this weekend they finally found a house. It had all of the things that they were looking for plus some; three bedrooms, two baths, two decks, a lovely four season room, a fireplace, a garage, a third of an acre in a community with a pool, tennis court, a golf course and recreation center; all of this for only \$145,000. The only catch is this house is three hours away from a grandma who will miss them beyond imagination, Pennsylvania. Not only will their family miss them, but the community will no longer have the benefit of this beautiful and honorable young family. My son-in-law is an elevator mechanic and my daughter is a psychiatric case manager. In fact, before the birth of her youngest child, my daughter worked for Suffolk County Adult Protective Services as a Case Manager and is currently working in a group home with mentally impaired adults.

My eleven year old grand-daughter cried all the way home from Pennsylvania because she doesn't want to move away; she's starting to get used to the idea, but I'm not. And besides my heart breaking, I think it's a shame that Suffolk County cannot offer homeownership to young working place families. It's too late for my children but I think that it will be devastating for the entire community if we do

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not provide accessible housing for all categories of families. I urge your support of GFA Affordable Housing Bill as a beginning attempt and a creative way to begin to address this crisis. Thank you.

Applause

CHAIRMAN GULDI:

Thank you very much. Any questions for the speaker? Next is Cesar Malaga.

MR. MALAGA:

Good morning. Cesar Malaga, Hispanic American Association, I'm the President of that organization. I'm here to address a housing issue, affordable housing, but before I do that, I would like to, you know, bring two issues you brought up here, the hiring halls. You know, many of you think that because there are people standing on corners they are illegal; many of those standing on the corners are American citizens, so do not take it for granted. And many of those are American, Americans, all of them, all of them, the majority of them

are Americans.

Yes, I stood many times in Farmingville on that corner, North Ocean Avenue, I see what's happening there. As a matter of fact, one of the women that was picketing came to talk to me, "What can you do about it?" Let me tell you, all those people are working for their families. I don't see any of you here, you know, your wages, putting money aside to improve your communities where you live, building churches, building highways, bringing water to the communities; you don't do that but those people do and they are decent people working here, the laborers here besides paying taxes. You are benefitting, the people in this country are benefitting because you can spend more time with your children, with your family; instead of you cutting your grass, cutting your hedges, we the wetbacks are doing that for you for your benefit. Anyway, let me --

Applause

Let me address, you know, about housing. Over here about two years ago I came here to address the house and affordable housing. I had made some -- spent so much time making the study, while I was ready to present it I was stalling in some way, send me the report to my office, that was by now the Presiding Officer Maxine Postal. We need affordable housing on Long Island, yes. Like the previous speaker said, our children cannot afford the houses here, we need housing. I do not know whether any of you are familiar with those knew houses, town houses built north of Bellmore in Bellport, north of that factory outlet. There's a big housing unit that is only rentals, it's a beautiful housing area but can our children afford that? Let me tell you, more of the salaries go to pay the rentals, they spend over \$2,000 just to live there. My son -- many of us parents sacrifice -- is anyone listening?

LEG. BISHOP:
I'm sorry.

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MR. MALAGA:

Okay. Many of us parents sacrifice, working hard to send our children to get an education, an education for the future for the country and those children work hard to get an education to have a job, but here on Long Island there's no affordable housing. Now, we talk about that we should be doing affordable housing for people making less than 49,000, 69,000. But how about our children who are making 78,000? Affordable housing should be for all our people here, it should be getting the same benefits, all the children. Of course, you know, people who are making less than \$60,000 a year cannot afford a house for 300,000 or 250,000, but people, young people who are making

eight -- a combined income of maybe a hundred thousand or more, yeah, they should be able to get a house that they want to, they work hard and their parents sacrificed. We as the parents, we like to have our children nearby, our grandchildren nearby. But what's happening on Long Island? They are sending our children away. That's what the lady says, in Pennsylvania. I mean, why should we send them? Like you know, Long Island something -- Mr. Grasso mentions that there is no jobs, there's no people to work in Long Island and these jobs which are, you know, not filled; that's completely wrong, the work force is here. But you cannot, the Counties, the State, do anything to use the talent level that we have here on Long Island.

So what I'm asking you for is let's have affordable housing for everyone, not for the few of them that you call decent people, all of them are decent, they need affordable housing but we should have affordable housing for everyone. Now, here in this thing we got today, you have seven lots being sold by the County. You know, I suggest that those lots should not be sold, the County should keep those lots, those properties and we come back build affordable housing and you still give it away to developers that wish to make huge profits in building; those houses should be controlled by the County and then people, decent people can live here.

So let's -- you know, I can talk for hours here about affordable housing, but of course I don't have the time. But the thing we should start thinking is what is affordable, who can afford? We need housing for our children, for all our children, whether they're making \$25,000 a year, whether they're making 50,000, 75, 100,000. We need people to live here, we want to have our children here, our young children. You know, say you make 70,000, you can qualify for State, County or Federal grants to get a house. It should be for everyone, all of us. So I'm asking you, please consider that affordable housing for everyone.

Just going back a little bit about Farmingville, you know, I referee for many years in Sachem, there are very decent people there; let me tell you, it's only a few that are picketing. And I would like to invite you, a brother here from the AFLCIO is here, let me tell you that AFLCIO and many great liberal organizations are organizations where we call immigrant workers freedom right which will culminate here in flushing Meadow Park, October 4th, Saturday, it will be from 11 to 3; I would like all of you to attend. Perhaps you can learn a little bit more, what is immigrant, who are they. All of you are decendents from immigrants; who's setting up the rules? I mean, we are all immigrants. Like right now, affordable housing, let me take a

little bit out. Our (inaudible word) live in poverty. Who? The

decendents of America here in this country, you say you cannot improve your quality of life, you have to continue to live in poverty? No, gentlemen, it's time, you know, the 21st Century, it's time we do something to help people, to help people who we our -- great, great grand-parents, whatever, that took the land away from them.

We have two sets of rules right now. They allowed that big housing project in the Hamptons to be built with 29 bedrooms, 40 baths, car garage, tennis courts, bowling alley, even they allowed them to destroy the dunes by the beach and here we have our American Natives who for years lived in this in Long Island and we said, no, you cannot build it, continue living in poverty. Gentlemen, it's time, you have to speak up. I mean, because we the people elect you to office, it doesn't mean that you can stay here and do nothing. We have the voice from you guys and say look, these people deserve a better life, let's help them, please, we need help. All immigrants need help. So it's about time, you know, we not see you sit. You are the voice of the people and as a voice of the people I would like you to voice your opinion that what we need is, as I mentioned, housing for everyone, affordable housing for everyone. Let's help our Native American Indians to build, Suffolk County will benefit, Long Island will benefit with jobs.

And what they mention about in the papers our transportation, I was in the Long Island Transportation Plan 2000, I know how the access is going to be there. So I would like the County or the Legislature to say, "Hey, there's no problem, let them build a casino, it will help everyone." So affordable housing can have affordable housing. I do not know whether any of you have visited Shinnecock Indian Nation, their homes out there, they're not like the homes you live in. All those homes are owned by reservation. So let them improve their quality of life and let them have affordable housing out there. So gentlemen, please, let's think of affordable housing not only for the few but for everyone. I thank you for your attention. Let's work together for a better future. Thank you.

Applause.

CHAIRMAN GULDI:

Thank you, sir. Any questions for the speaker? Mitch Pally is next.

MR. PALLY:

Thank you, Mr. Chairman, Members of the County Legislature. I just won't take too much of your time. I have been here many times before on affordable housing issues, I want to join with our members from the labor community. This is an issue which both the labor community and business community feel is the most important issue facing Long Island and Suffolk County at the moment, affordable housing, being able to provide housing for our working force in whatever that working force happens to be. And we strongly support Sense Resolution 52 because we

believe it is a major way for Suffolk County to move forward on this issue. We also have legislation which is pending in the State Legislature which was passed by the State Assembly this year, we hope

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to pass it in the State Senate when they come back in September, which will also help us to combat the need for affordable housing on Long Island, that is also a very, very important piece of legislation.

Long Island in the last five years has lost a greater percentage of its population between the ages of 25 and 34 of any region in the country, and the reason they don't stay here is because they cannot find housing, as the lady clearly pointed out. I have four children of my own, I'm not sure where they're going to live when they get to that age. And I'm sure all of us know people, either our own children or know people who we know have children who cannot afford to purchase a home or find a rental place on Long Island. If we lose our young people we lose our work force, in whatever means of employment they are looking for, and that's why this issue is so important to us. I know that's why this issue is so important to our friends in the labor community and we urge you to move this resolution forward so the State Legislature has an opportunity to tackle this issue from a Suffolk County perspective.

This County has never been bashful about telling the State Legislature what to do and being first in many instances in providing legislation that the state has then taken and made Statewide. We urge you to take this piece of legislation in some form and do the same thing for this as you have done for many other issues over the years.

One other issue I wanted to talk about which is Sense Resolution 53 by Legislator Fields regarding the metropolitan statistical areas; we obviously strongly support that issue. Also, I would only indicate two things for that. The comment period for comments on that issue expires on September 30th, so I would urge this Legislature to enact this resolution before that date so that the Federal government can know exactly how the Legislature of Suffolk County feels on this issue. That issue could have a tremendous impact on affordable housing because, as Jim Morgo will say I'm sure when he comes up here, there are many programs which are now threatened by the change in that designation where Suffolk County gets funds now where it may not get them after that change is made, if that change is made, that's why that resolution is so important.

I would only urge one change in the resolution, Legislator Fields. There are no more primary metropolitan statistical areas, there are only metropolitan statistical areas; that's what Long Island was and that's what Long Island wants to go back to be. So I would just

request that the word primary be taken out of the resolution. We were an MSA, we want to go back to being an MSA as many other parts of the country now are. But with those -- that one thing and the time constraint that we face because of the September 30th, we strongly support that resolution and urge the Legislature to do that also. And thank you very much, I appreciate it.

CHAIRMAN GULDI:

Legislator Haley has questions and then Legislator Viloría-Fisher.

LEG. HALEY:

Hi. You know, affordable housing isn't a mutually exclusive problem we have on Long Island, it seems -- I think a lot of people may not

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understand it, is that when our economy does well and accelerates, affordable housing becomes a problem then. And then when we look at the programs that depend on the median income figures that come out of an MSA, what happens is those people -- we find, for instance, senior citizens who are in tax credit programs and stuff like that get harmed when you have good economic times as well.

We as a Legislature, a Legislative body sometimes or political people at times look myopically at what they believe is the hot issue for today that needs to be accomplished in their particular political subdivision. In good economic times, the thing that's at the top of the list is not affordable housing, it's not taxes, it's open space. So every politician or every Legislative body goes out and they want to do the right thing for open space, and then you have the very, very small special interest groups which represent a clear and distinct minority, a la Dick Amper, who under any circumstance we need to do open space and then you've got those offshoots of NIMBYism, but no one is planning for housing and how we're going to deal with development because we're still procreating, we still want our children to stay here.

The County Legislature -- and I'm a part of that and I admit it -- we go out and we buy open space. We don't communicate with the town, with the towns who have the zoning who should have a master plan to try to figure out how they're going to deal with affordable housing, we just go and we buy it and we take it off the tax roles, all right. It has an effect on that immediate community, it has an effect on all those subdivisions, those political subdivisions for taxes. It takes land off the roles, it takes land -- it actually reduces the amount of land available for development, therefore a reduction in the supply, you wind up with an inordinate cost for land. That comes back to us, by the way, after we've driven that process and we've driven up the cost of land, we continue to go back for this open space and now we're

paying more for it because government has facilitated, in essence, higher pricing.

My problem is is that we keep looking at, we keep doing these things separately. We have legislation that Legislator Carpenter passed before I became a Legislator that asked for economic impact statements for legislation, and we really don't look -- we don't really seek too much depth to that. What happens when we take an action in this County that has an overall economic impact that could effect affordable housing? What happens when we're going to take X amount of acres off the tax roles, how does that impact not only the town but the school district, the fire department and how does that impact the overall availability of land that can be developed in a smart way?

MR. PALLY:
Right.

LEG. HALEY:
To use --

MR. PALLY:
The current term.

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LEG. HALEY:
-- legislator Fields, right, in a smart way. We're not -- we seem to be missing that whole connection. It's easy to say affordable housing and then when we're going to have affordable housing we're just simply going to subsidize. You know, I've done this before and it was nice to do that, we've actually improved neighborhoods with affordable housing, but until we can tie all the components together and understand that when we, you know, sit and have a bunch of local people, for instance, in the Coram area, in the compatible growth area of the Pine Barrens area, it was designed for growth, all right, and we need the town to rise to the occasion to effect some sort of plan that's going to work for that land to not only be developed, but a lot of developers will set aside properties and do affordable type housing, we need to do it.

MR. PALLY:
Right.

LEG. HALEY:
My suggestion for the Long Island Association, having been a former member, is to try to advocate not only for affordable housing but try to wrap it into an economic package or an economic view and let everybody know that certain actions in one case may have a negative effect on another.

MR. PALLY:

There is no question about that and we have testified -- in fact, I just did last week in the Town of Riverhead, when they're updating their master plan. When towns update their master plans, not only should they designate spaces for open space, which are clearly needed, they should also designate areas for affordable housing, multi-family housing, higher density. That allows the town at the beginning to provide the land that they believe is appropriate for that housing so that a developer who comes in, so everybody knows from the beginning that that property is available for affordable housing or multi-family housing or whatever terminology you want to use so that the developer doesn't have to go in for a zoning change which causes all kinds of uproar and everything, that should be part and parcel of it. That's what I urged the Town of Riverhead to do and then I've got Dick Amper yelling at me about it and I said, "Dick, it wasn't a question of not wanting to designate open space, that's not the issue. The issue is not everything is appropriate for open space and not everything is appropriate for affordable housing, but there is a medium there that has to be met." And the towns and their planning departments do that, or hopefully do that, that's what they should be doing, designating certain areas.

