

**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 **November 25, 2003**.

Members Present:

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

Also In Attendance:

Tom Donovan - Aide to Legislator Guldi
Eben Bronfman - Aide to Legislator Guldi
Bryan Galgano - Aide to Presiding Officer Postal
Kara Hahn - Press Secretary to Presiding Officer Postal
Terrence Pearsall - Aide to Legislator Lindsay
Ray Zaccara - Aide to Legislator Bishop
Maria Ammirati - Aide to Legislator O'Leary
Virginia Suhr - Aide to Legislator Vilorina-Fisher
Alexandra Sullivan - Chief Deputy Clerk/Suffolk County Legislature
Jim Spero - Deputy Director/Budget Review Office
Lance Reinheimer - Budget Review Office
Bill Faulk - Intergovernmental Relations/County Executive's Office
Ken Knappe - County Executive's Budget Office
Theresa Lollo - County Executive's Budget Office
Christine Costigan - Director/Division of Real Estate/Planning Dept
John Cochrane - Suffolk County Treasurer
Martin Haley - Chief Deputy Treasurer
Penny LaValle - Director/Real Property
Gary Simonson - Real Property
John Kennedy - Suffolk County Clerk's Office
Peter Schlusser - Suffolk County Clerk's Office
Paul Greenberg - Suffolk County Civil Service Department
Frank DiSanto - Suffolk County Civil Service Department
Kris Chayes - Suffolk County Civil Service Department
Charles Bartha - Commissioner/Department of Public Works
Tedd Godek - Suffolk County Architect/Dept of Public Works
Ron Warren - Department of Public Works/Sanitation Division
Robert Maimoni - Administration/Department of Health Services

Len Marchese - Department of Health Services/Finance Division
Lee Lutz - Campaign Finance Board
Margaret Bermel - Department of Labor
Jeff Tempera - Director of Labor Relations/Chair-EMHP

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Jack Weishahn - President/Detective Investigators PBA
Artie Cliff - President/Police Benevolent Association
Vito Dagnello - President/Correction Officer's Association
Pete Smith - President/Detective Association
Tom Breeden - President/The Guild-SCCC
Cheryl Felice - President/Association of Municipal Employees
Lydia Sabosto - 2nd Vice-President/AME
Sondra Randall - Secretary/AME
Anne Abel - Treasurer/AME
J. Gioni Palmer - Newsday

Minutes Taken By:
Alison Mahoney - Court Stenographer

(*The meeting was called to order at 9:50 A.M.*)

CHAIRMAN GULDI:

I want to apologize for the late calling of the meeting to order, the Chairman has a serious attitude problem.

LEG. CRECCA:

This is new?

CHAIRMAN GULDI:

Yes, this is new; you ain't seen nothing yet. Let's begin with a Pledge of Allegiance to be led by Legislator Crecca; this is a test to see if he knows all the words.

Salutation

See, he did get one wrong. Okay, we'll begin with the Treasurer, burdened as he is with a former Legislator. Would you come forward, please, you filled out a card. There's something -- apparently there's something the matter with your shoes?

MR. COCHRANE:

Not really, but I appreciate the opportunity to answer any questions or be heard with respect to Mr. Crecca's resolution. With respect to the vehicle that's assigned to the County Treasurer, the lease on the existing vehicle ran out in October, it went out to bid and the direction we had was -- from the Department of Public Works was that they were no longer leasing vehicles, they were purchasing so it went

out to bid and the low bidder does have a car available but, of course, it's subject to a resolution of the Legislature in accordance with your previous resolution. So I'd be happy to answer any questions or give whatever information would be appropriate.

Oh, one other issue, I'm sorry. Not only did the lease run out but the mileage allotment under the lease has been reached so every mile presently going on the car costs the County additional money because of the excess mileage.

CHAIRMAN GULDI:

Okay. Any questions? Hearing none, we'll move to the next card.

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MR. COCHRANE:

Thank you very much. Good morning, Ladies and Gentlemen. Thank you.

CHAIRMAN GULDI:

Robert Maimoni, Health Department; while we're on the subject of cars, the subject that made Bob Maimoni famous.

MR. MAIMONI:

Mr. Chairman, everybody has to have something to make them famous.

CHAIRMAN GULDI:

Right, you got that.

MR. MAIMONI:

I'm here today on Resolution 1972, it's to create a new job title and salary plan. If you go through the resolution, you'll see that there's some backup information from Civil Service as well, it's a Medical Records Administrator. A few years back the Federal government passed a new bill, HIIPPA, HIIPPA, compliance, it's Health Information --

LEG. VILORIA-FISHER:

Privacy Act.

MR. MAIMONI:

-- Insurance Portability and Privacy Act. It brings us to a whole new world in terms of our medical records and what we have to do to maintain them. Currently, the department has Medical Records Clerks and Senior Clerks, but the job has become more sophisticated, this person would oversee all the medical records for the entire department. If you have any questions --

CHAIRMAN GULDI:

Any questions? Legislator Fisher.

LEG. VILORIA-FISHER:

Bob, since you're referring to HIIPPA and describing this, would that person also oversee that the procedures are HIIPPA compliant?

MR. MAIMONI:

No, ma'am. We've -- HIIPPA is an enormous undertaking for our department, and really the whole County, it touches Social Services in Medicaid as well. We about three years ago hired a consultant to get us on the right road with all the different things that we have to do to be HIIPPA compliant. Some of it is like -- you have to electronically bill and if we weren't able to get to that point when it came out, we wouldn't have been able to bill any longer. So we've moving on it on a lot of different fronts. This is strictly just the medical records for this individual.

LEG. VILORIA-FISHER:

For records, okay. Thank you, Bob.

LEG. O'LEARY:

Mr. Chairman?

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CHAIRMAN GULDI:

Go ahead.

LEG. O'LEARY:

Bob, who has performed this function prior to the creation of this particular position or title?

MR. MAIMONI:

Each of the different health centers maintain their own medical records and because there's four different hospitals overseeing eight of those health centers and two of them are County operated, there's no uniformity amongst them; part of what we're trying to do is accomplish that.

LEG. O'LEARY:

All right. So the effect of this position and title would be to coordinate the records of all the centers that are currently --

MR. MAIMONI:

That's correct as well as Mental -- also in Mental Health and Alcohol and Substance Abuse as well.

LEG. O'LEARY:

Okay.

MR. MAIMONI:
And the jail.

CHAIRMAN GULDI:
Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:
Thank you, Mr. Chair. Bob, I have another problem as I look more carefully at this resolution. I notice that it's abolishing a Public Health Nurse title in order to find the funds for this position?

MR. MAIMONI:
As you're aware, we have about -- up until this past budget process we have 20 Public Health Nurses that we have been unable to fill for the last three years.

LEG. VILORIA-FISHER:
Why have we been unable to fill them?

MR. MAIMONI:
A combination of just an overall national shortage of nurses --

CHAIRMAN GULDI:
We don't pay enough.

MR. MAIMONI:
-- and our pay scale is not high enough.

LEG. VILORIA-FISHER:
What have we done about increasing the pay scale?

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MR. MAIMONI:
We've increased -- we're paying up on a higher step than we used to and we're also going to be coming forth in the early part of next year with a comprehensive plan to address the nursing titles that we have within the department, upgrade them and increase the salaries. As you're undoubtedly aware, finding nurses is a national issue, it's not just something that's unique to the Health Department.

LEG. VILORIA-FISHER:
But we have to know that we're advertising sufficiently, that we're doing enough recruitment in order to get these very critical positions.

MR. MAIMONI:
We've taken a number of steps. We advertise regularly in Newsday and in other forms, but in addition to that we actually took a person, a

Public Health Nurse herself, and made her uniquely responsible for recruiting nurses. We tried doing it with personnel people and what happens is folks come and they want to know about the job, so we found that this lady has been very helpful. We've done better but, you know, we have nurses in every part of our operation and --

LEG. VILORIA-FISHER:

Bob, I'm just going to have a hard time supporting this resolution when we as a Legislature during the budget process voted unanimously to add five Public Health Nurse positions, that was a policy position of this Legislature. So to present us a week later with a resolution abolishing one of the Public Health Nurse positions goes contrary to I think a very clear statement that we made here as a Legislative body. So I'm going to --

MR. MAIMONI:

Ms. Fisher, may I?

LEG. VILORIA-FISHER:

Well, I just want to state my position, that I will be making a motion to table this resolution until we can clarify or look for another position that might be substituted for this because it just seems contrary to the very policy statement that we made during the budget process, which is to keep those Public Health Nurse positions open, which is to make a greater effort to recruit Public Health Nurses we were very adamant with regards to the importance of Public Health Nurses in our Public Health Access System and I don't think that it's an appropriate step to take one week after we voted to put five Public Health Nurse -- keep five Public Health Nurses positions available to turnaround and present to us a resolution where you're eliminating a Public Health Nurse position. That's my position and I will table it, we can speak on this further and perhaps you can give me more reason to support this, but at this point I will be making a motion to table this today.

CHAIRMAN GULDI:

I've got a motion to table; I don't hear a second on that motion.

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LEG. VILORIA-FISHER:

Well, we haven't asked to take it out of order. We're not on the agenda.

CHAIRMAN GULDI:

That's right, we're not on the agenda.

LEG. VILORIA-FISHER:

I'm just letting Mr. Maimoni know that that's my position today.

CHAIRMAN GULDI:

Okay.

LEG. CRECCA:

Can I --

CHAIRMAN GULDI:

No, let's go on. You got something you want to add? Go ahead.

LEG. CRECCA:

Well, I just -- so it's clear on the record, too, I wanted to ask Mr. Maimoni why they used that as the offset with the Public Health Nurse.

CHAIRMAN GULDI:

He said that; were you paying attention?

MR. MAIMONI:

Well, there are times I probably should just keep my mouth shut, but the bottom line is this. You add five Public Health Nurses to the department, you added no money for it. Our turnover savings is so high we have to keep 160 jobs vacant all year to meet the turnover savings requirements. This position is a paper position, it's not real.

CHAIRMAN GULDI:

You're right, you should. Okay, moving right along.

LEG. VILORIA-FISHER:

We want to try to make it real, Bob.

CHAIRMAN GULDI:

You're going to miss me, Bob, aren't you? Next, Penny Wells-LaValle, come on down. And I see Jack Kennedy is in the building? Okay.

MS. WELLS-LAVALLE:

Yes, he is. Do you want him down here also? He's not on the card.

CHAIRMAN GULDI:

You're on the same -- no, that's a different issue.