That's what we tried to do with the Pine Barrens agreement. And I'm on the Brookhaven Open Space Advisory Council and the Coram property came to us and we only designated a certain part of it for acquisition because we only believe that a part of it was appropriate, the rest of it we thought was very appropriate for housing and that's why we did not move to acquire that other parcel. And there was a situation where we sat down and looked at it from the perspective of, okay, what's best not only for that local community but trying to figure out what's best for the town completely. So the town government -- and I

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don't want to absolve in any way. You know, when we say towns, we absolve a large portion. The villages are as essential in the battle on affordable housing as are the towns. The villages should not be exempt in any way from the same guidelines, the same responsibilities the towns have to provide affordable housing in their communities. Now, whether that happens to be in the downtown areas which we all agree I think is a perfect place for affordable housing. Why is it a good place for affordable housing? Because rule number one, people shop where they live; if they live in the downtown area they will shop in a downtown area. I think it's all in our best interest to ensure the continuation of the downtown areas as shopping venues; we all have them. Legislator Vioria-Fisher and I have one in Stony Brook and Setauket and if we had more housing there people would purchase more goods there because they want to shop where they live. We all have

areas, whether it's Babylon or Northport or whatever it is that can provide affordable housing. We even got the State law changed and the State Building Code changed to allow apartments over retail facilities now which was prohibited in the State of New York for almost 30 years; that's now been changed. That's a perfect example of mixed use or in the current popular vernacular, smart growth. But the towns and the villages have to take that initiative to say there are certain parcels that we think should be built on and here's the use for that, hopefully affordable housing, and certain that shouldn't be because they're environmentally sensitive and we should purchase those, but it shouldn't be one over the other. And I think that that --

LEG. HALEY:

I agree with you. No, I think that's a profound approach and it's refreshing to hear that. Because most times the towns, you know, knee-jerk and say, "We're going to buy open space," but they're not thinking about that other major component.

MR. PALLY:

No question about that.

LEG. HALEY:

But take it a step further, the problem is is that the County doesn't have any zoning, they just have the practical effect of affecting schools --

MR. PALLY:

Right.

LEG. HALEY:

-- and towns and what they're doing. So when we go out and we go buy open space per se and we put something on the list, that may have a profound effect on that town. It seems to me that we should be working more cooperatively and make sure that we tie in acquisitions to its impact on affordable housing.

MR. PALLY:

You may want to ask the Suffolk County Planning Commission to designate certain areas that they believe are appropriate for affordable housing --

LEG. HALEY:

Well, I just think -- you know what it is, I think it's real simple.

MR. PALLY:

-- so that those are done beforehand in that regard.

LEG. HALEY:

I think it's real simple, I really think that before the county takes actions in any particular town there should be a level of communications and written, by the way, that says you know what, we're not going to have an adverse impact in that town as it relates to these various issues, one of them being affordable housing.

MR. PALLY:

No question about it.

LEG. HALEY:

Okay. And I'll finish with one last comment about Dick Amper. The problem we have is Dick Amper is very narrow-minded about these things, that's his schtick, okay, for lack of a better expression. He's an environmaniac that cares just about that and open space and that's how he makes his money, all right, so I take that with a grain of salt when Dick Amper approaches us. But he doesn't care about affordable housing, he doesn't care about the larger picture, the economy and how it has not only an impact on our young children but of all of our seniors, and until we tie all of that together in some way, shape or form, I don't know we're ever going to really resolve it.

CHAIRMAN GULDI:

Legislator Vioria-Fisher is next, then Legislator Crecca.

LEG. VILORIA-FISHER:

Actually, I agree and I think all of us agree in principle with what was just discussed; you need a master plan, you need a wholistic view. And the converse of having open space acquisitions driving up the price of housing is that zoning changes or variances that are granted on the town level drive up the price for acquisition for open space.

MR. PALLY:

No question about that.

LEG. VILORIA-FISHER:

So there has to be a partnership. But Mitch, what I was going to speak with you about was the fact that education and our high level of education here in Suffolk County in some ways becomes part of our problem. Our young people go to very competitive colleges in other parts of the country, they do get very good educations and then they can't come back.

MR. PALLY:

Right.

LEG. VILORIA-FISHER:

You and I have discussed this in school to work partnerships, in corporate school partnerships, we've served on those together and we have seen that affordable housing must take a very broad definition

here in Suffolk County, we must have something for our young people to return to. And sometimes they're making what on paper is a very high salary but they don't have the money that you need for a down payment on a house.

MR. PALLY:
Yep.

LEG. VILORIA-FISHER:
So when we have just a salary driven threshold for affordable housing, I think we have to look at that very carefully and that has to be a major component in looking at affordable housing, to attract our talented young people back here.

MR. PALLY:
Absolutely. Let me just raise three issues in regard to that. Obviously, the County has a down payment program which has been very helpful to those people who can take advantage of that. Two years ago the State Legislature passed First Time Homebuyers Legislation to provide first-time homebuyers in our community with a graduated tax payment, series of tax payments, to allow people not to be able to have to put all the money out up-front and to be able to gradually afford to live in that house. Thirdly --

LEG. VILORIA-FISHER:
Mitch, could I just interrupt you a minute? The first one you mentioned which is the first time homebuyer, isn't that in partnership with corporations or with their employers?

MR. PALLY:
It can be, there are many corporations that provide incentives for their employees to purchase homes; Computer Associates does that, Symbol Technologies, there are many companies that do that because they know they have a work force there. It's a lot easier, you know, when you have someone who's already working for you to keep that person there then when that person leaves to bring somebody else in, so there are many employers that will do that.

LEG. VILORIA-FISHER:
Does that program exist without corporate partnership?

MR. PALLY:
It includes both.

LEG. VILORIA-FISHER:
Okay, I didn't know that.

MR. PALLY:

Yes, it does both. And the third thing I wanted to mention is that we are very concerned over the actions in relation to the construction of the new High Technology {Simmertech} Facility in the Albany area. Many of our kids from Long Island go to the Albany area for school, the Hudson Valley, that capital district area is becoming the next focal point for the State of New York in relation to high tech initiatives and the housing costs there are half of what they are here. And not withstanding the fact that three hours is three hours, three hours

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away people -- kids can live there, come back and join their families here when they want to. So we're very concerned over that because we know that that's going to attract many Long Islanders, kids who we educate here who go away to college then will stay Upstate within a reasonable distance of their families and yet be able to afford a home that they could never afford here on Long Island; that's of great concern to us.

LEG. VILORIA-FISHER:

Well, I face it in my own family, Mitch.

MR. PALLY:

Yep, it's a great concern.

LEG. VILORIA-FISHER:

Okay, thank you.

MR. PALLY:

My pleasure.

CHAIRMAN GULDI:

Legislator Crecca, you still have a question?

LEG. CRECCA:

I agree with most of what has been said. I just want to say to the speakers here, Mitch, I know you've done this before, but we're never going to have a meaningful change in the amount of affordable housing on Long Island unless and until the towns get on board with the concept.

MR. PALLY:

Yes.

LEG. CRECCA:

And let's face it, all the ten towns, and the villages too, have done little if nothing to create affordable housing in their communities.

And what I would urge the speakers to do is go to the town board meetings. You know, it's good that you're here --

LEG. FIELDS:

I plan to.

LEG. CRECCA:

That's right. Maybe -- I was going to comment but I won't. But the truth of the matter is that's -- you know, we can do what we can here at the County but we'll never ever change a widespread or create a lot of affordable housing unless -- I mean, my town is as guilty as any other town, you know, there's no multi-family housing.

MR. PALLY:

And that's why --

LEG. CRECCA:

And they're not doing anything to create more and my kids aren't going to be able to afford to live here.

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MR. PALLY:

And that's why we have a bill in the State Legislature which is past the State Assembly which hopefully will pass the State Senate which is Long Island only which will force the towns and the villages to combat the affordable housing issue. That bill has passed the State Assembly, it will impact every subdivision for homes on Long Island whenever a town or village provides a permit, it is the next step. We have waited, you're absolutely right, we have waited too long for some of the towns, some of them have been much more progressive than others, we have waited too long for the other towns and the villages to say, "This is what we're going to do." Now, hopefully the State Legislature, as has happened in many other states around this country, will force the State -- the towns and the villages to say, "This is what you have to do." We're very hopeful on that. As I said, we passed the bill in the State Assembly sponsored by Assemblyman DiNapoli of Nassau County, we're very hopeful it will pass the State Senate when they come back in September. But that's -- you know, we can't sit around and wait very much longer.

LEG. CRECCA:

Thanks, Mitch.

MR. PALLY:

Thank you.

LEG. VILORIA-FISHER:

Mitch, just a very quick question about that, about something you had

said earlier. It was my understanding that in the Village of Port Jefferson there had been apartments over retail stores for quite a while.

MR. PALLY:

Well, many of them when those happened were exempt because they were built before the State Building Code was changed. The State -- they used to --

LEG. VILORIA-FISHER:

Because that's one of the good things about Port Jeff.

MR. PALLY:

Right, they used to be allowed. I mean, we all saw them, they're all over Long Island, many of the downtown areas, then about 25 years ago the Building Code was changed to prohibit them because they were felt to be a fire hazard.

LEG. VILORIA-FISHER:

And those were grand-fathered.

MR. PALLY:

And those were grand-fathered in. Now the State Building Code has changed because of the change in building materials to now allow them again, and that's where the hope is that they will now become a major part of downtown revitalizations, of being able to provide affordable housing because of the higher density necessary, that the downtown areas are the perfect place for that to happen and that's why they're now allowed.

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LEG. VILORIA-FISHER:

And Port Jeff is such a good model for that.

MR. PALLY:

Port Jefferson is a perfect model and there are many of them around the Island, unfortunately there are not enough of them.

CHAIRMAN GULDI:

Thanks, Mitch.

MR. PALLY:

Thank you very much.

CHAIRMAN GULDI:

One question; has the LIA -- I know the Real Estate Committee has endorsed --

MR. PALLY:

The LIA board has endorsed this legislation, Sense Resolution 52, and urges its passage by this County Legislature.

CHAIRMAN GULDI:

Thank you for your support.

MR. PALLY:

Our pleasure. Thank you.

Applause

CHAIRMAN GULDI:

Now for something completely different; Lee Lutz, you're next.

MR. LUTZ:

Thank you, Chairman Guldi. And perhaps not completely different --

CHAIRMAN GULDI:

How did I know?

MR. LUTZ:

I do have some prepared remarks, however, I would make a point, after I complete them, which I think perhaps the members of this Legislature are well aware but perhaps some of the members of this audience may not be and there may be a very close tie-in here.

You may recall that Legislator Binder at the last regular meeting of the Legislature on June 24th challenged me to prove that public financing of campaigns achieves it's stated goals. Thanks to the many similar programs around the country, such proof has been documented. Attached is a short fact sheet comprised of selected items from a full report I am now preparing; I plan to distribute the full report at next week's meeting of the Legislature. I hope the outside microphones are on since I see that very few Legislators are still here. The attached information is only a small part of the data included in the report which will probably run to ten pages or more. I have selected several examples that should require no explanation and which correspond closely with the stated intentions of Suffolk's

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law. Thank you for your consideration of the enclosed material, the report to be titled Measuring Success; Achievements of Public Campaign Financing Elsewhere.

Goal; to enable more citizens to compete for public office reducing dependence on large contributions or personal wealth. Results; the State of Arizona. The first clean election cycle in 2002, 12%

increase in primary and general election candidacies; Legislature candidates increased 14%; challenges to incumbents increased 16%. From 1998 to 2002, for 60 House seats there were 30 more primary candidates and 24 more in the General Election. For all offices, a 10% increase in women candidates; contested primaries more than doubled from 18 to 38%. From 2000 to 2002, the number of candidates of color nearly tripled from 13 to 37. In 2,000, 87% of women candidates and 80% of Latinos cited availability of public funds as critical factors in their decision to run.

In the State of Maine, the first clean election cycle in the year 2,000, a 5% increase in primary and general election candidacies; contested primaries for the House increased 40%, for Senate 33%; from 1998 to 2002 there was a 12% increase in women candidates. Goal; to increase citizens participation in the electoral process. Results; voter turnout in 2002 increased 10% in Arizona and 5% in Maine over the 1998 precampaign reform election which were both none Presidential years.

In Arizona the number of small campaign contributors -- contributions quadrupled to 90,000. Goal; to reduce the improper influence of large campaign contributions upon governmental decisions. By the way, these goals are drawn from the Legislative Intent of the law that Suffolk County passed and the voters of Suffolk County approved back in 1998. Regarding that goal, three testimonials. "For years we had been working on the issue of {sprawl} in Phoenix and were getting nowhere, but now because of clean elections we have all kinds of candidates no longer dependent on developer contributions talking openly about all our issues", a quote from Chad Campbell of the Arizona Advocacy Network, a long-time civic activist in that area.

Next, I think the passage of the Clean Elections Act freed some of our Legislators to feel less vulnerable about voting for the plan. "One reason the prescription drug plan passed in Maine and not at the Federal level is that money is less of a factor here," that's a quote from {Chili Pingri} who is the former Maine Senate Majority Leader and a Democrat. And finally, the last quote, "I am not a novice campaigner. Having run for office successfully four times under traditional, private financing, and in 2000 under Arizona's Clean Elections Law, the comparison is stark. Clean elections empowers the constituency, gives voices to thousands of voters, expands opportunities and enhances democracy. Clean elections is about bringing back grassroots one-to-one politics instead of high dollar media campaigns financed by huge contributions from the well healed," that a quote from Mark Spitzer, an elected Arizona Corporate Commissioner who also happened to be Republican.

All this obviously in support of two measures in front of this Legislative committee today, and hopefully in front of the full Legislature shortly, to fund Suffolk's existing but as yet unfunded

public financing program for campaign finance reform on the County level.

I must add this in consideration of the comments that this committee has heard already this morning regarding the perhaps poorer residents of our County who are sadly and disproportionately also minorities for the most part. There are -- there has been for some years now a movement to identify campaign finance reform as a civil rights issue, an issue in which those that are denied other benefits of our society are perhaps also being denied representation or at least the perception that they are being represented. Remember, and everyone here has heard me say so many times before, that almost as important as the actual results of the system that we work under now is the perception that people have of how the system works now and the fact that they have dropped out of the system, that they don't bother to vote, that they don't pay attention to civic matters, that they don't go to Board of Education meetings, that they don't participate in the civic community because they don't feel their voices are heard.

Just recently the NAACP adopted a resolution in which it indicated its support for campaign finance reforms which, of course, obviously includes public financing of campaigns, and gave their whole-hearted support to another organization which if you haven't heard of I would suggest that you check out because their movement is growing. The {Fanny Lou Hemer} project, it is an organization named after and created by a lady by the name of Fanny Lou Hamer, an African-American who tried to get her voice heard in political circles and was unable to and became convinced that she was unable to because of the difference, whether actual or perceived, between constituents who are able to give money to candidates and constituents who were not. They -- both of these organizations have determined that campaign finance reform, the system that is evolved in this country at every level of government is, in fact, a civil rights issue because it is disenfranchising. Members -- parts, large parts of this -- of the community that it needs to be addressed for -- besides the other reasons that I have talked about before this body many times before, for that reason also it must be addressed. So I add that to my prepared remarks and I would hope to answer any questions you may have.

CHAIRMAN GULDI:

I have one very brief question, Lee. I was up on the campaign finance board's website recently looking at the financial disclosure information, just out of curiosity.

MR. LUTZ:

Yes.

CHAIRMAN GULDI:

Is there an intention when you update it to include the campaign finance data of the challengers to incumbents or will it --

MR. LUTZ:

Oh, absolutely.

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CHAIRMAN GULDI:

-- continue to be just incumbents?

MR. LUTZ:

No, no, no, no. It was never intended to be just incumbents, it has always been intended to be all candidates for County nonjudicial office.

CHAIRMAN GULDI:

When is the expectation that that will be achieved?

MR. LUTZ:

I have been putting up the data as quickly as I can and as it comes in.

CHAIRMAN GULDI:

Okay.

MR. LUTZ:

Unfortunately, the challengers apparently were un -- many, if not most of the challengers -- in fact, I had received only one as of last week when I had input everything that I had as yet received. The challengers apparently were not made aware of the requirement for filing with our office and so I hadn't gotten many of them before Friday, they started to come in. But as a result of my reaching out to the various parties across the County and urging them to contact their candidates and particularly their candidate's campaign treasurers whom, of course, because they are challengers, I don't know who they are, I have no way of reaching them, and they have been coming in. And in fact, I will be spending the rest of the day today and the rest of the week no doubt in uploading that data.

LEG. CRECCA:

Just one comment. Lee, all that information, the candidate's home addresses are all public record as well?

MR. LUTZ:

There are no -- well --

LEG. CRECCA:

And the treasurers should all be on file with the Board of Elections, so.

MR. LUTZ:

I'm sure they are. Well, when I requested a list of campaign committees and treasurers from the Board of Elections some weeks ago, I was told that they weren't available yet; I still haven't received them.

CHAIRMAN GULDI:

Many of them haven't filed yet.

MR. LUTZ:

Well, as a matter of fact, many of them have not filed. And the few -- the many that have come in over the past two days, a number of them are in lieu of statements; in fact, the committee has just been

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formed, in fact, there's no financial activity to report. But even that information will be posted to the website, so you will see that as well; everything that we can get our hands on will be posted and made available.

LEG. CRECCA:

And is the software available yet?

MR. LUTZ:

No, that is in the process. I have expectations as well as hopes that the software, in order to facilitate electronic filing, will be available by the first of the year.

LEG. CRECCA:

The first of January.

MR. LUTZ:

The first filing in 2004 hopefully will be electronic.

CHAIRMAN GULDI:

Thank you, Lee.

MR. LUTZ:

You're welcome. Thank you.

CHAIRMAN GULDI:

The next card is Hugo Martinez. You have to use the microphone; you have to come forward and use the microphone for the stenographer and the tape system.

MR. MARTINEZ:

I am a resident of West Islip and I respectfully request you grant my time to speak to Mr. Cesar Malaga so that he can continue to address the issue of affordable housing here on Long Island.

CHAIRMAN GULDI:

We gave Mr. Malaga -- Mr. Malaga already had his opportunity to speak, is that correct?

MR. MARTINEZ:

Yes, he did.

CHAIRMAN GULDI:

Did you have more -- Mr. Malaga, I think I gave you all the time you wanted. Thank you very much, sir. Do you have -- I think I gave you unlimited time before; did you leave anything out? I didn't think so.

MR. MALAGA:

Yes I did, yes I did. When we talk about affordable housing especially for young people, actually, you know, we should have our young people address those issues because sometimes, you know, we try to solve the problems of other people but the other people should get involved in it, where they want to live, how this or that.

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As many of you said here, many of our towns do not have any more space to build affordable housing. The only place that's left in Islip, Brookhaven and the Pine Barrens, you know, are something we preserve also. So our young people should be called to testify and come and say, "Look, we want this, we would like to live in such place or that place," and everyone should be involved. Plus someone said about the towns; the towns have their building codes and the town residents have to be involved about this affordable housing. You cannot just delete them and say, "Hey, town, you cannot do anything."

The only other thing I would like to emphasize is that many areas in which, you know, we need housing we should start doing now because the time is flying, many young people are moving out and we need to keep them here.

CHAIRMAN GULDI:

Sir, yeah, I appreciate your time, etcetera, but there are a number of speakers who haven't had any opportunity to speak yet and I'd like to move on to the cards.

MR. MALAGA:

Thank you very much.

CHAIRMAN GULDI:

Thank you very much. The next speaker is Ed Hernandez; is Ed Hernandez still here? Yeah, there you are; you were hiding behind the computer terminal.

MR. HERNANDEZ:

Good morning. My name is Ed Hernandez, I'm Co-Chair of the Long Island Campaign for Affordable Rental Housing made up of about 80 different entities, advocates, funders, religious groups, labor leaders, government, civic and environmental groups. I'm here to talk about Sense Resolution 52.

There's a growing momentum regarding affordable housing, the issue is now in the forefront, it's no longer hidden away. However, while it is at the talking stage, it is not always moved to action. Where politicians have often passed the buck, there's an opportunity here to take a bold step forward. Fair market rents are going up, next year a two-bedroom fair market rent will be over \$1,300 a month. Recent studies have shown 26% of the homes on Long Island are unaffordable. There's a need for over 80,000 affordable rental units. The median house price in Suffolk has recently surpassed \$300,000. As documented by the census, our young work force is leaving, our workers, many new professionals, cannot afford to live here. When will we take a strong stand and say enough is enough and start creating solutions?

Let me use the analogy of the human quest to fly; not that this is analogous to the Wright Brothers, but maybe for Suffolk County and affordable housing it is. But if the idea was dismissed, where would we be today? There was trial and error, thoughtful planning fueled by the desire to succeed that made it work. Let us not kill the idea here. This is a Sense Resolution, not a final bill, this is a first step on a long journey; the details can be worked out, the concepts fleshed out. If we stifle the ideas and creativity every time someone

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is dared to think and to attempt to take a bold step forward, we never would have left the dark ages. The need is great, the concept is worthy, it's time to take that bold step forward and give it a chance. There will be more than ample time and opportunity to focus on the details later. Thank you.

Applause

CHAIRMAN GULDI:

Thanks, Ed. Any questions? Thanks. Jim Morgo. Jim Morgo? There you are.

MR. MORGO:

Good morning. I'm Jim Morgo, President of the Long Island Housing Partnership and I'm here because the Housing Partnership Board of Directors voted unanimously to support the establishment of a Governmental Facilities Agency through a Sense of the Legislature, Sense 52.

I have been here many times before talking to you about the need for homes our workers can afford. I, like most of you, was touched by the woman from Farmingville talking about her children having to move off the Island; those children are the reason that the Housing Partnership exists. Last time I was here I distributed the study that the Housing Partnership did to quantify the need for homes affordable to workers, you all received that. I want to just give you a couple of anecdotes, though, and two things that you were involved in that I think brings home the need. The first thing is the development at Millennium Hills in Melville. As you know, that was the first piece of the County's Affordable Housing Opportunities Program. That is a development of 84 homes, 44 of which are public housing rentals and -- 40 are public housing rentals and 44 are homeownership. In fact, when we're going after construction financing for the home ownership, people said, "Well, the bank said you're not going to be able to market these because who wants to live next to public housing? Who wants to live next to rentals for low income people?" For the 44 homeownership units ranging in price from 102,000 to 144,000 for three bedroom townhouses. The Housing Partnership received 8,000 requests for applications, that's 8,000 requests, we have received back now when we're reviewing almost 1,300 applications; so much for the marketing concerns.

I see Legislator Caracciolo from Riverhead. You know, Mike, that for the 17 homes that we're building in Riverhead that the County is participating in in another way, not through the Affordable Housing Opportunities Program but through another way, for those 17 homes we've received 1,800 requests for applications when going over those applications now. So we don't really have to talk about the need very much, I don't think.

The Housing Partnership supports Sense 52 because it boldly addresses three of the main impediments, and Jack Caffey from the Long Island Federation of Labor already went over these three and I'm not going to take much time on them. The Fed is a member the Housing Partnership, the LIA is a member of the Housing Partnership, we are a union of

labor and business and religious organizations all of whom see the need, and the Housing Partnership is participating and the Long Island Campaign for Affordable Rental Housing.

The three areas are, number one, funding. The cost of development over the last several years has skyrocketed. I don't even want to tell you about the Housing Partnership's liability insurance costs and what's happened over the last couple of years, our material costs. So the legislation addresses the issue of funding. It also addresses the issue of land use, and as someone mentioned earlier, I think it was Legislator Crecca, that land control is in the jurisdiction of the towns. Well, I have to tell you, to be candid, land use is not a problem in every town. Some towns do quite a bit; some towns actually facilitate the creation of affordable housing, work with the Housing Partnership step by step. Some towns will go along and work with us a bit, some towns do absolutely nothing. What this legislation does, however, is give a uniformity to working for homes affordable to workers for all the towns.

And the final issue it addresses that was already mentioned was the issue of political will. This, again, would give the planners and particularly the Town Supervisors the courage to work with the County and work with the State to create more units that our children can afford. And very quickly, Mitch Pally mentioned, I was going to say something about the MSA issue; it's kind of arcane to really understand how this would effect our programs. Let me just tell you quickly that the Housing Partnership in most cases can sell homes only to first time homebuyers who earn under 80% of the median gross income for a household based on the metropolitan statistical area, the MSA. If we're lumped in together with other regions that have lower median incomes, our 80% will be less.

One of the gentlemen talked about a working family making 100,000; right now -- and again, I should tell you that it's according to household size, so the income for a household of one is less than an income for a household of eight. The Housing Partnership gets calls all the time, angry calls, saying that our income maximums, the most you can earn -- for example, a family of four, their gross maximum income is just under 67,000, if they earn more than that they're not eligible for our new homes program. We get calls all the time from children who grew up on Long Island who went to our schools who say, "I make more than that but I can't buy a home anywhere." If our MSA designation is taken away from us and we're lumped altogether there will be even more of them. That's why at Millennium Hills, for example, we got so many requests for applications and then we got a considerably fewer back because many of the people who requested them -- and I know this because I got letters and angry phone calls -- were from people whose incomes were too high; my response is we don't set the income limits, they're set by government.

So those are my comments, Mr. Chairman.

CHAIRMAN GULDI:

Questions for Mr. Morgo?

LEG. VILORIA-FISHER:

No.

CHAIRMAN GULDI:

Thanks, Jim.

Applause

MR. MORGO:

Okay, thank you.

CHAIRMAN GULDI:

Nancy Mann I think it is?

MS. MARR:

Nancy Marr, M-A-R-R.

CHAIRMAN GULDI:

It's Marr; they're R's, not N's.

MS. MARR:

I'm representing the League of Women Voters of Suffolk County. We have long been concerned about the need of all County residents for safe housing that they can afford. We believe that Sense Resolution 52 is a positive effort to coordinate and redirect the resources of the County, towns, villages and community. We urge you to discharge it for consideration by the full Legislature.

CHAIRMAN GULDI:

Thank you.

MS. MARR:

Could I add something now that Mr. Haley is back in the room? I wanted to say I was interested in your comments about the towns and the County coordinating more. The League of Women Voters has both town and County clubs or systems, whatever we call them, and we're constantly feeling that that kind of coordination is very important. So I thought it was very germane.

LEG. HALEY:

Thank you.

Applause

CHAIRMAN GULDI:

Thank you. We don't have any other speakers scheduled.

LEG. VILORIA-FISHER:

Could I just say something? I'm sorry, Nancy, I just wanted to make a comment about one of your chapter meetings where you did invite the Brookhaven Town Planning Commissioner and you invited me, so that the League of Women Voters is trying to bridge that gap as often as you can.

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MS. MARR:

Yeah, we're representing the whole County at this support statement and our local chapters also are interested. Thank you.

CHAIRMAN GULDI:

Okay, thank you very much. I've got the County Attorney, Basia Braddish, and Mr. Morgo wanted to address us on the CN that will be presented? Oh, I'm sorry; yeah, come on up. I didn't see you, I'm sorry. Ms. Braddish, succinctly to outline for the committee what you did for me before as to why we need the CN for a technical correction on the closing of the papers you're holding in escrow.

MS. DEREN-BRADDISH:

I'm going to start with a background and then they can speak to any details. Pursuant to a resolution that was adopted by the Legislature, the County has embarked through Marion Zucker's office a project to build some affordable housing at Sunnybrook, so we have a wonderful lead-in for this; the project was scheduled to close yesterday. On Friday the County Attorney's Office was informed of some information, technical information that changed the plan that the Legislature voted on. What happened is when you had a resolution, I believe it was 1224, you approved roughly \$300,000 and the terms of an agreement and a plan which were -- just outlined what the town's obligations were, but our dollar amount was fixed. On Friday we were informed that some of the technical information in the plan was going to be different than what was reflected in the plan document that you had voted on. The language was written very tightly and didn't allow it to accommodate certain modifications in the plan that might otherwise have been pro forma.

So on Monday, yesterday, we were actually very close to postponing or adjourning the closing. This development is in Bay Shore. Legislator Carpenter was informed and really wanted to see this go through, this has been taking a while to come to closure so we're finally here. There were a lot of parties involved in attending the closing so they were already on their way out, some of them were coming from the city. In order to accommodate the closing, everything is being held in escrow; so in effect we had a closing but we didn't have a closing, nothing's filed. And the terms of the escrow agreement are that it is

contingent upon a resolution of the Legislature acknowledging the technical corrections to be made to the plan.

CHAIRMAN GULDI:

Okay.

MS. DEREN-BRADDISH:

So that's where we are.

CHAIRMAN GULDI:

Any questions by members of the Legislature?

MS. DEREN-BRADDISH:

Oh, I'm sorry, just one other thing. The escrow agreement provides for two weeks of holding the document in limbo; at that point, if they aren't filed it would be a nonclosing.

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CHAIRMAN GULDI:

Right, okay. The technical correction, succinctly it's the \$16,000 approximate cost overrun in construction that raised the average purchase price from the strict agreement we approved. Obviously in terms of our learning curve, we will need to adjust our resolution so that within certain limits, if there are cost overruns, actual construction costs can accommodate that. That's the change that needs to be made; in this case it's about 11%, am I correct?