MS. WELLS-LAVALLE:

Different issue.

CHAIRMAN GULDI:

Is it the same issue?

MR. SIMONSON:

Yes.

CHAIRMAN GULDI:

You want to come down at the same time? Come on down, that way we can beat on all of you at once.

MS. WELLS-LAVALLE:

Oh, you don't do that. Good morning, Mr. Chairman.

CHAIRMAN GULDI:

No, I never would.

MS. WELLS-LAVALLE:

Thank you for segueing us into the beginning of the program as we are very busy in Riverhead, thank you. I propose for Real Property -- let me just say that the County Executive did submit a corrected version.

LEG. VILORIA-FISHER:

Thank you, Penny.

MS. WELLS-LAVALLE:

Page two of the resolution. Underneath the schedule, the table that has the Schedule of Convenience Fees, we did remove authorizing Suffolk County Real Property --

LEG. VILORIA-FISHER:

Excuse me, I just wanted to interrupt you a second because I know it's hard to find that resolution; it's under "Other" at the end of the agenda; I had looked at it earlier.

MS. WELLS-LAVALLE:

Thank you.

LEG. VILORIA-FISHER:

And can you say the number again, Penny?

MS. WELLS-LAVALLE:

Sure, it's 1917, it's on the second page under the table, the corrected copy removes the entire paragraph that says, "The Suffolk County Real Property Tax Service Agency is hereby authorized and directed to amend these annual convenience fees and the schedule fees in Resolution 161 -2003 no more frequently than biennially, commensurate with the cost of maintenance, material production and fair market value"; that entire paragraph has been eliminated. Some of you had expressed concerns, so we do try to accommodate and that's not a problem for us.

The convenience fees is a resolution that we've actually been working on for the past two years, we have done quite a bit of record auditing

in terms of what the market out there would want, in terms of looking at our ownership data and information that we collect off of a form called the 5217 which is a State form; I have several copies of the form, if I can ask my Deputy to bring them up to you. When a deed comes in or a transfer of property into our office, we verify the information on that deed, we match it against our Tax Map No and our

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tax map description/filed maps to verify the description on the document.

In addition to the deed, there are other forms that are attached but the 5217 is a State form for assessing purposes and it has a number of fields that relate to the property and assessment information. We are now collecting the information, I asked my staff to collect that. I believe streamlining government, whoever touches that document first, it's related to your agency, you should collect that information and we are doing that. I've asked them -- we put into our system the new ownership, we keep the history on every parcel and the tax map that's related to that. The convenience fees are for -- there's two convenience fees; the first one is for \$2,500 a year for access to that information and also access to the tax maps; now individuals who subscribe to that can print as often as they want that information. The second fee is a \$5,000 annual fee, but that is for -- really for professionals, title companies, attorneys, any individuals who would be filling out this form, we will permit them to enter a Tax Map No or an address and populate the field. We have this form developed already, we've had it developed for years, but populate all the information here, make the changes that they need to make in terms of the conditions of the sale, the sale price, certainly the buyer attorney's name, everything -- whatever information they can. Now, we permit them to print that form and the system will assign a unique eight digit number to this form. When they bring the form and the deed into our office, my staff will then just type in that eight digit number and then it populates, I don't have to have my staff type all this other information in again.

And if I can just carry this and take another moment of your time just one step further, we are working with two of the largest towns in Suffolk County on a prototype that we will have permit them access to that information because they have to verify the sales for the development and office of Real Property for the equalization rates that New York State Office of Real Property calculates. So that I will have the assessors access that information, take a look at it and they have -- they're supposed to verify their sales, so when -- I won't permit them to download it into their system until it's verified. So we're collecting this information, we're having it available to the assessor, once they verify it I'm permitting them to

download it into their system, we get it back. In other words, they say that sale is a correct sale, it's arm's length and you can use that, and then we are now negotiating with Office of Real Property for fees to send them that information. So we're streamlining government because now the assessor is not entering it, the State is not entering it. And also, we provide that eight digit number to the Clerk who then downloads our ownership information that we collect from this.

We have in place through the licensing of our albums what I consider a sophisticated accounting module for subscription fees already. So our Land Information System is on an annual basis, this would also be on an annual basis and we track every subscriber. And we also send out notices if they're overdue and on a third notice we have arrangements with the County Attorney that they send out a notice that "You are due and further action will be taken if you don't pay." So we have

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everything in place to do this, all we need is authority to move ahead and then we'll do an office system? Questions? Bless you.

LEG. VILORIA-FISHER:

You know, we're going to have to table this anyway today because it's a Local Law so we would need a public hearing; Counsel, Paul, right, is that correct?

CHAIRMAN GULDI:

1917, Paul.

MR. SABATINO:

Yeah, we need a public hearing. I'm just trying to make sure we didn't --

CHAIRMAN GULDI:

Didn't have it already?

MR. SABATINO:

Yeah, this is not under the tabled.

LEG. VILORIA-FISHER:

Is it under tabled?

MR. SABATINO:

Because this agenda jumps around a little bit.

MS. WELLS-LAVALLE:

It's under "Other".

MR. SABATINO:

No, I mean in terms of you can't automatically -- no, there's been no public hearing so we need a public hearing first.

CHAIRMAN GULDI:

Okay, so we don't need to -- we're not going to be able to resolve this today. Does anyone have any questions they want to ask before the public hearing?

LEG. CRECCA:

I'd like to hear from the Clerk.

CHAIRMAN GULDI:

Yeah, well, that's the next step.

LEG. CRECCA:

Are we going to hear from the Clerk's Office, just to hear what their input is?

CHAIRMAN GULDI:

Well, he filled out a card so we have to let him talk, so we will hear from the Clerk's Office.

MR. KENNEDY:

Good morning. My name is John Kennedy, I'm here on behalf of County Clerk Ed Romaine. I have a letter for all members of the committee

from County Clerk Romaine, unfortunately he wasn't able to be here today, he had a minor surgical procedure the other day.

Basically in a nutshell, I was going to ask the committee to do, in essence, I guess what it is that they're seeming to do which is table. There are some concerns that -- the Clerk has some concerns as far as the operations of the subscription service with Real Property Tax S, services. In particular, vis-a-vis the deed history which is something that by Constitution and by State Statute is an obligation of the Clerk to maintain.

In addition, we just wanted an opportunity to go ahead and let the committee know that we have been up on the Internet actually since July 1st. We have our Director of MIS Services here with us today, Pete Schlusser, and we can talk to you in terms of specifics. As far as annual contact, we're averaging between four and 500 hits per day. We now at this point have about a million images on the web -- actually, I'm sorry, a million instruments I believe it is and we're currently in the process of backfilling.

We filed yesterday with the Clerk's Office a resolution that would

adopt, in essence, I guess what we would call a subscription service which would be the opportunity to go ahead and make a whole variety of recorded and filed instruments available to the world at large, if you will. There are a lot of natural, interested parties out there from title companies to mortgage entities, surveyors, variety of different outfits that have to work off our records. And we anticipate being able to go ahead and project between 250 and \$500,000 a year in annual revenues once we have the site up in operation.

CHAIRMAN GULDI:

Legislator Crecca has a question, but I trust that since we're tabling these that your two offices will be able to communicate and collaborate on this --

MR. KENNEDY:

Absolutely.

CHAIRMAN GULDI:

-- public access issue.

CHAIRMAN GULDI:

Absolutely.

LEG. CRECCA:

Yeah, actually what I was -- you really sort of stole my line which was just --

CHAIRMAN GULDI:

The obvious line.

LEG. CRECCA:

Before the public hearing, if the two offices could just coordinate and see if there's something that is acceptable to both and that works for the County best. Certainly both of you have the area of expertise

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in this area, so it would make most sense if the two of you can advise us as to what's best. Thank you.

CHAIRMAN GULDI:

Actually, what we can do is you can both go up, we can have a bidding war and we can drop the rates against each other.

MR. KENNEDY:

Or raise the rates.

LEG. VILORIA-FISHER:

The highest bidder.

LEG. FIELDS:

I have a question for John.

MR. KENNEDY:

Certainly.

LEG. FIELDS:

On the first page of the letter that Ed Romaine sent, on the bottom paragraph it says, "But I do have a concern that if the RPTSA site provides historic ownership information gathered from my office, that would control and duplicate County Clerk land records such as deeds and undermine the profitability of our site;" doesn't the money all go into the same pot?

CHAIRMAN GULDI:

That's the point I think I just made.

MR. KENNEDY:

Well, ultimately the funding I guess that we would wind up receiving is remitted to the General Fund. As a matter of fact, I guess you kind of hit the nail on the head, if you will. You know, at this point we're averaging about a million and a half per month that we're remitting over to the General Fund. This year, as a matter of fact, will be a historic high for the County Clerk's Office in that we will approach I believe 18 million that we've remitted to the General Fund from our operations. In October we converted I believe 45 million in gross with about 43,000 land record instruments.

LEG. FIELDS:

But my question is this; it's not taking money away from the County General Fund, it's just taking it and moving it from one department to another and putting it in the same pot.

MR. KENNEDY:

I believe that it's the Clerk's intention to see if there may be a small portion of what we realize off of the website operations to be funneled or plowed back into, if you will, the operations of the web platform and the software and the computer equipment.

LEG. FIELDS:

You're still not answering my question. I'm concerned that there's just, you know, obviously what George was saying, a bidding war between the two of you.

LEG. VILORIA-FISHER:

Mr. Chair?

LEG. FIELDS:

But you want to give up like the fact that you have a grand total of whatever it is that you have at the end of the year, you don't want to give up that money and give it to another department.

MR. KENNEDY:

Not at all. And as a matter of fact, let me go ahead and give the microphone to Penny after I finish, but --

CHAIRMAN GULDI:

Hold it, I have a -- I have a number of Legislators who have conflicts and appointments. This matter is not going to get voted on today, it's going to get tabled today, we're not going to resolve this today.

MR. KENNEDY:

Certainly.

CHAIRMAN GULDI:

So I don't want to belabor it today. We all know what the issue is, it's clear, let's go forward and let's deal with this at the next regular meeting of the Legislature, let's be prepared to deal with the --

LEG. VILORIA-FISHER:

Mr. Chair, at the public hearing I would like to go over what the Clerk has said in the following paragraph which is the constitutionality of who controls the records. So that's something that we will address then.

MR. KENNEDY:

Again, also the Constitution and State Statute basically charge us with the responsibility to go ahead and maintain the indices, that's 316A of Real Property. The indices is a component of the --

CHAIRMAN GULDI:

We'll do this then at the public hearing.