MR. MORGO:

Yeah, for the subsidized price, about 9% for the unsubsidized price.

CHAIRMAN GULDI:

So in terms of construction cost overruns and the escalation in the market; gee, I wish I could do that.

LEG. HALEY:

There's going to be a CN.

LEG. VILORIA-FISHER:

Then it goes right through to the buyers, to the price.

CHAIRMAN GULDI:

Yes, it goes through -- our contribution remains as approved --

LEG. VILORIA-FISHER:

It remains constant, okay.

CHAIRMAN GULDI:

It's the actual --

MR. MORGO:
No more money from you.

CHAIRMAN GULDI:
It's a simple example of your reality may vary from your hypothetical plan; reality did vary.

MR. MORGO:
Two and a half years.

CHAIRMAN GULDI:
Okay? Any questions?

LEG. HALEY:
That's what happens in the Suffolk County Legislature.

CHAIRMAN GULDI:
Okay, we can now begin the agenda. Thank you for being here.
The first item on the agenda.

Tabled Resolutions

The first item on the agenda, Legislator Caracciolo, Tabled Resolution 1021-03 - Adopting Local Law No. 2003, a Charter Law to restore and ensure honesty and integrity to Suffolk County land transactions

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(Caracciolo), I understand you received extensive comments from the Real Estate Division?

LEG. CARACCIOLO:
That is correct, and I will be taking them under advisement as I await for one more cycle an opportunity to reconcile differences you have with this resolution.

CHAIRMAN GULDI:
Yeah and their comments. The one thing I want to note, though, I see the bill was laid on the table January 28th, I think it's already expired.

LEG. BISHOP:
You have to refile.

LEG. CARACCIOLO:
Oh, that's no problem, no problem.

CHAIRMAN GULDI:

You're going to need to refile. Okay?

LEG. CARACCIOLO:

We will be happy to do that.

LEG. BISHOP:

Motion to table subject to call.

CHAIRMAN GULDI:

Motion to table subject to call --

LEG. HALEY:

No, it's dead.

LEG. BISHOP:

Oh, it's dead?

CHAIRMAN GULDI:

It's dead, yeah, I think it's dead on its own.

LEG. CARACCIOLO:

It shouldn't have been on the agenda then.

CHAIRMAN GULDI:

Right. Well, forgive me for looking at the bill.

LEG. CRECCA:

Mr. Chairman, you're slacking.

CHAIRMAN GULDI:

Yeah, you know, what can I tell you? I caught myself, too.

LEG. VILORIA-FISHER:

1078 same thing.

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CHAIRMAN GULDI:

1078-03 - Adopting Local Law No. 2003, a Charter Law to establish a fully independent County Department of Real Estate (Binder), this is also expired under the six month rule; is that correct?

LEG. VILORIA-FISHER:

Yes, January 28th.

CHAIRMAN GULDI:

Expires, all right.

1224-03 - Enforcing reverter clause for 72-h real estate transfers

(Postal). Legislator Postal has asked that this be tabled for a corrected copy. Motion to table by myself, second by Legislator Haley. It continues to be tabled (VOTE: 7-0-0-0).

1226-03 - Adopting Local Law No. 2003, a Charter Law to reform Early Retirement Incentive Program process to ensure real cost savings (Fields).

LEG. FIELDS:
Motion to table.

CHAIRMAN GULDI:
Motion to table by Legislator Fields, second by myself. Discussion? All those in favor? Opposed? Tabled (VOTE: 7-0-0-0).

1231-03 - To implement Space Management Reform (Fields).
Legislator Fields?

LEG. FIELDS:
Motion to table.

CHAIRMAN GULDI:
Motion to table, second by myself. All those in favor? Opposed? Tabled (VOTE: 7-0-0-0).

1422-03 - Adopting Local Law No. 2003, a Charter Law to reform Charter Revision Commission for good government purposes (Viloria-Fisher).

LEG. VILORIA-FISHER:
Motion to table.

CHAIRMAN GULDI:
Motion to table by Legislator Viloria-Fisher, second -- did you get that? How did you transcribe that, I want to know; it wasn't English. Second by myself. All those in favor? Opposed? Tabled (VOTE: 7-0-0-0).

1423-03 - Adopting Local Law No. 2003, a Charter Law authorizing partial County funding of voluntary public financing for County elections through County contract processing fee (Fisher).
Legislator Fisher.

LEG. VILORIA-FISHER:
Well, I think taking the comments that were made by Mr. Lutz very seriously that campaign financing is certainly a way to make our government more accessible to all of the people.

And further, looking -- listening to some of the questions that were asked by yourself, Mr. Chair, and by Mr. Crecca when Mr. Lutz was at the podium regarding having the electronic ability to peruse financial disclosures, Mr. Lutz does not have staff, he does not have equipment; we need to finance this program. This certainly is a good way of financing the program. Those contract agencies that are -- not contract agencies but those entities that are making money by having contracts with the County, I don't believe that the processing fee which is on -- that has a scale to it would be very onerous for them.

CHAIRMAN GULDI:

Is this a motion to approve?

LEG. VILORIA-FISHER:

This is a motion to approve, yes.

CHAIRMAN GULDI:

Ah, thank you. We have a motion to approve. Is there a second on the motion to approve? This is the --

LEG. BISHOP:

Second.

CHAIRMAN GULDI:

Second by Legislator Bishop. Okay, now we can go to discussion.

LEG. VILORIA-FISHER:

I'm sorry, Mr. Chair.

LEG. BISHOP:

I didn't even know what the heck you were talking about.

LEG. VILORIA-FISHER:

Well, is it because the Chair read it so articulately?

CHAIRMAN GULDI:

You know, that was the one before that.

LEG. BISHOP:

Yeah, this is the one percent surcharge?

CHAIRMAN GULDI:

Right, that's it.

LEG. BISHOP:

What's the amount this year?

LEG. VILORIA-FISHER:

The scale is -- it's a sliding scale, I believe it brings at 50 or

\$100, I have to look at it again myself.

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CHAIRMAN GULDI:

We don't have Counsel's synopsis here. Any further discussion on it or do you want to give us -- can you summarize the rates for us?

LEG. VILORIA-FISHER:

It begins with \$50 and the maximum is \$1,000, and that's for a million dollar contract. It begins with a \$50 fee, so it's certainly not an exorbitant fee, it's \$50 --

CHAIRMAN GULDI:

Probably a lot less than they're paying now.

LEG. VILORIA-FISHER:

That's right. That's right.

LEG. BISHOP:

This is definitely -- if you're the out party, this is the greatest bill.

CHAIRMAN GULDI:

All right. Any other discussion? All those in favor?

LEG. CRECCA:

No.

LEG. CARACCIOLO:

Let me just --

CHAIRMAN GULDI:

All right, all right, come on. Yeah, we're getting to that part. Go ahead; Legislator Caracciolo first and then Legislator Crecca.

LEG. CARACCIOLO:

Well, like with any end-use product, the consumer is going to pay for this. If a contractor is going to contribute one percent of a County contract then he's just going to build that into the cost of that contract and the consumer is going to pay for it, the County taxpayer is going to pay.

LEG. CRECCA:

Mike, if I can just jump in. The consumer in this case, though, is the taxpayer --

LEG. CARACCIOLO:

Yes.

LEG. CRECCA:

-- because it's just going to increase the cost to the County.

LEG. CARACCIOLO:

That's right, so this is another hidden tax on taxpayers. And I would support this if the referendum clearly identified the fact of where the revenue for this is going to be generated; it's going --

LEG. BISHOP:

Right, I --

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LEG. CARACCIOLO:

-- to be generated through County contracts.

CHAIRMAN GULDI:

One at a time, one at a time. Legislator Bishop.

LEG. BISHOP:

I definitely want to yield to Legislator Haley because that will be the cherry on the cake.

CHAIRMAN GULDI:

Okay. Legislator Haley, then Legislator Bishop. You don't need to worry about this anymore, Marty.

LEG. HALEY:

The referendum provides for taxpayers at their will to expend their monies to finance campaigns. This is the way to sneak in the back door to provide that which is contrary to what the referendum provided for.

LEG. CARACCIOLO:

Let it go to a vote, approve it here, it will be defeated Tuesday.

CHAIRMAN GULDI:

You know, with the --

LEG. BISHOP:

Am I on the list?

CHAIRMAN GULDI:

Legislator Bishop is next and then I'll --

LEG. BISHOP:

I've now seen everything, I've seen the --

LEG. CARACCIOLO:

Don't start. Don't start.

LEG. BISHOP:

The representatives of the Suffolk County --

CHAIRMAN GULDI:

Oh, it's his turn.

LEG. BISHOP:

Suffolk County Republican Legislators I assume not pretend or feign but to demonstrate naitive -- naitivitea; how do you say it?

LEG. VILORIA-FISHER:

Naivety.

CHAIRMAN GULDI:

Naiv tea.

LEG. BISHOP:

Yes, thank you.

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MS. MAHONEY:

How do you spell that?

LEG. VILORIA-FISHER:

Naivete, N-A-I-V-E-T-E.

LEG. BISHOP:

Thank you; that's what I meant to say.

LEG. BISHOP:

Of course, the end-user is the taxpayer who pays, but of course under the current system they're paying anyway.

LEG. CARACCIOLO:

That's my point.

LEG. BISHOP:

Of course they're paying because if you don't think that the system has built into it this notion where contractors flip back campaign contributions to whichever party dominates the landscape at any particular time, then you're being naive. And I know you're not that naive because you're a savvy political operator, so I don't think that that's what's going on here. I think, however, what is going on is that the Republican Party in Suffolk County will seek to preserve a system which is inherently corrupt; while it might be legal, it is certainly legal corruption and it's a system that should be ended.

LEG. HALEY:

Put me back on the list.

CHAIRMAN GULDI:

Oh no, come on; everybody knows it's 4-3, let's just do it.

LEG. BISHOP:

And certainly when County Executive Levy is in charge --

LEG. CARACCIOLO:

I think we should save our remarks for Tuesday.

LEG. BISHOP:

-- that's going to change.

CHAIRMAN GULDI:

Yeah, let's save our remarks for Tuesday.

LEG. VILORIA-FISHER:

I believe Legislator Caracciolo said he would be willing to pass it here and let it go to the full Legislature on Tuesday.

LEG. CRECCA:

No, he said lets vote.

CHAIRMAN GULDI:

No, he didn't say --

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LEG. CRECCA:

Whatever.

CHAIRMAN GULDI:

No, he did the math and came up with 4-3 just like I did. Any other -- anybody have anything where they wish to hope to change anybody's mind? All those in favor?

LEG. CRECCA:

No, Mr. Chairman, I just have to say, you know, much to the chagrin of Dave --

LEG. BISHOP:

I have to work on naivete before Tuesday.

LEG. CRECCA:

It's a matter of whether you support public financing of campaigns. The voters in this County --

LEG. VILORIA-FISHER:

The people of Suffolk County did in the referendum.

LEG. CRECCA:

No, they voted against public financing of campaigns.

CHAIRMAN GULDI:

All right. Well --

LEG. CRECCA:

We've been through this argument a million times, this is just -- I think Marty is right, it's just another way to approach it, you have every right to propose it, I don't agree with it. I have said time and time again that I do not and will not vote for something where the taxpayers are going to finance my campaign or any other Legislator's campaign.

CHAIRMAN GULDI:

Okay, objection asked and answered. Now can we get to the 4-3 part?

LEG. HALEY:

Yes, judge, yes, judge.

CHAIRMAN GULDI:

Can we get to the 4-3 part?

LEG. CARACCIOLO:

Yes.

CHAIRMAN GULDI:

All those in favor? One, two, three, four. All those opposed?

LEG. CARACCIOLO:

One, two, three.

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CHAIRMAN GULDI:

One, two, three. Okay, approved (VOTE: 4-3-0-0 Opposed: Legislators Caracciolo, Crecca and Haley).

LEG. CARACCIOLO:

For the time being.

CHAIRMAN GULDI:

It will give us something to spend hours on Tuesday.

1424-03 - Adopting Local Law No. 2003, a Local Law to streamline County government by repealing costly laws, archaic statutes,

superfluous boards and duplicative commissions (Postal).
Mr. Iaria is he still here?

MS. O'REILLY:
No.

CHAIRMAN GULDI:
I know he was here to speak on this; he's gone. Okay?

LEG. BISHOP:
Motion to table.

CHAIRMAN GULDI:
My understanding is we tabled it because there was some objection to it; has that been changed or has there been -- Ms. Reilly?

MS. O'REILLY:
It's been changed. He came to speak for it.

CHAIRMAN GULDI:
He came to speak in favor of it. Anybody want to --

LEG. CARACCIOLO:
Motion to approve.

LEG. BISHOP:
Motion to approve.

CHAIRMAN GULDI:
Motion to approve by Legislator Bishop. Second by?

LEG. VILORIA-FISHER:
I will second it.

LEG. CRECCA:
Excuse me. The changes were made; this is the amended copy?

MS. O'REILLY:
Yes.

LEG. BISHOP:
How is duplicative and superfluous being determined?

CHAIRMAN GULDI:
I don't have a copy of the corrections.

LEG. CRECCA:

I don't either. Motion to -- you want to discharge without recommendation?

LEG. FIELDS:

Yes.

CHAIRMAN GULDI:

Motion to discharge without recommendation, second by Legislator Fields. Which motion takes precedence? Unless we have a withdrawal on the motion to approve.

LEG. VILORIA-FISHER:

I am withdrawing my second.

CHAIRMAN GULDI:

Motion. All those in favor? Opposed? Discharged without recommendation (VOTE: 7-0-0-0).

LEG. BISHOP:

I support the discharge. Can I have the mike?

CHAIRMAN GULDI:

No, you can't have a microphone, it will make the meeting shorter.

LEG. BISHOP:

If you get this morning's minutes, you'll see that I was very quiet.

CHAIRMAN GULDI:

Yes.

LEG. BISHOP:

I just want to know, is there anybody here who can speak to this bill in any way?

LEG. CARACCIOLO:

We determined there was.

CHAIRMAN GULDI:

No, we've already --

LEG. BISHOP:

Ms. O'Reilly, you can't --

CHAIRMAN GULDI:

Ms. O'Reilly can't speak to the changes.

MS. O'REILLY:

Do you want me to explain?

LEG. BISHOP:

Yeah, I want to understand --

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CHAIRMAN GULDI:

You need to use the microphone.

LEG. CRECCA:

Explain.

CHAIRMAN GULDI:

Now you're on the record.

LEG. BISHOP:

Because at the full Legislature they're going to look to this committee for some reasoning.

LEG. VILORIA-FISHER:

Don't stress out the expectant mother.

CHAIRMAN GULDI:

I can do that at home.

MS. O'REILLY:

Okay. Basically, Mr. Iaria was against the bill at the last meeting because they spoke about taking out Detention Services. That part of the bill was removed so he was fine with it, I guess he just couldn't wait any longer.

LEG. CARACCIOLO:

Call the vote.

CHAIRMAN GULDI:

All those in favor? Opposed? It's discharged without recommendation unanimously (VOTE: 7-0-0-0).

1471 I'm advised was done at the last meeting.

LEG. FIELDS:

1479 you mean?

CHAIRMAN GULDI:

It's 1471, it's only on some copies of the agenda; it's only on my copy, you don't have it.

LEG. CRECCA:

Motion to impeach the Chairman.

CHAIRMAN GULDI:

Second.

1485-03 - Implementing Brownfield Policy for Poulos Property in Eastport, Town of Brookhaven (SCTM Nos. 0200-686.00-04.00-019.000; 0200-686.00-04.00-019.001; 0200-686.00-04.00-019.002; 0200-686.00-04.00-020.000 and 0200-723.00-02.00-029.000) (Caracciolo).

LEG. CARACCIOLO:
Motion to table.

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CHAIRMAN GULDI:
Legislator Caracciolo, motion to table.

LEG. VILORIA-FISHER:
Second.

CHAIRMAN GULDI:
Okay, we need to discuss this, I have some serious problems with it. All those in favor? Opposed? Tabled (VOTE: 7-0-0-0).

1486-03 - Adopting Local Law No. 2003, to restrict land transactions with members of the Suffolk County Planning Commission (Fields).

LEG. FIELDS:
Motion to approve.

LEG. CARACCIOLO:
Second.

CHAIRMAN GULDI:
Could you summarize the bill for me, please?

LEG. CARACCIOLO:
To prevent the other (inaudible).

LEG. CRECCA:
I'm sorry, I didn't hear any of that.

LEG. FIELDS:
What this bill proposes is to restrict purchases of properties with members who are part of the Planning Commission.

LEG. BISHOP:
On the bill; can I go on the list?

LEG. VILORIA-FISHER:
On the motion.

CHAIRMAN GULDI:

Okay. Legislator Fisher first, then Haley, then Bishop, because that's the order I heard them.

LEG. VILORIA-FISHER:

Okay. I'm opposing this, not because I disagree with the basic intent behind it but because I think it's going -- we should be doing the reverse, we should be excluding people from the Planning Commission who have a stake in the judgments made by the Planning Commission.

LEG. FIELDS:

I tried that already.

LEG. VILORIA-FISHER:

However, because we have so many people who are part of the Planning Commission who are developers who often are contract vendees in properties that we are seeking to protect for land preservation, I

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think that we would be excluding ourselves from the ability to negotiate with people who own properties that are sensitive.

In the case of Mr. Eversoll, he did own a piece of property or was a contract vendee in a piece of property that was the last forest in Stony Brook and people in the community of Stony Brook wanted to save it. Had I not been able to negotiate with him because he was a member of the Planning Commission, although I didn't know it at the time, we would not have been able to preserve that property. So I believe that we do need at some time to change the membership of the Planning Commission but I don't think this is the way to achieve the goals that we're looking for. Thank you, Mr. Chair.

CHAIRMAN GULDI:

You're welcome. The next speaker is Legislator Haley, then Legislator Bishop.

LEG. HALEY:

I like to use the old D'Andre, this is America, you know. I mean, people who get -- once they volunteer to participate on the Planning Commission or whatever other commission, we shouldn't preclude them for exercising their normal rights. As it relates to their relationship, they should disclose and certainly, you know, abstain from any voting that might have an impact, but I still believe at the end of the day that every one of those individuals on the Planning Commission has that right.

LEG. FIELDS:

Anyone else want to speak?

LEG. CRECCA:
David?

LEG. BISHOP:
I'll second the motion.

LEG. FIELDS:
I'll make a motion to table.

LEG. BISHOP:
I'll second the motion.

CHAIRMAN GULDI:
Legislator Bishop made a motion to table.

LEG. FIELDS:
No, I made the motion to table. I withdrew my motion to approve.

CHAIRMAN GULDI:
Okay, I'm sorry, I was distracted. On the tabling, all those in favor? Opposed?

LEG. CARACCIOLO:
Nice to see Democrats stick together.

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CHAIRMAN GULDI:
Tabled (VOTE: 7-0-0-0).

LEG. CRECCA:
They do it a lot better than we do.

LEG. VILORIA-FISHER:
It's called voting on good government, not partisan.

CHAIRMAN GULDI:
Actually, when there are a couple of more of them here, I'm sure the distinction won't be different.

LEG. CRECCA:
It's true.

CHAIRMAN GULDI:
1477-03 - To reform oversight of Suffolk County Employee Medical Health Plan (EMHP) (Guldi). I'll make a motion to table my bill.

LEG. BISHOP:

Why are these out of order?

CHAIRMAN GULDI:

I don't know.

LEG. CARACCIOLO:

You only had a month to prepare this agenda.

CHAIRMAN GULDI:

Yeah, I have no idea; I'm stunned by the performance of the preparation of the agenda. The numbers go -- we'll go over accounting later. And Ernst and Young's Report has just come out with 46 recommendations and I think we need to look at those in connection with 1477.

LEG. BISHOP:

Are they coming here?

LEG. VILORIA-FISHER:

Right now?

CHAIRMAN GULDI:

No, not right now.

LEG. FIELDS:

Second the motion to table.

CHAIRMAN GULDI:

My motion to table, second by Legislator Fields. All those in favor? Opposed? Tabled (VOTE: 7-0-0-0).

1479-03 - Adopting Local Law No. 2003, a Local Law to prohibit use of County resources to interfere with collective bargaining activities of unions in Suffolk County (Lindsay).

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LEG. VILORIA-FISHER:

Motion.

LEG. BISHOP:

Didn't we pass this?

CHAIRMAN GULDI:

No, we had a public hearing on it that has closed, it's eligible for a vote. I'll make a motion to approve as a cosponsor, second by Legislator Viloria-Fisher. Discussion? All those in favor? Opposed? It's approved unanimously (VOTE: 7-0-0-0).

1480-03 - To amend 2003 Rules of the County Legislature in connection with the order of business (Postal).

LEG. CRECCA:

You know, I looked at this bill, can someone just tell me what the change is from what we currently do? Because it doesn't -- I don't see the change other than numbering.

CHAIRMAN GULDI:

Well, it's the order in which they get done is what it is.

LEG. BISHOP:

Motion to table.

LEG. CARACCIOLO:

Second.

LEG. VILORIA-FISHER:

No, there's nothing wrong with it.

LEG. BISHOP:

It's been here a while and I have nothing --

CHAIRMAN GULDI:

The Reports and Statements of the County Executive were moved to before the consent calendar, that's the change.

LEG. VILORIA-FISHER:

They just changed the order.

CHAIRMAN GULDI:

The consent calendar is changed --

LEG. CRECCA:

Oh, I see it.

CHAIRMAN GULDI:

-- it's renumbered as a result, so are the Statements and Presentations. It's a change in the order with the reports of the County Executive to be moved to the end of the -- moved to after we schedule public hearings.

LEG. CRECCA:

Motion to discharge without recommendation.

LEG. CARACCIOLO:

Motion to -- I'll second the motion to approve.

CHAIRMAN GULDI:

We have a motion to approve and a second. I didn't hear a second on the motion to discharge without recommendation, that's Legislator Bishop and Caracciolo. All those in favor? Opposed?
1480 is approved (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1528-03 - Authorizing certain technical corrections to Adopted Resolution No. 16-2003 (County Executive).

LEG. BISHOP:

Motion to approve.

CHAIRMAN GULDI:

The change on 1528 is?

LEG. CRECCA:

What are we do doing, 1522 or 1528?

CHAIRMAN GULDI:

22 and 26, we did those out of order earlier. 1528, I'm looking at the reso to determine what the number change is.

LEG. CRECCA:

Well, why don't we get somebody -- Budget Review is right here.

CHAIRMAN GULDI:

Yeah. I mean, it's basically there are amounts ranging from 400 to \$10,000 that have moved.

LEG. FIELDS:

It's on the second part.

CHAIRMAN GULDI:

Yeah, from and to various accounts.

LEG. BISHOP:

I reiterate; motion to approve.

CHAIRMAN GULDI:

Motion to approve by myself. Second by?

LEG. FIELDS:

I will second.

CHAIRMAN GULDI:

Legislator Fields. Discussion? All of those in favor? Opposed?
Approved (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1534-03 - Adopting Local Law No. 2003, a Charter Law amending County

Campaign Public Finance Program to allow and facilitate partial County funding for all County elections (Cooper). Legislator Cooper's bill.

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LEG. CRECCA:
Motion to table.

CHAIRMAN GULDI:
Motion to table by Legislator Crecca.

LEG. BISHOP:
Second.

CHAIRMAN GULDI:
Second by Legislator Bishop. Discussion?

LEG. VILORIA-FISHER:
I'd like to make a motion to approve so we can discuss them all at the same time.

CHAIRMAN GULDI:
Motion to table takes precedence. Actually, this is a competing resolution to achieve the same purpose of the one that was already discharged or approved. On the motion to table, all those in favor?

LEG. CARACCIOLO:
Aye.

CHAIRMAN GULDI:
Legislator Caracciolo, Legislator Crecca.

LEG. VILORIA-FISHER:
Opposed.

CHAIRMAN GULDI:
Opposed, I'm opposed.

LEG. FIELDS:
Opposed.

CHAIRMAN GULDI:
Legislator Fields is opposed, Legislator Fisher is opposed. And Legislator Bishop?

LEG. BISHOP:
I'm opposed to tabling.

CHAIRMAN GULDI:

Is opposed to tabling; the motion to table fails (VOTE: 2-4-0-1 In Favor: Legislators Crecca & Caracciolo - Not Present: Legislator Haley).

LEG. VILORIA-FISHER:
Motion to approve.

CHAIRMAN GULDI:
Motion to discharge without recommendation.

LEG. VILORIA-FISHER:
Okay, discharge without recommendation.

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CHAIRMAN GULDI:
Or motion to approve? On the motion to discharge without recommendation by Legislator Fields -- Viloría-Fisher, second by Legislator Bishop. All those in favor?

LEG. CARACCIOLO:
On the motion.

CHAIRMAN GULDI:
On the motion, Legislator Caracciolo.

LEG. CARACCIOLO:
Let the record reflect that the sponsor of this resolution has very quietly amended this bill to take out the word taxpayer in the referendum and, once again, the public won't be snuckered into approving something that it's going to wind up paying for.

CHAIRMAN GULDI:
I think that the portion of the referendum that says funding up to 50 cents per resident is pretty clear where the money is coming from.

LEG. CARACCIOLO:
That's been amended, that's what I'm saying.

CHAIRMAN GULDI:
I do have the corrected copy as of 7/23, I'm reading from it.

LEG. CARACCIOLO:
I received it in my office the night before last, I don't have it with me.

LEG. FIELDS:
I have it.

CHAIRMAN GULDI:

I reads, "Funding of up to 50 cents per resident," I'm quoting from it. On the motion, all those in favor? Opposed?

LEG. CRECCA:

Opposed.

LEG. CARACCILO:

Opposed.

CHAIRMAN GULDI:

It's 4-2 with one absent. Discharged (VOTE: 4-2-0-1 Opposed: Legislators Caracciolo & Crecca - Not Present: Legislator Haley).

Introductory Resolutions: Real Estate

1552-03 - 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 Brookhaven, SCTM No. 0200-973.70-05.00-073.00, 0200-973.70-05.00-074.000 Both Parcels N/K/A 0200-973.70-05.00-074.001

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pursuant to Section 40-D of the Suffolk County Tax Act (County Executive). What do we got?

DIRECTOR COSTIGAN:

This is an ordinary abandonment due to lack of notice to the prior owner.

CHAIRMAN GULDI:

Mennonite case. Motion to approve and place on the consent calendar by myself. Discussion? Second by Legislator Fields. Discussion? All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1553-03 - Authorizing the Director of the Division of Real Estate, Department of Planning to issue a Certificate of Abandonment of the interest of the County of Suffolk in property designated as Town of Southampton, SCTM No. 0900-220.00-01.00-088.002, pursuant to Section 40-D of the Suffolk County Tax Act (County Executive).

LEG. BISHOP:

Motion.

CHAIRMAN GULDI:

Lack of notice?

DIRECTOR COSTIGAN:

This was requested by the Southampton Town Assessor, there was a mistake in the assessment.

CHAIRMAN GULDI:

It's a town error. Motion to approve and place on the consent calendar by myself, second by Legislator Fields. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1554-03 - Sale of County-owned real estate pursuant to Local Law 13-1976, Sid Farber Enterprises, LLC, Town of Brookhaven (0200-928.00-03.00-025.00) (County Executive).

DIRECTOR COSTIGAN:

Appraised value was \$5,000, there were four potential bidders, one bid of \$5,000.

CHAIRMAN GULDI:

Well, actually I look at the four potential bidders and three of them are Sid Farber and the fourth one is the State of New York, so I think that there was actually only --

DIRECTOR COSTIGAN:

He beat them out.

CHAIRMAN GULDI:

-- one potential bidder. Describe the parcel, please.

DIRECTOR COSTIGAN:

It's a 75 by 100 foot parcel. Your map shows it --

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LEG. BISHOP:

You can get a 75 X 100 for 5,000?

LEG. CRECCA:

Where is it?

LEG. VILORIA-FISHER:

For \$5,000? Wow.

CHAIRMAN GULDI:

It's in the Hagerman area, it's industrial.

DIRECTOR COSTIGAN:

It backs up to a recharge basin.

CHAIRMAN GULDI:

Backs up to a recharge basin and it's zoned -- probably not a usable lot as a stand-alone lot, right?

DIRECTOR COSTIGAN:

Oh no, it definitely isn't.

LEG. CARACCIOLO:

Well, do we know that?

DIRECTOR COSTIGAN:

Yes, we know that from the appraisal.

LEG. BISHOP:

But even still, isn't that cheap? I mean, I usually don't question these things.