MR. KENNEDY:

Good.

MS. WELLS-LAVALLE:

Wait, one word. I just have to say that I believe that we have demonstrated that we're a collaborative agency and that we work very well with everyone; we have demonstrated that.

MR. KENNEDY:

Absolutely.

CHAIRMAN GULDI:

Let's -- I see Commissioner Bartha who failed to fill out a card twitching, so we'll let him speak anyway. But you only -- as a result of your failure to fill out a card, you've got 42 seconds. Go ahead.

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COMMISSIONER BARTHA:

Thank you for overlooking my oversight, and good morning. There's three resolutions for new positions in the Department of Public Works that I would like to address; they are 1973, 1974 and 1975.

1973 is a result of a desk audit of an employee who's been an employee of the department for 31 years. It's a -- in order to keep up with the changing high tech aspects, we have, you know, included in our maintenance areas much more computerization. What we need is a person who understands sewage treatment as well as computers and the individual that's doing that job now, Civil Service has desk audited his position and has proposed the new title of Data Base Coordinator Waste Water Treatment. It's a competitive title and, again, the employee is with us 31 years.

LEG. CRECCA:

What is the number of that resolution?

COMMISSIONER BARTHA:

1973.

LEG. VILORIA-FISHER:

It's under Finance.

COMMISSIONER BARTHA:

1974 is a result of our problem in recruiting Industrial Waste Pretreatment Technicians. It creates a trainee title at a lower grade which will, we hope, allow us to attract people to this career and then advance it to the technician title. It's a competitive position, minimum requirements start with a college degree, and failing to have a college degree it could be high school and four years of technical experience on environmental projects, that would be a salary grade 18. And this is an EPA mandated program, it's a growing program to ensure that the sewage that's discharged to our facilities does not contain components that would disrupt the biology of the treatment process.

1975 is result of a desk audit and the efforts of the department to create a new title, Federal -- Director of Highway Planning and Permits. The person who's presently in this position has been with the department for 25 years, this is a competitive position requiring a college degree.

CHAIRMAN GULDI:

Okay. Only one question, Charlie, because your 42 seconds are up, and that is tell us why all these are happening at the end of the year and after the election.

COMMISSIONER BARTHA:

I believe you're seeing Indians behind the trees because these are things we've sought for a while.

CHAIRMAN GULDI:

I'm not seeing anything.

COMMISSIONER BARTHA:

I can't answer that.

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CHAIRMAN GULDI:

You have been -- you've been seeking these for a while? Go ahead, tell me, when did you start the process?

COMMISSIONER BARTHA:

These are desk audits. The Civil Service letter on one, on the Director of Highway Planning & Permits is dated July 10th. The -- let me check my correspondence here; for the trainee position, Civil Service agreed with us on August 15th that a new title should be created; and on the Database Coordinator, the sewage treatment computer guy, it was July 10th. So given the budget, the time in the Budget Office, I don't submit resolutions directly.

CHAIRMAN GULDI:

Okay, all right.

LEG. O'LEARY:

Question.

CHAIRMAN GULDI:

Question, Legislator O'Leary.

LEG. O'LEARY:

Charlie, under 1975, it's just a matter of changing the title of the person currently performing that function, correct?

COMMISSIONER BARTHA:

That's correct, and 1973 is the same, it's changing the title, it's a promotion.

LEG. O'LEARY:

Yeah, so it's not creating a new title, it's just changing the title of a person currently performing that function.

COMMISSIONER BARTHA:

Well, technically it creates a new title in the system but it doesn't create a new position.

LEG. O'LEARY:

Does it eliminate the other title?

COMMISSIONER BARTHA:

Yes, eliminates the other position.

LEG. O'LEARY:

All right.

LEG. CRECCA:

It changes the title.

CHAIRMAN GULDI:

Let's do the agenda. I notice I don't have any further cards, no one's filled out a card on the Employee Medical Health Plan. Is Mr. Tempera in the building?

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MR. TEMPERA:

No.

CHAIRMAN GULDI:

No; that was Mr. Tempera who said no from the back of the room. Apparently -- I just want to make sure you have nothing to say, Mr. Tempera. For the record, you have nothing to say?

MR. TEMPERA:

Nothing to say. Thank you very much.

CHAIRMAN GULDI:

Okay, I just wanted to give you that chance. Let's do the agenda.

Tabled Resolutions

1477-03 - To reform oversight of Suffolk Employee Medical Health Plan (EMHP) (Guldi). Motion to table by myself.

LEG. BISHOP:

Second.

CHAIRMAN GULDI:

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

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). Motion to table by Legislator O'Leary, second by myself. All those in favor? Opposed? Tabled (VOTE: 6-0-0-0 - Not Present: Legislator Caracciolo).

1608-03 - Authorizing conveyance of parcel to Town of Babylon, for transfer to NU-OP Association Corp., Inc (Section 72-h, General Municipal Law) (Postal). This was tabled for a town resolution; Counsel, 1608?

MR. SABATINO:

It was tabled to secure a town resolution.

CHAIRMAN GULDI:

And we still do not have it?

MR. SABATINO:

Well, we hadn't as of the last cycle, I don't have it in my book unless the Clerk does.

LEG. BISHOP:

Motion to table.

CHAIRMAN GULDI:

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

1891, a Local Law 13 to Conway. Why was this tabled, Counsel?

Oh, excuse me, 1748 is the next resolution, I skipped pages.

1748-03 - Authorizing the County Comptroller and County Treasurer to close certain Capital Projects and transfer funds (County Executive). Why was that one tabled?

MR. SABATINO:

That was tabled to secure some commentary from Budget Review to make certain that the numbers were reconciled, there was just an uncertainty about the numbers.

CHAIRMAN GULDI:

Is Budget Review ready to do that or have they completed that?

MR. SPERO:

We have reviewed it, Ken is here to talk on specific details. The resolution I believe has been amended to remove funding for the purchase of the Mobile Mammography Van; is that correct, Ken?

MR. KNAPPE:

That's correct. There was a corrected copy filed with the Legislature. The one concern, and I believe it was Legislator Vilorio-Fisher had regarding the mammography van, we agreed with Budget Review and we removed that from the Capital closeout list, so that Capital Project will not be closed out at this time and we will be working with the department next year. Really the ball goes over into the department's court if they're going to purchase the van or not, the mammography van, but we did remove that from the list. And I believe, speaking on behalf of Budget Review and the Budget Office, the resolution is ready to be closed out to be approved.

LEG. VILORIA-FISHER:

Do you have a corrected copy?

MR. KNAPPE:

The corrected copy was filed with the Clerk before yesterday's deadline.

LEG. CRECCA:

Motion.

CHAIRMAN GULDI:

Motion by Legislator --

LEG. O'LEARY:

Second.

MR. SABATINO:

I got mine late last night, so it was filed in a timely fashion.

CHAIRMAN GULDI:

Motion by Legislator Crecca, second by Legislator Bishop. Further discussion? All those in favor? Opposed? 1748 is approved (VOTE: 7-0-0-0).

1801-03 - Adopting Local Law No. 2003, a Charter Law creating Taxpayers Office of Inspector General (Caracciolo). Legislator Caracciolo?

LEG. CARACCIOLO:

Motion to table.

LEG. O'LEARY:
Second.

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

1805-03 - Adopting Local Law No. 2003, to modify restriction on
purchase of sports utility vehicles (SUV) by Suffolk County (Binder).
Legislator Binder's bill.

LEG. CRECCA:
Explanation.

LEG. BISHOP:
Does it require a hearing or is the hearing closed?

MR. SABATINO:
The public hearing on this one was closed, on the previous one it was
not. So on 1805, this is --

CHAIRMAN GULDI:
That's the Sheriff's Department to the Police exemption.

MR. SABATINO:
This is to -- it does three things; one is it limits the definition of
Police to the Suffolk County Police Department, it adds the Sheriff's
Department as being the Suffolk County Sheriff's Office, apparently
the Sheriff's Office had raised a concern about that. And then the
third thing it does is it broadens the authority to purchase SUV's
from just a State contract to a State or County contract, whichever
one provides the lower price, as long as it still meets the vehicle
standard because the prior provision had talked about only the State
contract. And then the last thing it does is it creates an exemption
from the SUV requirement for the Sheriff's Department, the exemption
prior to that was limited to the Police.

LEG. BISHOP:
Motion.

CHAIRMAN GULDI:
Motion by Legislator Bishop, second by Legislator Crecca. Discussion?
All those in favor? Opposed? 1805 is adopted, approved
(VOTE: 7-0-0-0).

1830-03 - 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. 0200-721.00-06.00-002.000 pursuant to Section

40-D of the Suffolk County Tax Act (County Executive). This is a Certificate of Abandonment in Brookhaven. Do I see -- are you ready to address this? This was tabled for you to do some research and clarification on it; are you ready to move this one?

LEG. BISHOP:

Can you skip over this, I have to get going.

DIRECTOR COSTIGAN:

Yes, this is due to lack of prior notice and we had told you before it was due to lack of prior notice, I don't know what more you wanted.

CHAIRMAN GULDI:

I don't remember why it was tabled.

DIRECTOR COSTIGAN:

I don't either. I mean, we have it as a standard abandonment of the trustee due to lack of prior notice to prior fee owner, all the taxes have been paid.

MR. SABATINO:

It was tabled because you had asked to take a second look, something didn't look right in the backup, there was some kind of a foreclosure action and you said you were going to take a second look.

DIRECTOR COSTIGAN:

Well, it looks fine now.

CHAIRMAN GULDI:

Okay. Motion to approve by myself -- make that a motion to approve and place on the consent calendar.

LEG. CARACCIOLO:

Where is this located, George?

CHAIRMAN GULDI:

This is 0200 which would be --

LEG. CARACCIOLO:

Where in Brookhaven Town?

MR. SABATINO:

In East Moriches.

CHAIRMAN GULDI:

The tax map shows it to be north of Montauk Highway and west of East

Moriches-Riverhead Road. It's east -- it's actually west of Spadaro's.

LEG. CARACCIOLO:
Okay.

CHAIRMAN GULDI:
Okay. Yeah, it's actually in your district.

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LEG. CARACCIOLO:
New district; it's in your district today.

CHAIRMAN GULDI:
Yes, that's right. No, it's in your district today. No, it's your area. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1836-03 - Adopting Local Law No. 2003, a Charter Law to dispose of all surplus County vehicles via public auction (Carpenter).

LEG. BISHOP:
Is the hearing closed on this?

CHAIRMAN GULDI:
The hearing is closed.

LEG. BISHOP:
Motion to table.

CHAIRMAN GULDI:
Motion to table by Legislator Bishop.

LEG. CRECCA:
Motion to approve.

CHAIRMAN GULDI:
Motion to approve by Legislator Crecca, I'll second the tabling motion.

LEG. CRECCA:
Can I ask what the purpose is of tabling this motion?

LEG. BISHOP:
I don't agree with the bill.

CHAIRMAN GULDI:

We think the bill needs work.

LEG. BISHOP:

I think that there should -- to make a blanket rule that all cars have to be auctioned precludes situations where we have not-for-profits that service the public that are in dire need of transportation.

LEG. CRECCA:

Can I ask that we discharge without recommendation and allow that to take place at the full Legislature?

LEG. BISHOP:

What's the point of having a committee then?

LEG. CRECCA:

Well, my point on this particular one, Legislator Bishop --

LEG. BISHOP:

This is so important?

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LEG. CRECCA:

Well, no, this has been -- but this has been an ongoing debate at the horseshoe before the full Legislature. There has obviously been an opinion expressed both ways on this bill, I think that to give it a full airing is really the proper way to handle this bill.

LEG. BISHOP:

You might have the votes here.

CHAIRMAN GULDI:

Let's find out.

LEG. CRECCA:

I'm just asking.

LEG. BISHOP:

Let's find out.

CHAIRMAN GULDI:

Let's find out. All those in favor of the tabling motion?

LEG. BISHOP:

I'm in favor.

CHAIRMAN GULDI:

Myself and Legislator Bishop, Legislator Vioria-Fisher and Legislator Fields. All those opposed to tabling?

LEG. CRECCA:

Opposed.

CHAIRMAN GULDI:

One, two three; what do you know, it's tabled 4-3 (VOTE: 4-3-0-0 - Opposed: Legislators Crecca, Caracciolo & O'Leary).

Introductory Resolutions: Real Estate

1857-03 - Authorizing conveyance of parcel to Holbrook Fire District, Town of Islip (Section 72-h, General Municipal Law) (Lindsay).

LEG. BISHOP:

Motion.

CHAIRMAN GULDI:

Motion by Legislator Bishop, second by myself. Discussion? All those in favor? Opposed? Approved (VOTE: 7-0-0-0).

1887-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act Center Moriches Development, Inc (0200-790.00-02.00-007.000) (County Executive). These are all as of right, these Local Law 16's, correct?

DIRECTOR COSTIGAN:

That's right.

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CHAIRMAN GULDI:

Okay. I'll make a motion to approve and place on the consent calendar 1887, 1888, 1889. Motion by myself, second by Legislator O'Leary. Discussion? All those in favor? Opposed? Approved and placed on consent calendar (VOTE: 7-0-0-0).

1888-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act James Roy (0102-019.00-03.00-024.000) (County Executive). Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1889-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act Daniel L. Mosley as Executor of the Estate of Veronica G. Edwards a/k/a Veronica Edwards (0900-034.00-01.00-017.000) (County Executive). Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1890-03 - 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 Incorporated Village of Babylon, Town of Babylon, SCTM No. 0102-018.00-01.00-022.002 pursuant to Section 40-D of the Suffolk County Tax Act (County Executive).

DIRECTOR COSTIGAN:

In this instance the taxpayer had paid the taxes, the monies were misapplied apparently in the Treasurer's Office. This request is through the Treasurer's Office, they've requested this abandonment.

CHAIRMAN GULDI:

So the taxpayer paid the taxes, we took the deed anyway and now we have to give it back.

DIRECTOR COSTIGAN:

And that's just what we're doing.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar by myself. That's a classic. Second by Legislator Bishop. All those in favor? Opposed? Approved and placed on consent calendar (VOTE: 7-0-0-0).

1891-03 - Sale of County-owned real estate pursuant to Local Law 13-1976 Katrina D. Conway (0101-001.00-01.00-090.000) (County Executive).

DIRECTOR COSTIGAN:

This is a property in the Town of Babylon. The appraisal was \$7,500, the successful bidder is paying 8,000. There were quite a few qualifying bidders, only two bid, however.

CHAIRMAN GULDI:

Okay, this is in Babylon. Motion to approve and place on the consent calendar by Legislator Bishop, second by myself. The successful purchaser is Katrina Conway. Discussion? All those in favor? Opposed? Approved and placed on consent calendar (VOTE: 7-0-0-0).

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1892-03 - Sale of County-owned real estate pursuant to Local Law 13-1976 Carl M. Grimes and Doreen Grimes, his wife (0100-131.00-03.00-053.000) (County Executive). This is in the Town of Babylon. There was one bidder at the appraised price of \$1,700; is that correct?

DIRECTOR COSTIGAN:

That's right.

LEG. CARACCIOLO:

What's the size of the plot?

CHAIRMAN GULDI:
Size of the parcel is?

DIRECTOR COSTIGAN:
15 X 100.

CHAIRMAN GULDI:
Motion to approve and place on the consent calendar by Legislator Bishop, second by myself. Discussion? All those in favor? Opposed? Approved and on the consent calendar (VOTE: 7-0-0-0).

1893-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act Michael J. Santosus, Jr. (0200-912.00-03.00-001.000) (County Executive). 1893 through 1902 are all Local Law 16's which are redemptions; are they all as a matter of right, Ms. Costigan?

DIRECTOR COSTIGAN:
That's correct.

CHAIRMAN GULDI:
I'm going to make a motion to approve and place on the consent calendar --

LEG. VILORIA-FISHER:
Second.

CHAIRMAN GULDI:
-- 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901 and 1902.

LEG. VILORIA-FISHER:
Second.

CHAIRMAN GULDI:
Second by Legislator Viloría-Fisher. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1894-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Vincent Giacinto and Rose Giacinto, his wife (0200-981.80-06.00-002.000) (County Executive). Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1895-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act,

Luann Leggon and Sue E. Mason as Joint Tenants with Right of Survivorship (0600-124.80-01.00-012.003) (County Executive).
Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1896-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Virginia Haug, as Administratrix of the Estate of George Skinner (0900-187.00-03.00-004.001) (County Executive).
Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1897-03 - Sale of County-owned real estate pursuant to Local Law 13-1976 Gary S. Gingold and Ellis S. Gingold, his wife (0900-191.00-03.00-003.000) (County Executive).

1898-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Peter James Groffmann & Phoebe Marie Groffmann, his wife (0200-727.00-03.00-034.000) (County Executive).
Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1899-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Charles White (0100-057.00-03.00-019.000) (County Executive).
Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1900-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Farmingville Fire District (0200-655.00-02.00-018.000) (County Executive). Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1901-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Robert Audirsch (0100-083.00-01.00-075.000) (County Executive).
Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1902-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Leslie Hoffman (0700-023.00-01.00-042.003) (County Executive).
Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1907-03 - 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 Incorporated Village of Babylon, Town of Babylon, SCTM No. 0102-001.00-02.00-090.000 pursuant to Section 40-D of the Suffolk County Tax Act (County Executive).

DIRECTOR COSTIGAN:
For lack of adequate notice.

CHAIRMAN GULDI:

It's a Mennonite case. Motion to approve and place on the consent

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calendar by Legislator Bishop, second by myself. All those in favor? Opposed? Approved and on the consent calendar (VOTE: 7-0-0-0).

1908-03 - 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 Huntington, SCTM No. 0400-197.00-02.00-103.000 pursuant to Section 40-D of the Suffolk County Tax Act (County Executive). This one is in 0400 which is Huntington.

DIRECTOR COSTIGAN:

In this instance, it was lack of adequate notice to the mortgagee.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar by myself, second by Legislator O'Leary. All those in favor? Opposed? Approved and on the consent calendar (VOTE: 7-0-0-0).

1909 through 1913 are all redemptions as of right?

DIRECTOR COSTIGAN:

That's correct.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar 1909, 1910, 1911, 1912 and 1913 by myself, second by Legislator O'Leary. All those in favor? Opposed? Approved and placed on the consent calendar.

1909-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Judith Scheibl (0100-165.01-01.00-035.000) (County Executive). Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1910-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Alfred Jackson (0100-174.01-04.00-053.000) (County Executive). Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1911-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Saverio D'Urso (0200-587.00-03.00-023.000) (County Executive). Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1912-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, P.A. Lupinacci (0400-141.00-01.00-070.000) (County Executive). Approved and placed on the consent calendar (VOTE: 7-0-0-0).

1913-03 - Authorizing the sale, pursuant to Local Law 16-1976 of Real Property acquired under Section 46 of the Suffolk County Tax Act, Ralph Lovaglio and Genevieve Lovaglio, his wife (0500-259.01-04.00-023.000) (County Executive). Approved and placed on the consent calendar (VOTE: 7-0-0-0).

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1914-03 - Sale of County-owned real estate pursuant to Local Law 13-1976, Jose Calderon and Gleria Calderon, his wife (0500-317.00-01.00-083.000) (County Executive). And this is in Brookhaven?

DIRECTOR COSTIGAN:
It's in the Town of Islip.

CHAIRMAN GULDI:
Islip, excuse me.

DIRECTOR COSTIGAN:
The property was appraised at \$3,000, the winning bid of the two bidders was \$4,000.

CHAIRMAN GULDI:
And there were multiple bids?

DIRECTOR COSTIGAN:
There were two qualified bidders, there was only one bid.

CHAIRMAN GULDI:
Motion to approve and place on the consent calendar by Legislator Fields, second by myself. Discussion? All those in favor? Opposed? Approved and on the consent calendar (VOTE: 7-0-0-0).

1915-03 - Sale of County-owned real estate pursuant to Local Law 13-1976, Andrew Hagans (0100-167.00-02.00-032.000) (County Executive).

DIRECTOR COSTIGAN:
Town of Babylon, property was appraised at \$5,000, the winning bid was \$10,500, there were three qualifying bidders and one bid.

CHAIRMAN GULDI:
Take the money. Motion to approve and place on the consent calendar by -- this is Babylon -- Legislator Bishop, second by myself. All

those in favor? Opposed? Approved and on the consent calendar
(VOTE: 7-0-0-0).

1916-03 - Sale of County-owned real estate pursuant to Local Law
13-1976, Rod Staten Corp. (0200-183.00-01.00-011.000) (County
Executive).

LEG. VILORIA-FISHER:
Brookhaven.

CHAIRMAN GULDI:
No.

LEG. VILORIA-FISHER:
No, okay.