CHAIRMAN GULDI:

Yeah. You know, the -- let me ask this; has the appraisal been reviewed and do the review appraisers have any criticism of the appraisal itself?

DIRECTOR COSTIGAN:

No, they don't.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar.

LEG. BISHOP:

Well --

LEG. CRECCA:

Opposed.

LEG. CARACCIOLO:

Opposed.

CHAIRMAN GULDI:

All right, motion to approve. All right? On the motion to approve. Do I have a second on the motion to approve; somebody?

LEG. FIELDS:

Second.

CHAIRMAN GULDI:

Second by Legislator Fields. Discussion? All those in favor of the approval?

LEG. BISHOP:

Can I ask the Chair if perhaps he can ask a staff person to review this?

DIRECTOR COSTIGAN:

If you want to table it and we'll get you more information, that would be fine. I think these could be paper streets, I think there could be no access to this lot.

CHAIRMAN GULDI:

Motion to table by myself.

LEG. FIELDS:

Second.

LEG. BISHOP:

I assume there's no access for \$5,000.

LEG. VILORIA-FISHER:

Christine, I guess that's how I feel also. Why would Sid Farber be willing --

CHAIRMAN GULDI:

Why is it worth 5,000?

DIRECTOR COSTIGAN:

I'm sure he owns the plot next door.

CHAIRMAN GULDI:

He owns the plot next door, it could increase his lot size and use it, no one else in the world can.

LEG. BISHOP:

It's still only worth 5,000.

CHAIRMAN GULDI:

If it's land locked.

LEG. VILORIA-FISHER:

But that's a development, though, right; I mean, Sid Farber is not a person, it's a corporation?

DIRECTOR COSTIGAN:

That's right.

LEG. VILORIA-FISHER:

And I'm just curious as to why they wouldn't want it for \$5,000 other than it's to expand an adjacent plot.

DIRECTOR COSTIGAN:

Yes, that's right, that's the only reason they qualified to -- they qualified to bid because they own the three lots surrounding it.

LEG. VILORIA-FISHER:

Okay.

DIRECTOR COSTIGAN:

So no one else can ever bid; it either stays there forever --

CHAIRMAN GULDI:

With us paying, not collecting the taxes --

DIRECTOR COSTIGAN:

With us paying the taxes.

CHAIRMAN GULDI:

-- reimbursing the municipalities and taking whatever liability and risks if someone gets injured on the parcel, or we put it back on the tax roles.

LEG. VILORIA-FISHER:

All right. Well, question answered.

CHAIRMAN GULDI:

But we'll get the additional information.

LEG. VILORIA-FISHER:

I have no problem supporting it.

CHAIRMAN GULDI:

Let's get the appraisal, some Legislators want to see it. On the motion to table, all those in favor? Opposed? Tabled (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1555-03 - Local Law 16

LEG. CRECCA:

1554, no?

CHAIRMAN GULDI:

We just tabled it; I'm confused enough without any help.

LEG. CRECCA:

Sorry.

CHAIRMAN GULDI:

1555-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Dorothy Roberts (0100-079.00-02.00-030.000) (County Executive).

LEG. BISHOP:
Motion to approve.

DIRECTOR COSTIGAN:
This is a normal timely filed owner redemption.

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LEG. BISHOP:
Motion to approve and place on the consent calendar.

CHAIRMAN GULDI:
Second by myself. Discussion? All those in favor? Opposed?
Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not
Present: Legislator Haley).

1556-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Lyndon Trahan and Celena Vasconcellos, his wife (0100-079.00-02.00-030.000) (County Executive). Same motion, same second, same vote. Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1557-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Ronald Beyer, Surviving Tenant by the Entirety (0200-959.00-07.00-038.000) (County Executive). Same situation, correct?

DIRECTOR COSTIGAN:
Yes.

CHAIRMAN GULDI:
In the Town of Brookhaven, Ronald Beyer, Surviving Tenant by the Entirety. Motion to approve and place on the consent calendar by Legislator Caracciolo, second by myself. Discussion? All those in favor? Opposed? Approved (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1558 -03 - Sale of County-owned real estate pursuant to Local Law 13-1976, Mary Cattani and Robert Cattani (0900-063.00-01.00-032.00) (County Executive). The bid is \$15,100, the two adjacent parcels did not bid. The appraised value of the parcel was?

DIRECTOR COSTIGAN:

Fifteen thousand.

CHAIRMAN GULDI:

For 78 X 156 -- 165 irregular parcel located -- is that landlocked?

DIRECTOR COSTIGAN:

Yes, you have a little map in the back.

CHAIRMAN GULDI:

Landlocked off of Sag Harbor Road in the Town of Southampton. The adjacent land owner who first bid on it is the owner of lot 6 which is the one right next to it; it's the only bidder for whom it makes sense.

LEG. VILORIA-FISHER:

Mr. Chair, if I could just put this on the record, because there was a speaker earlier who asked why we would sell these properties and not use them for affordable housing.

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CHAIRMAN GULDI:

It's not a buildable lot in the Town of Southampton.

LEG. VILORIA-FISHER:

Well, that's why I'm looking to put this on the record, that we couldn't put an affordable house there.

DIRECTOR COSTIGAN:

Yes, that speaker didn't realize that all County surplus property is vetted through the towns first before anything happens to it and through Marion Zucker and that the towns have the ability at that time to choose lots which they would like to develop for affordable housing.

LEG. VILORIA-FISHER:

Okay. I just wanted that on the record, Ms. Costigan. Thank you.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar by myself.

LEG. VILORIA-FISHER:

Second.

CHAIRMAN GULDI:

Second by Legislator Viloría-Fisher. All those in favor? Opposed? 1558 is approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1559-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, John V. Mac Whinnie (0900-101.00-02.00-013.002) (County Executive). Is this of right?

DIRECTOR COSTIGAN:

Yes, it is; this is the owner, prior owner.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar by myself.

Second by?

LEG. VILORIA-FISHER:

I will second.

CHAIRMAN GULDI:

Legislator Viloría-Fisher. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1584-03 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes (County Executive).

LEG. VILORIA-FISHER:

I'll make a motion to approve.

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CHAIRMAN GULDI:

Hold on one second.

DIRECTOR COSTIGAN:

This is a result of exactly the process I was just discussing.

LEG. VILORIA-FISHER:

Yes. I'll make a motion.

CHAIRMAN GULDI:

Hold on, I just want to make sure we have the town resolution.

LEG. VILORIA-FISHER:

It's here.

LEG. CRECCA:

I just want to ask a question about 72-H's, though.

CHAIRMAN GULDI:

Yeah, go ahead. Yes, we do have the resolution.

LEG. CRECCA:

Is this a legitimate public -- I mean, obviously I support the concept of using County lands for affordable housing; 72-H I always thought had to be for a public purpose and I understand --

CHAIRMAN GULDI:

No, it's actually for any municipal purpose.

LEG. CRECCA:

Is it?

CHAIRMAN GULDI:

Yep.

DIRECTOR COSTIGAN:

And these houses will all have deed restrictions on them, so it isn't a case where, again, the prior speaker thought we were transferring them for sale to developers by the towns, these will all be restricted to use for affordable housing.

CHAIRMAN GULDI:

We have a reverts clause of three years in this?

DIRECTOR COSTIGAN:

We have a three year reverts clause and a five year requirement that the actual buyer be the owner and be the occupant.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar.

LEG. CRECCA:

Are we getting anything in exchange, or?

LEG. VILORIA-FISHER:

I already made a motion to approve.

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LEG. CRECCA:

How do we know -- I'm sorry, just another question, too. How do we assure the fact that we're donating the property, for lack of a better word, that that's going to be passed on to the buyer?

DIRECTOR COSTIGAN:

They're required annually to file a report with Marion Zucker and in that report they're supposed to detail how they handle the property, to whom they sold it, they are responsible to enforce it and each year they would be reporting on the properties in the same way.

LEG. CARACCIOLO:

Christine, annually how many of these transfers take place?

CHAIRMAN GULDI:

Not enough.

LEG. CARACCIOLO:

I'm just curious.

DIRECTOR COSTIGAN:

I don't know.

MS. ZUCKER:

I would say probably about 30 to 40 at this point, and I just wanted to add on to what Christine said. I speak to the towns on an ongoing basis to see how they're progressing during the year with the properties, these particular properties Brookhaven is transferring to Habitat for Humanity.

LEG. CRECCA:

That answers a lot of questions right there, so.

CHAIRMAN GULDI:

All right. Motion to approve and it's seconded.

LEG. VILORIA-FISHER:

I just wanted to make one more comment on this, Mr. Chair, that when we look at affordable housing and affordable housing initiatives, looking at something like this where it's scattered where you don't have clumps of houses, it is another good way to approach it.

MS. ZUCKER:

It's probably good in that it helps to integrate neighborhoods.

LEG. VILORIA-FISHER:

Well, that's what I'm saying, the scattering is good.

MS. ZUCKER:

The downside, of course, is that when you scatter sites it's much more expensive to build. And in many cases we do offer lands to towns for affordable housing purposes on unimproved streets and that adds even more cost because they have to bring in services.

LEG. VILORIA-FISHER:

Right.

MS. ZUCKER:

But we don't have that many big --

LEG. VILORIA-FISHER:

But for neighborhoods, this is a way that people in neighborhoods prefer it so that you're having scattered -- integrating people into neighborhoods rather than ghettoizing.

MS. ZUCKER:

It definitely has positives; the other issue is we don't have big tracts of land, we don't generally take them in tax foreclosure to transfer them to towns, but scattered sites works.

CHAIRMAN GULDI:

We have a motion to approve and a second. All those in favor? Opposed? Approved (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1599-03 - Authorizing that Resolution No. --

LEG. VILORIA-FISHER:

Was it approved consent or just approved?

CHAIRMAN GULDI:

No, just approved. -- 404-2002 be rescinded due to lack of payment of prior fee owner (County Executive). Explanation.

LEG. FIELDS:

There's no back up.

DIRECTOR COSTIGAN:

This is a situation with an owner who did not receive prior notice. She --

LEG. FIELDS:

Why isn't there any backup on this?

DIRECTOR COSTIGAN:

Because --

CHAIRMAN GULDI:

We took it without notice?

DIRECTOR COSTIGAN:

We took it without notice, yes, and we rescinded that taking but then she didn't -- she failed to pay the taxes.

CHAIRMAN GULDI:

But we failed to notify that we rescinded to take it; is that what the situation we're looking at is?

DIRECTOR COSTIGAN:

We did an abandonment of the tax deed as she never received prior notice.

CHAIRMAN GULDI:
She never received notice of what?

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DIRECTOR COSTIGAN:
Of the original taking of the deed.

CHAIRMAN GULDI:
Okay. But how did we do the --

DIRECTOR COSTIGAN:
So we abandoned that.

CHAIRMAN GULDI:
We did the abandonment ab initio, not at their request.

DIRECTOR COSTIGAN:
Yes. Then, even though we had abandoned our claim, she still didn't pay the taxes.

CHAIRMAN GULDI:
Did she -- and we gave her notice and she didn't pay the taxes.

DIRECTOR COSTIGAN:
Yes.

CHAIRMAN GULDI:
So what you want to do is rescind the recision.

DIRECTOR COSTIGAN:
I want to rescind the recision, yes, so now we can auction the property.

LEG. CRECCA:
Motion to approve and place on the consent calendar.

CHAIRMAN GULDI:
I don't know if I'm comfortable putting this one the consent calendar because it's weird.

LEG. CRECCA:
Then I'll just change it to a motion to approve.

CHAIRMAN GULDI:
Motion to approve by Legislator Crecca, second by Legislator

Caracciolo. And when and how have we given her notice that we're going to rescind the recision of the prior taking without notice; I don't believe I got through that, did I? Which is why I don't think it necessarily belongs on the consent calendar.

DIRECTOR COSTIGAN:
I can't tell you that.

CHAIRMAN GULDI:
You can't tell me that?

DIRECTOR COSTIGAN:
I can't tell you that.

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CHAIRMAN GULDI:
All right. I'm going to --

DIRECTOR COSTIGAN:
This is, by the way, the only one of these that you will see, we now don't give you an abandonment resolution unless we have the money in hand.

CHAIRMAN GULDI:
Without the check in hand, I understand that. But until we get the backup and the answer to that question, I'm going to make a motion to table. I don't think this one is necessarily time sensitive. Motion to table by myself, second by Legislator Fields. All those in favor of tabling? Opposed? Tabled (VOTE: 6-0-0-1 Not Present: Legislator Haley).

Introductory Resolutions: Finance

Moving right on to Finance, 1547-03 - Adopting Local Law No. 2003, a Charter Law to change the County Tax Stabilization Reserve Fund Policy (Haley).

LEG. CRECCA:
Motion to approve.

CHAIRMAN GULDI:
Motion to table for a public hearing.

LEG. CRECCA:
That's what I said.

LEG. VILORIA-FISHER:

Second.

CHAIRMAN GULDI:

Second by Legislator Vioria-Fisher. All those in favor? Opposed?
Tabled for a public hearing (VOTE: 6-0-0-1 Not Present: Legislator
Haley).

1560-03 - To readjust, compromise and grant refunds and chargebacks on
real property correction of errors by: County Legislature, Control
#706-2003 (County Executive).

LEG. FIELDS:

It's not on the agenda -- oh, there it is.

CHAIRMAN GULDI:

This is a lot of money. These are clerical errors that we've been
informed of that generated from the towns and have been passed to the
County Clerk -- the County Treasurer, is that correct, and are all
here as ministerial.

MR. KNAPPE:

That's correct. I think the only technical corrections that are
certain are a couple of tax map numbers might have been left off;
I'm pulling the resolution right now.

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LEG. CARACCIOLO:

Motion.

CHAIRMAN GULDI:

Motion to approve by Legislator Caracciolo --

MR. KNAPPE:

Oh no, I'm sorry, not for the readjustments.

CHAIRMAN GULDI:

This is readjustments and compromises. Second by Legislator Fields.
All those in favor?

LEG. VILORIA-FISHER:

Consent calendar?

CHAIRMAN GULDI:

I don't know that it's -- the amounts here come to about \$100,000 and
I think that we should -- let's put it on the agenda. The next one is
\$12,000, I think that's more appropriate. All those in favor?
Opposed? 1560 is approved (VOTE: 6-0-0-1 Not Present: Legislator
Haley).

1561-03 - To readjust, compromise and grant refunds and chargebacks on correction of error/County Treasurer by: County Legislature #172 (County Executive).

LEG. VILORIA-FISHER:

Motion to approve and place on the consent calendar.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar by Legislator Viloria-Fisher, second by myself. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1562-03 - To readjust, compromise and grant refunds and chargebacks on real property correction of errors by: County Legislature, Control #707-2003 (County Executive).

LEG. BISHOP:

Same second, same motion.

CHAIRMAN GULDI:

Someone make a motion.

LEG. BISHOP:

Same motion, same second.

CHAIRMAN GULDI:

To approve or --

LEG. VILORIA-FISHER:

I will make a motion to approve.

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CHAIRMAN GULDI:

Motion to approve, second by myself. Discussion? All those in favor? Opposed? Approved (VOTE: 6-0-0-1 Not Present: Legislator Haley).

LEG. BISHOP:

This can't go on the consent calendar?

LEG. VILORIA-FISHER:

I don't know what the threshold is for the Chair.

CHAIRMAN GULDI:

It's arbitrary and capricious and not arguably rational.

LEG. CRECCA:
We knew that.

Introductory Resolutions: Other

CHAIRMAN GULDI:
1548-03 - To implement surplus personal property policy for Suffolk County (Carpenter).

LEG. FIELDS:
Motion to approve.

CHAIRMAN GULDI:
I have questions on this bill.

LEG. BISHOP:
Motion to table.

CHAIRMAN GULDI:
Could we have someone summarize it? I have a motion to approve without a second and a motion to table without a second.

LEG. FIELDS:
Why?

CHAIRMAN GULDI:
I want to know what the bill does.

LEG. FIELDS:
Well, what it does is that we apparently have surplus materials or vehicles or supplies that we throw out and this is to maximize those revenues by allowing them to be put on a list that we can either sell at public auction or somehow or other gain revenue from it.

LEG. BISHOP:
Does anyone understand how this would work?

CHAIRMAN GULDI:
Yeah, the question I have is precisely that in terms of surplussing from one department and utilization by other levels of County government and/or other levels of government, as has been our practice. And I'd like to know what the impact on that is since the bill seems to be silent on it, is it precluded?

LEG. CARACCILO:
Is there a motion to table?

CHAIRMAN GULDI:

I think David made a motion to table.

LEG. CARACCIOLO:

Second.

LEG. VILORIA-FISHER:

Giving it to other municipalities.

CHAIRMAN GULDI:

Giving it to other municipalities and the kind of transfers we've done in the past.

LEG. FIELDS:

Mostly this bill was to increase revenue to the County.

LEG. BISHOP:

I withdraw my motion to table.

LEG. CRECCA:

I'll second Legislator Fields and ask to be listed as a cosponsor.

MR. KNAPPE:

Can I just have one comment on this resolution?

CHAIRMAN GULDI:

Certainly.

MR. KNAPPE:

I don't know if this would be something that Legislative Counsel will speak on or not, but I believe that the first policy, the first Legislative action that created this policy was a Local Law or it's within the Charter. So therefore, I would just like to point out that there might have to be some type of Legislative equivalency tied to this bill; that you can't amend the Charter with a resolution, it has to be by a Local Law or Charter Revision.

LEG. VILORIA-FISHER:

Motion to table.

CHAIRMAN GULDI:

Yeah. Counsel also handed me a note on having some concerns about this as well. I think --

LEG. CRECCA:

Nice to bring that up.

LEG. CARACCIOLO:

Yeah, George.

CHAIRMAN GULDI:

Well, that's why I wanted to --

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LEG. CARACCIOLO:

Motion to table, I'll second the motion to table.

CHAIRMAN GULDI:

I'll make a motion to table.

LEG. FIELDS:

Okay, we now have three motions to table.

CHAIRMAN GULDI:

Do you have any idea what the motion is?

MS. MAHONEY:

No.

LEG. CRECCA:

There's a motion to table -- George, you want me to take over?

CHAIRMAN GULDI:

No, you have no -- you keep trying but you have to wait. My motion to table, Legislator Caracciolo seconds. All those in favor? Opposed? Tabled (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1551-03 - Authorizing certain technical corrections to Adopted Resolution No. 964-2002 (Lindsay). This is a change in name from the Senior Olympics to the Senior Games. Same motion to approve and place on the consent calendar.

LEG. VILORIA-FISHER:

Being a recent retiree, I will make a motion to approve and place on the consent calendar.

CHAIRMAN GULDI:

Second by Legislator Vioria-Fisher. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1563-03 - Authorizing the sale of four (4) surplus County cars to Village of Patchogue (Foley).

LEG. CARACCIOLO:

Motion to approve.

CHAIRMAN GULDI:

I want to note that this is an unusual -- rather than taking the \$200 minimum or the value or the assessed or appraised value of the cars, the resolution provides for \$250 each for four vehicles. I'll make a motion to approve and place on the consent calendar.

LEG. CARACCIOLO:
Second.

CHAIRMAN GULDI:
Seconded by --

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LEG. CARACCIOLO:
I made the motion.

CHAIRMAN GULDI:
Okay, motion by Legislator Caracciolo, second by myself. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

LEG. VILORIA-FISHER:
Mr. Chair, I just have a question about the section page of this resolution. There's a motion and a second, right?

CHAIRMAN GULDI:
There's a motion and a second, yeah.

LEG. VILORIA-FISHER:
On the second page, all of those listed, Legislator Lindsay's, the mileage and price; so different school districts are paying different prices?

CHAIRMAN GULDI:
No. The memo that you're looking at that's backup to Legislator Foley's resolution addresses all of the surplus cars, their mileage and their market price. The individual resolutions address giving them to various school districts at various prices, the memo sets forth the vehicles, their VIN numbers and their mileages respectively.

LEG. VILORIA-FISHER:
So this resolution is only for the Foley --

CHAIRMAN GULDI:
This is only the four cars listed in the RESOLVED clause, okay?

LEG. VILORIA-FISHER:
Okay.

CHAIRMAN GULDI:

1564-03 - Authorizing the sale of three (3) surplus County cars to Southampton School District (Guldi). My motion to approve and place on the consent calendar.

LEG. CARACCIOLO:

I have a question on the jeep. Why don't we know the mileage; with all the automation we have in County government, we don't know the mileage of the vehicle?

CHAIRMAN GULDI:

Yeah, the speedometer is broke. When they're digital and they're broken, you don't get the mileage anymore.

LEG. CARACCIOLO:

It could be a new vehicle for all I know, it could have 10,000 miles on it.

CHAIRMAN GULDI:

A 1998?

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LEG. CARACCIOLO:

It doesn't matter, I don't know how we used it.

CHAIRMAN GULDI:

Well, it was -- frankly it's valued roughly equivalent to the other two vehicles that it's being transferred with 100,000 miles on it, it's market value is still what its market value is. Do you -- given that the motion is to approve and place on the consent calendar, are you satisfied with that, Legislator Caracciolo?

LEG. CARACCIOLO:

No, I'm going to oppose it.

CHAIRMAN GULDI:

Okay. I'll change the motion to a motion to approve. Do I have a second on the motion to approve?

LEG. CRECCA:

Second.

CHAIRMAN GULDI:

Second by Legislator Crecca. All those in favor? Opposed?

LEG. CARACCIOLO:

Opposed.

CHAIRMAN GULDI:

Legislator Caracciolo is opposed; approved (VOTE: 5-1-0-1 Opposed: Legislator Caracciolo - Not Present: Legislator Haley).

1565-03 - Authorizing the sale of four (4) surplus County cars to Sachem School District (Lindsay). Motion to approve and place on the consent calendar by myself.

LEG. CRECCA:

Second.

CHAIRMAN GULDI:

Second by Legislator Crecca. Four vehicles, \$200 a piece. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1566-03 - Authorizing the sale of two (2) surplus County cars to Haupaug School District (Crecca).

LEG. CRECCA:

Motion.

CHAIRMAN GULDI:

Legislator Crecca's motion to approve and place on the consent calendar, second by myself. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

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1567-03 - Authorizing the sale of two (2) surplus County cars to Commack School District (Crecca). Legislator Crecca's bill to Commack School District at \$200. Legislator Crecca's motion to approve and place on the consent calendar, second by myself. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1568-03 - Authorizing the sale of surplus County car to Long Island Gay and Lesbian Youth (LIGALY) (Postal). The sponsor has asked me to make a motion to table. Second by?

LEG. CRECCA:

Second.

LEG. FIELDS:

I will second it.

CHAIRMAN GULDI:

Seconded by Legislator Fields. All those in favor? Opposed?

Tabled (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1569-03 - Authorizing the sale of surplus County cars to Wyandanch School District (Postal). The sponsor has asked me to make a motion to table.

LEG. CRECCA:
Second.

CHAIRMAN GULDI:
Second by Legislator Crecca. All those in favor? Opposed?
Tabled (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1589-03 - Authorizing certain technical corrections to adopted Resolution No. 195-2003 (County Executive). Yeah, this is a half of a million dollar technical correction. What? Splain; I'm not speaking English today, there's no reason to start now.

MR. KNAPPE:
In the memorandum that's attached to the resolution, the Treasurer writes to the County Executive's Office that a tax map number was not -- was erroneously left off of the original resolution and this is correcting that to include that tax map number.

LEG. CRECCA:
Why are they getting money back, though, if we left it off?

MR. KNAPPE:
It was all supposed to be inclusive in the original resolution, 195 of 2003.

LEG. CRECCA:
It's money we owe for town taxes, is that what it is?

MR. KNAPPE:
Yeah, so it was an original readjustment compromise and grant refunds. The resolution 195 was supposed to include both tax map numbers.

LEG. CARACCILO:
What is the property in question?

MR. KNAPPE:
To be quite honest, I'm not a hundred percent sure of the property. I know the tax map number is included there.

LEG. VILORIA-FISHER:
The Allstate -- it's the new Brookhaven Town offices, yeah.

CHAIRMAN GULDI:

It looks like it's the Allstate building in Brookhaven.

LEG. VILORIA-FISHER:

It's the Allstate Building in Medford.

CHAIRMAN GULDI:

And so we're going to give them a half of million dollars to -- I think we need a little more in-depth explanation on this matter.

LEG. VILORIA-FISHER:

Yeah, I think so, too, yeah. I'm looking at this, it's the Allstate Building.

CHAIRMAN GULDI:

I hear a motion to table by?

LEG. VILORIA-FISHER:

By me.

CHAIRMAN GULDI:

Legislator Vilorio-Fisher, second by Legislator Caracciolo.

MR. KNAPPE:

Well, if I could still speak on the resolution.

CHAIRMAN GULDI:

Yeah.

MR. KNAPPE:

The technical correction, it was just brought to my attention, was erroneously -- the tax map number was erroneously placed in the original resolution. It's not adding the tax map number, it's correcting the one that was originally adopted on April 15th; 0200-572, it was already granted a refund as per the Legislature.

CHAIRMAN GULDI:

Yeah, I see that in the parenthesis.

MR. KNAPPE:

If you look at the tax map numbers you can see where the error was made.

CHAIRMAN GULDI:

Yeah, but I still don't understand the technical correction. I look at the tax map numbers, what's the error and what are we correcting?

MR. KNAPPE:

Right in the resolution in the parenthesis underneath the tax map numbers.

CHAIRMAN GULDI:

I read that, it doesn't answer my first question. What I'd like someone -- I'd like someone with knowledge and information to appear at the next meeting to discuss this.

MR. KNAPPE:

On this resolution?

CHAIRMAN GULDI:

Yeah. Okay? Because we need to understand what this one is, given a dollar amount, okay?

MR. KNAPPE:

Understandable.

CHAIRMAN GULDI:

Motion to table. All those in favor? Opposed? Tabled (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1591-03 - Directing County Department of Health Services to renegotiate malpractice liability clauses for County Health Centers (Guldi). I don't have the bill in my packet.

LEG. FIELDS:

What happened to 1591.

CHAIRMAN GULDI:

I don't have the bill in my packet.

LEG. CRECCA:

I have it.

CHAIRMAN GULDI:

I don't have it on my agenda; do you have it on yours?

LEG. FIELDS:

I don't have it on the agenda but it's laid on table 6/24.

CHAIRMAN GULDI:

Oh, we did that at the last meeting, yes, we did that by CN. 1591; Mr. Gable, could you have a moment? Have you had an opportunity to review this bill, did someone forward it to you?

LEG. BISHOP:

He has a new name again this week.

LEG. CRECCA:

Gable did he call him?

CHAIRMAN GULDI:

Gabble, Gable; hey look, I'm not doing English very well today, work with me here.

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LEG. CRECCA:

You've got to stop drinking so early. I told you, George, you've got to drink after lunch.

CHAIRMAN GULDI:

I didn't have lunch with Marty, he left without me.

MR. CABBLE:

Just by way of background, when I received my copy of this on the cover of a memo I think from Legislative Counsel, I was cc'd on it, I knew that Health Services was in the midst of contract negotiations with three hospitals dealing with most of the centers on the south shore. So the first order of business was letting Health Services know that they shouldn't do anything irreversible until this thing got resolved, so there was a good deal of work put into cutting short whatever contact was going on with the hospital and their representatives. So that's been accomplished; there had been a meeting scheduled, it's been adjourned without date.

What I've been doing right now, I've been asking Health Services to give me some more background on the way the clinics are actually structured and run and financed and that sort of thing. I've got some preliminary information, they're not uniformly run the same way. We've got I believe by my count from the paperwork I saw eleven clinics or satellites for those clinics, plus the infirmary, plus the Jail Medical Unit. And in some instances, the County runs the clinics directly with its own employees, in other instances the County contracts with hospitals who in turn run the clinics for all practical purposes for us. Those are predominantly the ones on the south shore, Brookhaven Hospital runs two clinics for us and I think Southside runs two or three partially, they provide some of the's OB and some other medical practitioners but they don't have all of the support staff in those centers, some of the support staff are County employees; it's a very mixed picture.

The clinic up in Huntington is run by Huntington Hospital and the County has no indemnification responsibilities at all there because of the different relationship with the hospital there. The Coram Health Center is a County center but we contract with Stony Brook University

Hospital which provides the medical personnel or doctors to staff that centers, so it's another governmental relationship we have with Stony Brook as opposed to a contractual relationship with the hospitals on the south shore. So I'm still sorting it out.