CHAIRMAN GULDI:
There were two qualifying bidders, the appraisal was what, 1,650 and
the bid is 8,000? You with me? Pardon?

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DIRECTOR COSTIGAN:
There were -- the winning bidder bid -- the property was appraised at
1,600, the winning bid was 8,000, there were two bidders. I feel
compelled to tell you, you have turned down property that the winning
bidder bid on before.

LEG. VILORIA-FISHER:
Why?

LEG. FIELDS:
Is this Rod Staten? This is; yes, motion to table.

CHAIRMAN GULDI:
Oh, okay.

LEG. CRECCA:
I don't know what the big deal is.

CHAIRMAN GULDI:
Second the motion to table.

LEG. CARACCILO:
On the motion.

LEG. CRECCA:
On the motion.

LEG. CARACCIOLO:

Counsel, could you enlighten us as to why this individual should not be considered?

MR. SABATINO:

Well, I can't, but I think a legitimate inquiry would be -- it's a corporation called Rod Staten Corporation, unless my notes --

LEG. CARACCIOLO:

Is it Toussie?

MR. SABATINO:

I don't know, unless somebody knows who the principals are, that's not attached.

LEG. CARACCIOLO:

Is it, Christine? Okay.

CHAIRMAN GULDI:

So motion to table for identification and clarification of the beneficial owners of the corporation.

LEG. CRECCA:

Second.

CHAIRMAN GULDI:

Second by -- that was by Legislator Fields, second by Legislator Crecca. All those in favor? Opposed? Tabled (VOTE: 7-0-0-0).

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1917 (sic) 1918-03 - Authorizing Public Hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the construction of right turn lanes on CR 3, Wellwood Avenue, Town of Babylon, Suffolk County, New York (County Executive). Motion to approve and place on the consent calendar by Legislator Bishop, second by Legislator --

LEG. BISHOP:

You can put that on the consent calendar?

LEG. VILORIA-FISHER:

1918 you mean.

CHAIRMAN GULDI:

I said 17? Excuse me. 1918.

LEG. BISHOP:

I don't think that's consent calendar material.

CHAIRMAN GULDI:

Anything we want to is consent calendar material.

LEG. BISHOP:

I think it's bad form.

CHAIRMAN GULDI:

Okay. Motion to approve by Legislator Bishop, he wants to hear this resolution read a second time at the meeting.

LEG. FIELDS:

Second.

CHAIRMAN GULDI:

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

Approved (VOTE: 7-0-0-0).

1934-03 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Town of Brookhaven) (0200-526.00-06.00-032.000) (County Executive). Do we have the town resolution on 1934?

MR. SABATINO:

Yes, there's one from April 15th of 2003. This is going to be for drainage purposes and the town is going to pay \$1,969.30. And also, there's a backup letter indicating that although the parcel is buildable, it abuts some other town lots so it's not -- I guess it's not being recommended for affordable housing.

LEG. O'LEARY:

Motion.

LEG. FIELDS:

Second.

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CHAIRMAN GULDI:

Motion to approve by Legislator O'Leary, second by Legislator Fields. All those in favor? Opposed? Approved (VOTE: 7-0-0-0).

Introductory Resolutions: Finance

Moving to Finance Resolutions. 1848-03 - To adopt the County Executive's Recommended Operating Budget for fiscal year January 1, 2004 through December 31, 2004 for the County of Suffolk (County Executive). This doesn't belong on the agenda.

MR. SABATINO:

Well, no, it was filed in a timely fashion but it's now become --

LEG. VILORIA-FISHER:

Moot?

MR. SABATINO:

Yeah, exactly.

LEG. CRECCA:

Motion to table subject to call.

CHAIRMAN GULDI:

Motion to table subject to call by Legislator Crecca, second by Legislator Vilorio-Fisher. All those in favor? Opposed? Tabled subject to call (VOTE: 7-0-0-0).

1851-03 - Adopting Local Law No. 2003, a Charter Law facilitating partial County funding of voluntary public financing for County elections through County contract processing fee (Viloria-Fisher).

MR. SABATINO:

That's a public hearing, Mr. Chairman.

CHAIRMAN GULDI:

Motion to table for public hearing by Legislator Vilorio-Fisher, second by Legislator Fields. All those in favor? Opposed? Tabled (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1937-03 - Amending the 2003 Capital Budget and Program and appropriating funds in connection with alterations to Criminal Courts Building, Southampton (CP 1124) (County Executive). Motion to approve by myself.

LEG. CARACCILO:

Second.

CHAIRMAN GULDI:

Second by Legislator Caracciolo. All those in favor? Opposed? Approved (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1942-03 - Appropriating funds in connection with the acquisition of land for the reconstruction of a portion of CR 4, Commack Road at Daly Road, Town of Huntington (CP 3301.228) (County Executive). Motion by Legislator Crecca. Second by?

LEG. VILORIA-FISHER:

Second.

CHAIRMAN GULDI:

Legislator Viloría-Fisher. All those in favor? Opposed?
Approved (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1944-03 - Amending the 2003 Capital Budget and Program and appropriating funds for the acquisition of land for the County Share for the Westhampton Interim Storm Damage Protection Project, Town of Southampton (CP 5347) (County Executive). Motion to approve by myself.

LEG. CARACCIOLO:

Second.

CHAIRMAN GULDI:

Second by Legislator Caracciolo. Discussion? All those in favor? Opposed? Approved (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1946-03 - Appropriating Start-Up funds in connection with the acquisition of land for the County Share for the reconstruction of CR 16, Portion/Horseblock Road from CR 83, Patchogue-Mt.Sinai Road to Manor Lane, Town of Brookhaven (CP 5511) (County Executive). Motion by Legislator O'Leary, second by myself. Discussion? All those in favor? Opposed? 1946 is approved (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1947-03 - Amending the 2003 Capital Budget and Program and appropriating funds for the acquisition of land for the reconstruction of CR 35, Park Avenue, in the vicinity of Old Country Road to CR 86, Broadway-Greenlawn Road, Town of Huntington (CP 5519.211). (County Executive). Motion by Legislator Crecca?

LEG. CRECCA:

Sure.

CHAIRMAN GULDI:

Second by?

LEG. O'LEARY:

Second.

CHAIRMAN GULDI:

Legislator O'Leary. All those in favor? Opposed?
Approved (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1948-03 - Appropriating Start-Up funds in connection with the acquisition of land for the construction of right turn lanes on CR 3, Wellwood Avenue, Town of Babylon (CP 5521) (County Executive).

LEG. FIELDS:

Motion.

CHAIRMAN GULDI:

Motion by Legislator Fields. Second by?

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LEG. O'LEARY:

Second.

CHAIRMAN GULDI:

Legislator O'Leary. All those in favor? Opposed?
Approved (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1972-03 - Amending the Suffolk County Salary and Classification Plan in connection with the creation of the Title Medical Records Administrator and amending the 2003 Department of Health Services Budget to include this position (County Executive).

LEG. VILORIA-FISHER:

Motion to table.

CHAIRMAN GULDI:

Motion to table by Legislator Vioria-Fisher. This is 1972. Motion to table, I don't hear a second on the tabling.

LEG. VILORIA-FISHER:

I'm asking for a second on this because we as a Legislature unanimously made a policy statement that we wanted Public Health Nurses and voted to have -- to add the five Public Health Nurses that had been cut and this uses a public Health Nurse position as an offset.

LEG. CARACCILOLO:

Second.

LEG. FIELDS:

Can I just add one thing? One of the --

CHAIRMAN GULDI:

Motion to table and a second. Legislator Fields.

LEG. FIELDS:

One of the comments that Bob Maimoni said was that we agreed to put in the five positions but we did not include the money to pay for them, so how would we address that?

LEG. VILORIA-FISHER:

The money was included. We used the offset that had been suggested by Legislator Crecca during the budget process from the budget work group.

LEG. CRECCA:

Yeah, I believe we did fund them; I don't know if Budget Review wants to confirm that.

MR. SABATINO:

My recollection is it was the social security account.

MR. REINHEIMER:

We'll have to check that resolution but we think that those positions were included without funding, I'll go check the resolution now.

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LEG. FIELDS:

So let's move over this then. If that's true, then it wasn't funded.

CHAIRMAN GULDI:

Skip over 1972 until we hear back from Budget Review, moving right along; somebody remind me to go back to 1972 so we don't leave it open on the agenda.

1973-03 - Amending the Suffolk County Classification and Salary Plan and the 2003 Operating Budget in connection with a new position title in the Department of Public Works (Data Base Coordinator Wastewater Treatment) (County Executive).

LEG. CRECCA:

Motion.

LEG. CARACCIOLO:

Second.

CHAIRMAN GULDI:

Motion to approve by Legislator Crecca.

LEG. FIELDS:

Motion to table.

CHAIRMAN GULDI:

Second by Legislator Caracciolo. Motion to table by Legislator Fields.

LEG. VILORIA-FISHER:

Second.

CHAIRMAN GULDI:

Second by Legislator Vioria-Fisher. On the motion, anybody want -- all those in favor of tabling? One, two, three. Opposed?

LEG. CRECCA:
Opposed.

LEG. CARACCIOLO:
Opposed.

LEG. O'LEARY:
Opposed.

CHAIRMAN GULDI:
One, two, three.

LEG. CARACCIOLO:
Motion to approve.

CHAIRMAN GULDI:
Motion to table fails (VOTE: 3-3-0-1 Opposed: Legislators Crecca, Caracciolo & O'Leary - Not Present: Legislator Bishop).

On the motion to approve, all those in favor?

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LEG. CRECCA:
On the motion.

CHAIRMAN GULDI:
On the motion, Legislator Crecca; now we're going to fail this one too, right?

LEG. CARACCIOLO:
Discharge without recommendation.

LEG. CRECCA:
No, I'd like to know what the justification is, though, why they don't want to create this --

LEG. CARACCIOLO:
Mr. Chairman, let me change my motion to discharge without recommendation, let's get it to the floor.

CHAIRMAN GULDI:
The motion is now before us, it's been amended to be discharged without recommendation and seconded. The -- on the motion. My question is is this the guy who's been there 25 years?

LEG. FIELDS:

Yes, yes.

CHAIRMAN GULDI:

Or is this the one who's been there 30 years, and what difference does it make if we wait a couple more months?

LEG. CRECCA:

Why? No one has given a justification or a reason.

LEG. VILORIA-FISHER:

Okay. I --

LEG. CRECCA:

If there's a reason I'd be happy to hear it, I just --

LEG. VILORIA-FISHER:

Okay, I have a reason why I'm asking it to be tabled.

LEG. CRECCA:

It's giving the appearance of that there's some sort of partisan reason and I don't -- if that's what --

LEG. FIELDS:

I don't think it's partisan.

LEG. CRECCA:

I didn't say it was, but that's what the appearance is to the public out there --

LEG. VILORIA-FISHER:

Well, if you can finish your question, I can tell you why I voted.

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LEG. FIELDS:

How would you know that that's their opinion?

LEG. VILORIA-FISHER:

Okay. Legislator Crecca?

LEG. CRECCA:

Yes, I yield to Legislator Fisher, Vioria-Fisher.

LEG. VILORIA-FISHER:

We are going to have a new administration in January and we have three positions here which are positions which will require an increase in salary, okay, they are reclassifications upward. We have voted recently on a budget that have salaries commensurate with the salaries

that these people had been receiving. We're adding salary increments through these positions, I don't know how many more positions will be coming up. But these are three positions that I believe should come under the new administration with the establishment of the different departments and classifications and I think that we should give the new County Executive the discretion to look at this and for his team to look at these and see if these salaries and these new positions are required. And I understood what Mr. Bartha said with regards to these requests going in in July; if they've been waiting since July they can wait one more month.

LEG. CRECCA:

But my understanding was -- and someone correct me if I'm wrong -- these were pursuant to desk audits done in the regular course of business as to what these employees were -- the jobs they were functioning were outside the scope of their current position or title, so I guess it becomes a matter of Civil Service. So whether -- I mean, I still don't -- I understand what you're saying but, again, I don't see the justification for holding off on these. Certainly these are not some sort of last minute, you know, pleas, this is something that started much earlier in the year.

LEG. VILORIA-FISHER:

Well, I see it as a change in budgetary issues and in administrative decisions.

LEG. CARACCIOLO:

Mr. Chairman?

CHAIRMAN GULDI:

Legislator Caracciolo.

LEG. CARACCIOLO:

Budget Review, what is the financial impact?

MR. SPERO:

The fiscal impact statement doesn't address what the amount of the pay increase will be, we'll have to go out and calculate that.

LEG. CARACCIOLO:

I'd like to request that we lay this aside until we get an answer to that question because the FIS also says that, "While the proposed

resolution's creation of new title has a financial impact, there will be no increase to the taxpayer." If that's the concern by those who would like to table this, I think that would be a legitimate concern, but if there is no taxpayer impact --

MR. KNAPPE:

Legislator Caracciolo, you're exactly right.

LEG. CARACCIOLO:

-- let's do the right thing.

MR. KNAPPE:

The budget will not change for 2004 for the Department of Public Works, they will work within their permanent salaries with their hiring schedule, etcetera, for 2004. For the remainder of 2003, which is about three payrolls, this has an impact of \$182 total.

LEG. CARACCIOLO:

Thank you, Ken.

MR. KNAPPE:

So if you'd extrapolate that between 26 payrolls for next year, for this one resolution you're not talking -- you're only talking about a 3% increase for the individual going from a --

LEG. CARACCIOLO:

I reiterate my motion to discharge without recommendation.

CHAIRMAN GULDI:

Well, are we going to wait for that information or no?

LEG. CARACCIOLO:

We just received it from the Budget Office.

CHAIRMAN GULDI:

We just received it, all right. So on the motion to discharge without recommendation, all those in favor? Opposed?

LEG. VILORIA-FISHER:

Opposed.

LEG. FIELDS:

Opposed.

CHAIRMAN GULDI:

Opposed.

LEG. CARACCIOLO:

So it fails.

CHAIRMAN GULDI:

The discharge without recommendation fails (VOTE: 3-3-0-1 Opposed: Legislators Guldi, Fields & Vilorio-Fisher - Not Present: Legislator Bishop).

The first tabling fails. I think that the appropriate thing to do to keep it alive is to table it for two cycles, or else let them refile it; either way.

Let's go back to 1972. Lance, you have the information on 1972?

MR. REINHEIMER:

Yes, okay. There were five Public Health Nurses restored to the Operating Budget for 2004 with no additional funds, they would use existing appropriation for those positions.

CHAIRMAN GULDI:

So yeah, that was --

LEG. VILORIA-FISHER:

So those positions had existing appropriations.

MR. REINHEIMER:

Well, they used existing appropriations included in the budget, it included the five positions without additional funds.

CHAIRMAN GULDI:

Albeit it's probably the first time I ever say that it's arguable that Mr. Maimoni's characterization of those positions as being paper positions in an environment where we haven't been able to fill them as being accurate.

LEG. VILORIA-FISHER:

Well, being able and being willing are two different issues. You have to try harder.

CHAIRMAN GULDI:

1972, is there a motion before us? I don't remember.

LEG. VILORIA-FISHER:

Yes, motion to table.

CHAIRMAN GULDI:

There's a motion to table which was seconded. On the motion to table, all those in favor? Opposed? I'll be opposed.

LEG. O'LEARY:

Opposed.

LEG. CRECCA:

Opposed.

LEG. FIELDS:

Opposed.

CHAIRMAN GULDI:

So that would be O'Leary, Crecca, Guldi and Fields opposed.

Tabling fails (VOTE: 1-4-0-1 In Favor: Legislator Viloría-Fisher -

Not Present: Legislator Bishop).

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LEG. O'LEARY:

Motion to approve.

CHAIRMAN GULDI:

Motion to approve by Legislator O'Leary.

LEG. FIELDS:

Second.

LEG. VILORIA-FISHER:

Opposed.

CHAIRMAN GULDI:

Second by Legislator Fields. Legislator Caracciolo was with those

opposed to tabling. On the motion to approve, all those in favor?

Opposed?

LEG. VILORIA-FISHER:

Opposed.

CHAIRMAN GULDI:

Opposed, Legislator Viloría-Fisher. Approved (VOTE: 5-1-0-1 Opposed:

Legislator viloria-Fisher - Not Present: Legislator Bishop).

Moving to 1974-03 - Amending the Suffolk County Classification and Salary Plan and the 2003 Operating Budget in connection with a new position title in the Department of Public Works (Industrial Waste Pretreatment Technician Trainee) (County Executive).

LEG. VILORIA-FISHER:

Motion to table.

LEG. FIELDS:

How about same motion, same second?

CHAIRMAN GULDI:

Well, No, that won't work. Motion to table, seconded by Legislator

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

LEG. CARACCIOLO:

Opposed.

LEG. O'LEARY:

Opposed.

LEG. CRECCA:

Opposed.

CHAIRMAN GULDI:

Three-three, motion to table fails (VOTE: 3-3-0-1 Opposed: Legislators Crecca, Caracciolo & O'Leary - Not Present: Legislator Bishop).

Are there any other motions?

LEG. CARACCIOLO:

Motion to approve.

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CHAIRMAN GULDI:

Motion to approve.

LEG. O'LEARY:

Second.

CHAIRMAN GULDI:

Discussion? All those in favor?

LEG. VILORIA-FISHER:

Opposed.

MR. KNAPPE:

Can I bring up one point on this resolution which makes it different than the others?

CHAIRMAN GULDI:

Go ahead.

MR. KNAPPE:

The position that is being abolished is a higher grade than the position that is being created; the position that is being abolished is a Grade 20, the position that is being created and the title that is being created is a Grade 18.

CHAIRMAN GULDI:

Yeah, but how long has this person been in this position?

MR. KNAPPE:

I would have to refer back to Commissioner Bartha's comments on the record earlier. Just on a pure budgetary impact, though, I wanted to bring it to the committee's attention that this is a two grade lower than the position that is currently there.

LEG. FIELDS:

I would say that Legislator Vioria-Fisher's argument about the first one applies to the second one and the third one and I would like to see this one either fail or --

CHAIRMAN GULDI:

Okay. So we have a motion to approve. All those in favor? Opposed?

LEG. VILORIA-FISHER:

Opposed.

LEG. FIELDS:

Opposed.

CHAIRMAN GULDI:

Opposed. Three-three, it fails (VOTE: 3-3-0-1 Opposed: Legislators Guldi, Vioria-Fisher & Fields - Not Present: Legislator Bishop).

LEG. CARACCIOLO:

So there's no logic with it.

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CHAIRMAN GULDI:

1975-03 --

LEG. VILORIA-FISHER:

The logic doesn't fail, you just disagree with it.

CHAIRMAN GULDI:

-- Amending the Suffolk County Classification and Salary Plan and the 2003 Operating Budget in connection with a new position title in the Department of Public Works (Director of Highway Planning and Permits) (County Executive).

LEG. O'LEARY:

Motion to approve.

LEG. VILORIA-FISHER:

Motion to table.

CHAIRMAN GULDI:

We have a motion to table by Legislator Vioria-Fisher and a second by Legislator Fields.

LEG. FIELDS:

No, I don't want to table it.

LEG. O'LEARY:

Motion to approve.

CHAIRMAN GULDI:

So you're not seconding the motion to table. We have a motion to approve by Legislator O'Leary and a second by Legislator Crecca. On the motion to approve, all those in favor? Opposed?

LEG. VILORIA-FISHER:

Opposed.

LEG. FIELDS:

Opposed.

CHAIRMAN GULDI:

I'm going to take an abstention on this one for reasons that are going to be -- 3-2-1-1, just to make it a Chinese menu. It also fails (VOTE: 3-2-1-1 Opposed: Legislators Viloría-Fisher & Fields - Abstention: Legislator Guldi - Not Present: Legislator Bishop).

1976-03 - Accepting and appropriating 100% additional dislocated worker and adult grant funds from the New York State Department of Labor for the Workforce Investment Act (WIA) Program (County Executive).

LEG. CARACCIOLO:

Motion.

LEG. FIELDS:

Second.

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CHAIRMAN GULDI:

Doesn't a one hundred percent grant belong on the consent calendar?

LEG. CARACCIOLO:

Yes.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar. Seconded. All those in favor? Opposed? Approved and on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Bishop).

1977-03 - Authorizing transfer of surplus computer equipment to the

Economic Opportunity Council of Suffolk, Inc. (EOC) (County Executive).

LEG. CARACCIOLO:

What's the compensation for it; is there compensation?

MR. SABATINO:

No cost.

LEG. CARACCIOLO:

No cost. So we can give computers away but we can't take care of our own employees?

LEG. VILORIA-FISHER:

(Inaudible).

CHAIRMAN GULDI:

Even I had to take a moment of pause to follow that, Skip.