I also know that, for example -- and I found this out quite by accident in monitoring one of the medical malpractice cases we can have from one of the south shore clinics. When the lawsuit came in, two of the named doctors are actually doctors on our roster who would ordinarily be covered under our contract for the indemnification and Counsel for the hospital's carrier put in an appearance to defend those doctors in the lawsuit. So that raised a question in my mind whether these hospitals on the south shore are covering their doctors under their group policies, because the argument that's being made to us right now by the hospitals is that to change the indemnification

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and the fence relationship would require them to increase their payments for malpractice premiums, and I don't know whether that's the case or not, I want to find that out.

So given the disparate character of the facilities, I thought that it's a good idea to table this so we can continue to gather information. It may be that the way the resolution is drawn right now it wouldn't fit all circumstances, it seems to be one size doesn't fit all.

CHAIRMAN GULDI:

Okay. But do you need a -- all right. What I'll do is I'll make a motion to table.

LEG. CARACCIOLO:

Second.

CHAIRMAN GULDI:

Second by Legislator Caracciolo, but what I'd like you to do is see if you can -- if you could suggest changes to this articulation of the policy that would be sufficiently specific to give you and the Health Department a clear direction of what we would like to achieve yet flexible enough to accommodate the array of situations that we're providing Health Services through so that we can articulate the policy as you go forward with those negotiations. I think it's probably preferable for you to be able to say to the hospital that we have a Legislative determination, that this is the way we're going to do it than it is for you to be negotiating with a, well, maybe yes and maybe no. Obviously those contracts would all have to come back here for approval anyway; would they not, or has there been a delegation of authority there?

MR. CABBLE:

I don't think they come back to you for approval.

CHAIRMAN GULDI:

All right. So the concern I have then is at the moment you don't have this Legislative policy and could go ahead and enter contractual obligation at odds with it, albeit --

MR. CABBLE:

Well, I know one issue we'll be dealing with in any event, no matter how we word that resolution, is in the case of the Coram Health Center it's the State that we're dealing with; they will never go along with an idea that they're responsible for transfer indemnification.

CHAIRMAN GULDI:

Well, how do they handle their non-County operations? They handle it under a group health insurance policy, do they not?

MR. CABBLE:

The State?

CHAIRMAN GULDI:

The State.

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MR. CABBLE:

I don't know. The hospitals apparently, at least in one case, had the contract doctors covered under their policy as well as under the contract provision we have with them. I don't know whether that was an anomaly or whether that's across the board, that's one of the things I'm trying to figure out.

CHAIRMAN GULDI:

You know the personnel in the Attorney General's office who handle their medical claims on behalf of the State out of Stony Brook and otherwise?

MR. CABBLE:

I think they dole that out to another office, the regional office doesn't handle it. I would like to find out what --

CHAIRMAN GULDI:

Why don't you endeavor to find out who in the ADA's office is handling the claims on that end so that you can interface with them.

MR. CABBLE:

Yeah, we haven't --

CHAIRMAN GULDI:

Even to the extent the State is self-insuring, there is a procedure in place for it.

MR. CABBLE:

There's not much information to go on, we have very few suits coming out of the Coram center.

LEG. FIELDS:

One would be enough.

CHAIRMAN GULDI:

Frankly, though, the days at which we can afford to provide the defense and the indemnification for employees that we don't have the discretion to hire, fire and supervise are long since gone. Now, if we can't find a way around that, we need to change the policy. And I would respectfully -- I'll table this for one cycle, I would respectfully ask you to, you know, lend your hand to the changes in the language that would effectuate that policy yet let you proceed to deal with negotiation the array of contracts.

MR. CABBLE:

I'll see what I can do with it.

CHAIRMAN GULDI:

OKay? On the motion to table?

LEG. FIELDS:

I'll second the motion and I would urge that you get that information back quickly so that it will be in effect before they actually go to negotiations.

MR. CABBLE:

Well, just on that point; apro pro your comments, all that's happened now is we're going to have a six month contract extension that will take us to the end of the year, so we have some breathing room to do what we have to do.

CHAIRMAN GULDI:

How much damage and liability and loss do we incur in six months?

LEG. FIELDS:

Right, you have the possibility of six months of having lots of malpractice. So I would urge that --

MR. CABBLE:

I understand, but we still had to keep the centers running, so the stop gap was a six month extension.

LEG. FIELDS:

I would still urge that this get done in the next cycle. Thank you.

CHAIRMAN GULDI:

Yeah; we've got two weeks, let's try to target moving it in the next cycle. I would like to move it in two weeks and I'd like to move it with your input in two weeks

MR. CABBLE:

All right, fine.

CHAIRMAN GULDI:

Okay? On the motion to table, all those in favor? Opposed?

Tabled (VOTE: 6-0-0-1 Not Present: Legislator Haley).

1595-03 - Authorizing use of Blydenburgh County Park by PDK Foundation Greater New York Chapter for Awareness Walk (Crecca).

LEG. VILORIA-FISHER:

Motion.

LEG. CRECCA:

How much?

CHAIRMAN GULDI:

Five hundred and fifteen dollars per diem for the use of the park for a charitable fund-raiser.

LEG. CRECCA:

That's a lot of money.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar?

LEG. CRECCA:

I'm going to -- I would rather not do the motion, my wife sits on this board.

CHAIRMAN GULDI:

Oh, you're going to need to abstain?

LEG. CRECCA:

So even though I'm the sponsor, I'm going to abstain on it, just in case.

CHAIRMAN GULDI:

I think that it should be a motion to approve because we won't have anonymity with an extension.

LEG. FIELDS:

But you're the sponsor, why don't you change your sponsorship.

LEG. BISHOP:

You should not be the sponsor.

CHAIRMAN GULDI:

I'll cosponsor --

LEG. CRECCA:

I can't table it, it's time sensitive.

CHAIRMAN GULDI:

I'll add myself as a cosponsor to the bill.

LEG. CRECCA:

And then I'll withdraw my --

CHAIRMAN GULDI:

Okay.

LEG. CRECCA:

I just, you know, I just don't want to -- it's not that --

CHAIRMAN GULDI:

I understand.

LEG. CRECCA:

I think it doesn't look right if my wife sits on the board, yeah.

CHAIRMAN GULDI:

Motion to approve. All those in favor? Opposed?

LEG. CRECCA:

Abstain.

CHAIRMAN GULDI:

Legislator Crecca is an abstention, approved (VOTE: 5-0-1-1
Abstention: Legislator Crecca - Not Present: Legislator Haley).

MR. KNAPPE:

Legislator Guldi, could I just interrupt you for one second --

CHAIRMAN GULDI:

Yes, sir.

MR. KNAPPE:

-- and speak on a possible Certificate of Necessity?

CHAIRMAN GULDI:

Another one, two. Go ahead.

MR. KNAPPE:

This is one that the Budget Office and Budget Review have been talking about, it came up in discussion about a week and a half ago, it involves the Department of Probation. In the 2003 Adopted Budget I know we discussed pseudocode and stuff like that in the past in front of this committee, it's where contract agencies are allocated funds in the budget. There was a roll up of two contract agencies that rolled up into one pseudocode, it was not picked up during the budget process by either Budget Office or Budget Review; it was picked up when we were executing the contract in the Budget Office that we did not want to pay two contracts out of one pseudocode. So we will be sending over a budget amending resolution, it has to do with about \$35,000 staying within the pseudocode as adopted for The Retreat which is a contract agency and about 34,000 in change will be transferred out of that pseudocode into a pseudocode for the Suffolk County -- let me just get the exact, Suffolk County Coalition Against Domestic Violence would be \$34,339. So I'll be addressing the Legislature next Tuesday in regards to that.

LEG. CARACCIOLO:

Mr. Chairman?

CHAIRMAN GULDI:

Mr. Caracciolo.

LEG. CARACCIOLO:

Thank you. Before we proceed with the conclusion of today's meeting and the Tabled Resolutions, etcetera, I'd like to request -- and I've made this request now at least four times since the beginning of the committee year -- that the Budget and Budget Review Office, and it's very timely to do so now, make a complete presentation to this committee on County finances with respect to the upcoming submission of the '04 Budget so that as we begin the deliberations in September to review, amend that budget, we have all of the information we need. I know the economic -- the finance picture for the County has improved significantly as a result of State Legislative actions, Federal Aid that was unanticipated just a few months ago, increase in sales tax receipts, projection of General Fund surpluses and the like. So the dire, bleak picture that we were all hit with several months ago and the Presiding Officer and the County Executive meeting to come up with

a plan which has yet to be submitted to this committee now finally get put in place and formalized so that we can begin the serious business of dealing with the taxpayers money.

CHAIRMAN GULDI:

Okay, thank you, Legislator Caracciolo. Let's do the Tabled Sense.

LEG. CARACCIOLO:

No, I'd like you to schedule that presentation for our next committee meeting.

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CHAIRMAN GULDI:

Do you have -- will that be -- will the Budget Office and the Budget Review Office be able to make a presentation at the next cycle which is two weeks away?

MR. KNAPPE:

I could not guarantee that we'd be able to prepare something --

(*Fire Alarm Going Off *)

MR. KNAPPE:

Was it something I said?

LEG. CARACCIOLO:

Talk budget and the alarms go off.

CHAIRMAN GULDI:

Who pulled the switch?

MR. KNAPPE:

2004 is not that bad.

CHAIRMAN GULDI:

All right.

LEG. CARACCIOLO:

We have to leave the building.

CHAIRMAN GULDI:

Can we take a quick motion to conduct our executive session during the fire drill on the outside? Approving the presence of Counsel and Legislators. Second by Legislator Bishop. All those in favor? We will reconvene when the alarm goes off, bring your files outside.

(*Executive Session: 12:19 P.M. - 12:25 P.M.*)

CHAIRMAN GULDI:

All right, we'll go back on the record to conclude the meeting. We were talking about a possibility of a presentation at our next session; why don't you give us at least a statement of where you are at the next meeting in terms of making such a presentation if you're not able to do so at that time, okay?

MR. KNAPPE:

As I was starting to say, that I cannot make a guarantee that either the Budget Office or Budget Review Office would be able to come up with a formal presentation. I should note for the Finance Committee for the record that the outside auditors are finalizing the 2002 actuals at the end of this week, the books will finally be closed on 2002, so this way we'll know exactly where our surplus, either positive or negative, I believe that all projections show that it will be a positive fund balance rolling over into the 2003 estimated column. However, discussions that we've had in the past were projections, we'd like to hold off and get the actuals at that point.

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In addition, two weeks from now during the next committee meeting, the Budget Office itself is -- will be working extensively on the 2004 Recommended Budget as well as projections for 2005. This committee is fully aware of all the work that goes into Budget Review's portion of their process, the Budget Office has the same type of detailed process that we have to go through as well. I don't know if we'll be available at that point in time to discuss that with the committee.

CHAIRMAN GULDI:

I'm sure you'll make every effort to be available to give us whatever update is available.

MR. KNAPPE:

That would certainly be the case, we'll be able to give you information that we can at that point in time.

CHAIRMAN GULDI:

Okay. Let's finish this agenda.

Tabled Sense Resolutions

Sense 34-2003 - Memorializing Resolution requesting State of New York to authorize a public health and human services safety transfer tax for Suffolk County (Presiding Officer Postal). Presiding Officer Postal has asked for this to be tabled for filing of a corrected copy. Motion to table by myself, second by Legislator Fields. All those in favor? Opposed? 34 is tabled (VOTE: 6-0-0-1 Not Present: Legislator Haley).

Sense 47-2003 - Memorializing Resolution requesting State of New York to continue to deny drivers licenses to illegal immigrants (Binder & Haley).

LEG. CARACCIOLO:
We should build hiring halls but not give licenses.

CHAIRMAN GULDI:
Is there a motion? Going once, going twice; fails for lack of a motion.

LEG. CRECCA:
Motion to table.

CHAIRMAN GULDI:
Motion to table by Legislator Crecca; is there a second?

LEG. CARACCIOLO:
Second.

CHAIRMAN GULDI:
Second by Legislator Caracciolo. All those in favor? Opposed?
Tabled (VOTE: 6-0-0-1 Not Present: Legislator Haley).

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Introductory Sense Resolutions

Sense 52-2003 - Memorializing Resolution requesting State of New York to create Suffolk County Government Facilities Agency (GFA) (Guldi).
Motion to approve by myself, second by Legislator Vilorio-Fisher.

LEG. CRECCA:
Motion to table.

CHAIRMAN GULDI:
Motion to table by Legislator Crecca. Is there a second on the tabling motion? There being no second, is there any debate on the motion to approve? All those in favor?

LEG. CRECCA:
Wasn't this before the full Legislature?

CHAIRMAN GULDI:
Yes it was, it's back again. All those in favor? One, two, three, four. All those opposed?

LEG. CRECCA:

Opposed.

CHAIRMAN GULDI:

One opposed; all those abstentions? Mike, are you in favor?

LEG. CARACCIOLO:

I'm in favor.

CHAIRMAN GULDI:

Oh, okay. Legislator Caracciolo is in favor, that's approved
(VOTE: 5-1-0-1 Opposed: Legislator Crecca - Not Present: Legislator
Haley).

Sense 53-2003 - Memorializing Resolution requesting Federal Government
to reinstate Long Island status as a Primary Metropolitan Statistical
area (PMSA) (Fields).

LEG. VILORIA-FISHER:

Motion to approve Sense 53.

CHAIRMAN GULDI:

The sponsor can make the change that was requested because it's a
Sense Resolution, not subject to the eight day rule.

LEG. FIELDS:

Okay.

CHAIRMAN GULDI:

I'd like to be added as a cosponsor.

LEG. VILORIA-FISHER:

So would I.

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CHAIRMAN GULDI:

Legislator Fields, motion to approve, my second. Any discussion on
the resolution? Any discussion? All those --

LEG. CRECCA:

I just want to be listed as a cosponsor.

CHAIRMAN GULDI:

Cosponsor for Legislator Crecca as well.

LEG. BISHOP:

Put the committee on.

CHAIRMAN GULDI:

Legislator Bishop as a cosponsor. Legislator Caracciolo, it's down to

you; are you a cosponsor?

LEG. CARACCIOLO:

Yes.

LEG. CRECCA:

Yes, yes, he said it before; he's been saying it all meeting.

LEG. CARACCIOLO:

So is Haley.

CHAIRMAN GULDI:

So is Haley, okay. All those in favor? Opposed? Approved
(VOTE: 6-0-0-1 Not Present: Legislator Haley).

No further business before this committee, I'm done. Thank you.

(*The meeting was adjourned at 12:30 P.M.*)

Legislator George Guldi, Chairman
Ways & Means, Real Estate Transactions
& Finance Committee

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