LEG. VILORIA-FISHER:

Motion to approve.

CHAIRMAN GULDI:

Motion to approve by Legislator Viloría-Fisher, second by Legislator Fields. On the motion.

LEG. CARACCIOLO:

Motion to table.

CHAIRMAN GULDI:

Motion to table by Legislator Caracciolo. How much does it cost us to dispose of this computer equipment if we don't give it away?

LEG. CARACCIOLO:

We're not using logic, George.

CHAIRMAN GULDI:

I can see that.

MR. KNAPPE:

If I could just point out to the Legislature, these are computers that were purchased with Federal grant funds and the Federal Government has specific guidelines on their surplus equipment and how it can be

channelled through other Federal agencies and I believe that's what this resolution is doing.

LEG. VILORIA-FISHER:
That's excellent logic.

CHAIRMAN GULDI:
And this complies with those Federal rules.

MR. KNAPPE:
It's not the same as regular County purchased equipment or computers.

CHAIRMAN GULDI:
Okay.

LEG. CARACCIOLO:
Question.

LEG. VILORIA-FISHER:
We have a motion to approve.

LEG. CARACCIOLO:
I have a question.

CHAIRMAN GULDI:
All right, we have a motion to approve and a second. We have a motion to table and a second.

LEG. CARACCIOLO:
Mr. Knappe, what are the other Federal guidelines for disposal?

MR. KNAPPE:
We do have a representative from the Department of Labor here that might be able to address that specific question. This is similar to previously adopted resolutions by the Legislature that went to other type of agencies.

LEG. CARACCIOLO:
I would like an answer to my question.

MS. BERMEL:
Hi. Margaret Bermel, Suffolk County Department of Labor. We have Federal guidelines that require us to surplus fully depreciated computers, we have flow down ordered. We must first surplus to other County departments who receive Federal and State funding, and if no other departments are interested we can offer these computers to the departments at large, then no one else is still interested we can offer it to our one stop partner agencies of which EOC is one.

LEG. CARACCIOLO:
Okay.

MS. BERMEL:

We had posted our surplus listing on the website from a number of months and we had no one interested from any other County departments.

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The Pentium I's, frankly no one is interested in them and this agency would use them for child programs.

LEG. CARACCIOLO:

And they actually, given the early generation of computer processing, would be able to use these in a functional manner that would meet their needs?

MS. BERMEL:

For children, yes.

LEG. CARACCIOLO:

Okay. And there's no surplus value?

MS. BERMEL:

No, they're fully depreciated.

LEG. CARACCIOLO:

Okay, thank you. I withdraw my objection.

LEG. VILORIA-FISHER:

Thank you. Good logic.

LEG. CARACCIOLO:

I like logic.

CHAIRMAN GULDI:

We have a motion to approve and a second. Why don't we -- should we consider placing this one on the consent calendar?

LEG. CARACCIOLO:

Yes.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar. All those in favor? Opposed? Approved and on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Bishop).

1978-03 - A resolution rescinding Bond Resolution No. 793-2003, Adopted September 16, 2003 and repealing the authorization of the issuance of \$23,000 Serial Bonds of the County of Suffolk, New York, to pay part of the cost of the purchase and installation of Bus Stop Location signs (CP 5651)(County Executive).

LEG. FIELDS:

What does that mean?

CHAIRMAN GULDI:

We did the project, we had \$23,000 in unauthorized and unissued bonds and we need to cancel them; is that what this means?

MR. KNAPPE:

Let me check something.

CHAIRMAN GULDI:

Okay.

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LEG. CARACCIOLO:

That's what it says.

LEG. VILORIA-FISHER:

There's no backup.

CHAIRMAN GULDI:

But we're waiting for the why.

LEG. VILORIA-FISHER:

There's no backup.

CHAIRMAN GULDI:

All we have the is the why question.

MR. KNAPPE:

I will request the committee to table this resolution to address your answer at the next committee meeting.

LEG. VILORIA-FISHER:

Thank you.

CHAIRMAN GULDI:

Motion to table, second by Legislator Fields. All those in favor?
Opposed? Tabled (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1982-03 - Amending the 2003 Capital Budget and Program and appropriating funds for the acquisition of land for the reconstruction of CR 35, Park Avenue, in the vicinity of Old Country Road to CR 86 - Broadway-Greenlawn Road, Town of Huntington (CP 5519) (County Executive).

LEG. CARACCIOLO:

Motion.

CHAIRMAN GULDI:

Motion by Legislator Caracciolo, second by Legislator Crecca.

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

2010-03 - Authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses in the 2003 Adopted Mandated Budget (County Executive).

LEG. CARACCIOLO:

Explanation.

CHAIRMAN GULDI:

This ought to be a good one.

MR. KNAPPE:

The County Executive, as in years past, has filed housekeeping resolutions which transfer from surplus County funds to estimated negative shortfalls to cover those. The County Executive's Office submitted three resolutions at the last meeting, one for the discretionary part of the budget, one for the mandated side of the

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budget and one for the Fund 15, the Suffolk County Police District. We have had some conversation with Budget Review we have not heard of any type of problem that Budget Review has with these resolutions. They're much -- I can use the term -- vanilla than in years past. The discretionary side that handles strictly the discretionary side, the mandated side is handled with a mandated surplus fund and, of course, the Police District would have to be handled within the Police District itself, and that's what that resolution does. And years past we had to have surplus funds transferred from mandated to the discretionary but like I said, that is not the case in this resolution. We start the process as early as we possibly can. If you remember last year, we were working under the gun of a Certificate of Necessity at one of the last meetings of the Legislature, it took a lot of cooperation from the Budget Review Office and on the part of the Legislature to get those adopted. And one point that I'd like to bring up with these resolutions is a requirement payment is needed to be made before the next meeting, before the 16th's meeting, so we are seeking this to be discharged today and to be voted on December 2nd.

LEG. VILORIA-FISHER:

I have a question, Mr. Knappe. I think the departments are the Sheriff's Department, DSS, and what is MSC?

MR. KNAPPE:

Ok. MSC is miscellaneous, that's the agency code that is used for

that.

LEG. VILORIA-FISHER:

No, no, like HS.

MR. KNAPPE:

That's the Health Department, Health Services.

LEG. VILORIA-FISHER:

Now, is this overtime?

MR. KNAPPE:

Some are, some aren't. On the mandated side itself --

CHAIRMAN GULDI:

Eight million dollars on one item.

LEG. VILORIA-FISHER:

Eight million dollars in DSS.

MR. KNAPPE:

One of the other reasons why this seems large is because there is a Local Law which does not allow the County Executive's office and now Audit and Control to transfer funds within a department that exceeds either \$100,000 or 10% of the available balance. We have included most of those transfers in the housekeeping resolution itself, so that's way we can cover some of these shortfalls. The Sheriff ones are related to all personnel type of costs, of course overtime, as this committee is aware, is a part of that.

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CHAIRMAN GULDI:

The one problem I have with this that doesn't make me comfortable is we've got \$18 million in one resolution, eight million in another, we have backup that's rather proforma in that it simply uses account numbers and dollar amounts, it doesn't give us the detail of the why and the what. So we don't know whether we're doing adjustments to the housekeeping resolutions or we're looking at 30 or \$40 million of departures from the budget.

MR. KNAPPE:

There's no departure from the budget.

CHAIRMAN GULDI:

So what I submit is that we need the backup, we need the detail and it's not there.

MR. KNAPPE:

Let me try to make you feel more comfortable. In the resolution itself it does talk that these expenditures were included in the County Executive's estimate as well as the estimate adopted by the Legislature through the budget process. So even though you have not seen these numbers in this way, they're not a surprise to the Legislature and to Budget Review or to the County Executive's office. They were properly estimated during the process.

LEG. CRECCA:

May I suggest, Mr. Chairman, that we discharge this without recommendation? And then what we'll do is we'll have --

LEG. FIELDS:

I will do that.

LEG. CRECCA:

We can get a little more specifics both from the Budget Office as well as I'd ask Budget Review to be able to answer specific questions with regard to what Legislators are raising here today.

CHAIRMAN GULDI:

Motion to discharge without recommendation takes precedence on 2010, second by Legislator Fields. Discussion? All those in favor? Opposed? Discharged without recommendation (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

LEG. CRECCA:

Before you go on to the next resolution, point of order. I believe we adopted 1982 on page six, it looks as if IR 1947 is the same exact bill.

LEG. VILORIA-FISHER:

What page is that?

LEG. CRECCA:

It's actually at the bottom of page five on to page six.

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CHAIRMAN GULDI:

No, it's not, it's a different subject. I don't think it's the exact same bill.

MR. KNAPPE:

Which two bills?

LEG. CRECCA:

1982 and 1947.

MR. KNAPPE:
1947 and what was the other one?

LEG. CRECCA:
1982; it looks like the same bill was introduced twice.

CHAIRMAN GULDI:
Same project.

LEG. CRECCA:
It's exactly the same project.

MR. KNAPPE:
If you like, if they are exactly the same bills, if they are exactly the same bills we will. I'll talk to the County Executive's Office and possibly --

CHAIRMAN GULDI:
Why don't you review that and withdraw one of them before Tuesday.

MR. KNAPPE:
If they're exact I will let the committee know.

CHAIRMAN GULDI:
Thank you.

MR. SABATINO:
They're not the same, though, they have a different subject in the title.

LEG. CRECCA:
Just take a look at them.

CHAIRMAN GULDI:
But it appears that they might be the same project, just check with the book.

2011-03 - Authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses in the 2003 Adopted Discretionary Budget (County Executive). Motion to discharge without recommendation by Legislator Crecca, second by Legislator Caracciolo. Discussion? All those in favor? Opposed? 2011 is discharged without recommendation (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

2012-03 - Authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses within the Police District (FD 115) Adopted 2003 Operating Budget (County Executive).

Same motion, same second, same vote. Discharged without recommendation (VOTE: 6-0-0-1 Not Present: Legislator Bishop).

Introductory Resolutions: Other

Okay, moving to 1854-03 - Establishing policy to protect County employees against identity theft (Caracappa).

LEG. CARACCIOLO:

Explanation.

LEG. VILORIA-FISHER:

Explanation.

MR. SABATINO:

This is Legislator Caracappa's bill directing the Department of Human Resources, Personnel and Civil Service to develop a different employee identification system for County employees, payroll, personnel, health, retirement purposes, within the next six months, bring it back to the Legislature to be approved. Apparently it's a concern that has been brought to Legislator Caracappa's attention that the existing system I guess of using social security numbers may have some weaknesses or flaws. So it's basically looking for an alternative within six months and then come back.

CHAIRMAN GULDI:

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

1855-03 - Authorizing the sale of three (3) surplus County cars to Southampton School District (Guldi).

LEG. O'LEARY:

Point of order.

CHAIRMAN GULDI:

This is my bill.

LEG. VILORIA-FISHER:

If you line them end to end will they be a showmobile?

CHAIRMAN GULDI:

No. This is the -- you have a point of order?

LEG. O'LEARY:

Yes, I believe this is in conflict or is the same as 2014, or is that three separate cars?

CHAIRMAN GULDI:

2014 is -- are they the same three cars, Counsel? Yeah, it's entirely possible. I intended this bill or the other bill to be the three cars that --

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LEG. FIELDS:

They're the same ones.

CHAIRMAN GULDI:

Yes, they're the same three cars; I withdraw the second one, let's stay with 1855. This is the same resolution that was before the Legislature at the time we tabled all of the other resolutions for automobiles that were subsequently approved at our last meeting, so I've refiled this bill, this is the one that the speaker appeared on. So I'll make a motion to approve. Do I have a second?

LEG. VILORIA-FISHER:

Yes, second.

CHAIRMAN GULDI:

Second by Legislator Viloría-Fisher. All those in favor? Opposed?

LEG. CRECCA:

Abstain.

LEG. CARACCIOLO:

Abstain.

LEG. O'LEARY:

Abstain.

CHAIRMAN GULDI:

Three abstentions, three in favor --

LEG. CARACCIOLO:

Motion to table.

CHAIRMAN GULDI:

Motion to table by Legislator Caracciolo, second by myself. All those in favor? Opposed? Tabled (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

You can't hurt me in the election process anymore guys, it doesn't matter. You know, you keep playing, have fun, whatever blows your skirt up.

1856-03 - Adopting Local Law No. 2003, a Local Law to authorize the establishment of fees in the Department of Health Services, Division

of Medical/Legal Investigation and Forensic Sciences for requests for cremation approvals (County Executive).

MR. SABATINO:

Public hearing, Mr. Chairman.

CHAIRMAN GULDI:

Motion to table for a public hearing by myself, second by Legislator O'Leary. All those in favor? Opposed? Approved (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1863-03 - Adopting Local Law No. 2003, a Charter Law to ensure integrity in Suffolk County land transactions by disclosing campaign

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contributions (Cooper). Motion to table for public hearing by myself, second by Legislator Vioria-Fisher. All those in favor? Opposed? Tabled (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1865-03 - Authorizing certain technical corrections to Adopted Resolution No. 700-2003 (County Executive). This is a change in account numbers?

MR. SABATINO:

Yes.

CHAIRMAN GULDI:

From Fund 405 to Fund 404, basically. Motion to approve and place on the consent calendar by Legislator Crecca, second by myself. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Bishop).

1866-03 - Approving payment to General Code Publishers for Administrative Code Pages (Presiding Officer Postal).

LEG. CARACCILO:

Motion.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar 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 Bishop).

1869-03 - Authorizing certain technical corrections to Adopted Resolution No. 776-2003 (Caracciolo).

MR. SABATINO:

The subobject number.

CHAIRMAN GULDI:

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

1882-03 - Approving an agreement to extend and modify health insurance benefits for County employees (County Executive).

LEG. CARACCIOLO:

Motion to discharge without recommendation.

LEG. CRECCA:

Second.

CHAIRMAN GULDI:

Motion to discharge without recommendation by Legislator Caracciolo, second by Legislator Crecca.

LEG. FIELDS:

Can we have an explanation on this, please?

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LEG. CARACCIOLO:

Counsel?

MR. SABATINO:

This resolution would approve a seven year extension of previous memorandas, memoranda I should say, of agreements that did not come before the County Legislature for basically the health benefits. It's got a whole series of detailed provisions in terms of what the actual terms and conditions of the extension would be. It's apparently not identical to the previous agreements but I'm not certain about that because I haven't had the benefit of seeing all of the previous agreements.

CHAIRMAN GULDI:

On the motion to discharge without recommendation, any discussion? All those in favor? Opposed? List me as opposed.

LEG. FIELDS:

Opposed.

LEG. VILORIA-FISHER:

Opposed.

CHAIRMAN GULDI:

The discharge without recommendation fails (VOTE: 3-3-0-1 Opposed: Legislators Guldi, Fields & Vilorio-Fisher - Not Present: Legislator Bishop).

Motion to table by myself.

LEG. FIELDS:
Second.

LEG. CARACCIOLO:
Roll call.

(*Roll Called by Chairman Guldi*)

LEG. O'LEARY:
Motion to table?

CHAIRMAN GULDI:
Yeah, keep it alive.

LEG. O'LEARY:
No.

LEG. CARACCIOLO:
No.

LEG. CRECCA:
No, I think it should go to the floor.

CHAIRMAN GULDI:
That is a doornail. I am a yes.

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LEG. FIELDS:
Yes.

LEG. VILORIA-FISHER:
Yes.

CHAIRMAN GULDI:
Motion to discharge fails and motion to table fails (VOTE: 3-3-0-1 Opposed: Legislators Crecca, Caracciolo & O'Leary - Not Present: Legislator Bishop). It has to be refiled.

1883-03 - Establishing binding arbitration policy for Suffolk County Detective Investigators (DI) Contract (Carpenter).

LEG. CARACCIOLO:

Motion to approve.

LEG. O'LEARY:
Second.

CHAIRMAN GULDI:
Motion to approve by Legislator Caracciolo, second by Legislator O'Leary. Discussion? All those in favor? Opposed?
Approved (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1884-03 - Adopting Local Law No. 2003, a Local Law to repeal annual audit of County Forfeiture Funds (Presiding Officer Postal).

LEG. CARACCIOLO:
Motion to approve.

MR. SABATINO:
Public hearing, Mr. Chairman.

CHAIRMAN GULDI:
Motion to table for public hearing, second by Legislator Caracciolo. All those in favor? Opposed? Tabled (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1903-03 - To readjust, compromise and grant refunds and chargebacks on correction of Errors/County Treasurer by: County Legislature #177 (County Executive). Motion to approve and place on the consent calendar by myself.

LEG. O'LEARY:
Second.

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

1904-03 - To readjust, compromise and grant refunds and chargebacks on correction of Errors/County Treasurer by: County Legislature #176 (County Executive). Same motion, same second, same vote. Approved and

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on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Bishop).

1905-03 - To readjust, compromise and grant refunds and chargebacks on Real Property correction of Errors/County Treasurer by: County Legislature #710-2003 (County Executive). Same motion, same second,

same vote. Approved and on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Bishop).

1906-03 - To readjust, compromise and grant refunds and chargebacks on correction of Errors/County Treasurer by: County Legislature #178 (County Executive). Same motion, same second, same vote. Approved and on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Bishop).

1917-03 - Adopting Local Law No. 2003, a Local Law to authorize the establishment of fees in the Real Property Tax Service Agency for Subscription Services (County Executive). Motion to table for public hearing by myself. Second by?

LEG. O'LEARY:
Second

CHAIRMAN GULDI:
By Legislator O'Leary. All those in favor? Opposed?
Tabled (VOTE: 6-0-0-1 - Not Present: Legislator Bishop).

1990-03 - Authorizing purchase of vehicle for County Treasurer (Crecca). Motion to approve by Legislator Crecca, second by myself. Discussion? All those in favor? Opposed? Approved (VOTE: 6-0-0-1 - Not Present: Legislator Bishop). At least you're not walking.

MR. COCHRANE:
Thank you all.

CHAIRMAN GULDI:
1992-03 - Authorizing use of Smith Point County Park property by the Long Island 2 Day Walk to Fight Breast Cancer, Inc., for Breast Cancer Walk (O'Leary). Motion to approve and place on the consent calendar by Legislator O'Leary, second by myself. Discussion?

LEG. CRECCA:
Place me as a cosponsor.

CHAIRMAN GULDI:
All those in favor? Opposed? Approved and on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Bishop).

2014-03 - Authorizing the sale of three (3) surplus County cars to Southampton School District (Guldi). Since the other one failed, should I try again? Why not, you guys were silly enough to do that on the last one. I'll will make a motion to approve.

LEG. CARACCIOLO:
Motion to table.

CHAIRMAN GULDI:
Do I have a second?

LEG. VILORIA-FISHER:
Second.

LEG. CRECCA:
I second the motion to table by Legislator Caracciolo.

CHAIRMAN GULDI:
Second by Legislator Vilorio-Fisher. Motion to table by Legislator Caracciolo.

LEG. O'LEARY:
Hasn't this resolution been withdrawn by you?

CHAIRMAN GULDI:
No, this one hasn't.

LEG. O'LEARY:
Oh, you brought it back in.

CHAIRMAN GULDI:
No, I didn't withdraw it, I said I was going to but the other one got tabled.

LEG. O'LEARY:
I thought you withdrew it.

CHAIRMAN GULDI:
No, I didn't. You guys are going to miss me when I'm not here for you to --

LEG. CRECCA:
I have to allow myself to be consistent with my votes.

CHAIRMAN GULDI:
Consistent with what? Consistent with what?

LEG. VILORIA-FISHER:
I withdraw my second, I thought you had withdrawn that.

CHAIRMAN GULDI:
No, it fails. It fails for lack of a second.

Tabled Sense Resolutions

Sense 58-2003 - Memorializing Sense Resolution requesting the State of New York to create Suffolk County Government Facilities Agency (GFA) (Guldi). Motion to table by myself on Sense 58. Second by?

LEG. O'LEARY:
Second.

CHAIRMAN GULDI:
Legislator O'Leary. All those in favor? Opposed?

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

We have a motion to go into executive session to discuss litigation settlements, authorizing the presence of Budget Review, Legislative Counsel.

LEG. CARACCIOLO:
George, can we recess five minutes?

CHAIRMAN GULDI:
We'll be done in five minutes, Mike.

LEG. CARACCIOLO:
I've got to make a call.

CHAIRMAN GULDI:
I've got to be gone in five minutes, Mike. We'll start without you. And insurance settlements and authorizing County Attorney's, Insurance & Risk Management and Legislative personnel. All those in favor? Opposed? Approved. We will reconvene by only noting the time we adjourned, the aide will advise the Clerk.

(*The meeting was moved into executive session at 11:11 A.M.*)

(*The meeting was adjourned at 11:20 A.M.*)

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

{ } - Denotes Spelled Phonetically

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