

WAYS AND MEANS

and

CONSUMER PROTECTION COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Ways and Means and Consumer Protection Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **December 14, 2004**.

MEMBERS PRESENT:

Legislator Cameron Alden • Chairman

Legislator Peter O'Leary • Vice•Chair

Legislator John Kennedy

Legislator William Lindsay

Legislator Lynne Nowick

Legislator Vioria•Fisher

Legislator Elie Mystal

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ALSO IN ATTENDANCE:

Mea Knapp • Counsel to the Legislature

Jim Spero • Director, Budget Review Office

Charles Gardner • Director of Consumer Affairs

Ilona Julius • Clerk's Office

Ben Zwirn • County Executive's Office

Bill Faulk • Aide to Presiding Officer

Warren Greene • Aide to Legislator Alden

Ed Hogan • Aide to Legislator Nowick

Frank Tassone • Aide to Legislator Crecca

Janet Longo • Real Estate Division

Lynne Bizzarro • County Attorney

Brenda Rosenberg • Living Wage

All other interested parties

MINUTES TAKEN BY:

Donna Catalano • Court Stenographer

(* THE MEETING WAS CALLED TO ORDER AT 9:37 A.M. *)

CHAIRMAN ALDEN:

Good morning and welcome to the Ways and Means and Consumer Protection Committee Meeting. We'll start with the Pledge led by Legislator Fisher. Thank you.

SALUTATION

CHAIRMAN ALDEN:

I'd also ask just for a moment of silence. We have a lot of people that are serving overseas that keep our freedom preserved and to try to preserve freedom in a sense of cohesiveness in the whole world. Some actually pay the supreme price, so we remember those today.

MOMENT OF SILENCE

CHAIRMAN ALDEN:

Thank you. Hi, Charlie. We don't have any presentation today, so if you can come up and just gives us, you know, a quick outline of maybe gasoline prices or also oil stocks, because we're starting to see a little bit of the first cold weather.

DIRECTOR GARDNER:

Good morning, Mr. Chairman. Actually the news on the prices for this week anyway is a little bit better than it's been because both gasoline and fuel oil have dropped a couple cents. So basically the season so far is milder than normal, not by much, but it is milder in degree days, and that's showing up. So as of the beginning of this week, again, gas has dropped about almost ten cents a gallon just in the last month. And fuel oil has dropped a little bit. So it's still very high, but declining.

CHAIRMAN ALDEN:

Charlie, how about stocks of heating oil?

DIRECTOR GARDNER:

So far, there have been no major disruptions and no calls from dealers about supplies. Everybody seems to be able to get enough for their own inventories. Naturally each of the companies are different, but we haven't heard of any complaints or bottlenecks as far as supplies go.

CHAIRMAN ALDEN:

Anything else we should be aware of on the consumer end of it?

DIRECTOR GARDNER:

On the •• as far as consumer protection and reaching out into the County, we just concluded •• we just finished in the Second Precinct, so in the last six weeks, we have worked two to three days in each one of the seven precincts with marked and unmarked patrol cars. We have made approximately 600 field stops, there have been about 140 or so arrests of unlicensed contractors. Last week I was at the Police Academy for a morning. We did a class, instruction class, for about ten new Highway Patrol Officers, going over the licensing laws. We did a

seminar on tampering with fuel oil meters, what they can look for, and we also did a presentation on the licensing laws as it related to our liquid waste haulers, specifically the haulers of fat biproducts and where they can dump and not dump and how that licensing goes. So we have had a very productive last month and a half, two months with the Suffolk County Police.

CHAIRMAN ALDEN:

Good. Do we do any kind of advertising program just to remind people that they should use a licensed and insured contractor?

DIRECTOR GARDNER:

Well, our pamphlets and our website are two main avenues of getting that information out. You know, our speakers bureau •• we only do about maybe 15 or so a year now, you know, where we used to do quite a bit more than that. But as far as the civic groups and community organizations, we do one a month, maybe sometimes a month will go by where we'll get two. But mainly it's the pamphlets and the website. It is kind of gratifying how many calls we get and e-mails we get relating to the website. So we know that's being used quite a bit.

CHAIRMAN ALDEN:

Good. Have we ever done an advertising program? You know, either in print add or something like ••

DIRECTOR GARDNER:

Not that I'm aware of, no. You know, the yellow pages, if you look in the yellow pages, you know, we had contacted them. And in all of the different areas where licenses are required, there's a little box in the yellow pages that we've got Verizon to agree to about hiring licensed contractors. So that shows up throughout the yellow pages.

CHAIRMAN ALDEN:

Any other questions for the Commissioner. We've got a whole bunch. Legislator Nowick.

LEG. NOWICK:

Good morning, Charlie, how are you?

DIRECTOR GARDNER:

Good morning.

LEG. NOWICK:

Could you just speak to Resolution 2061 just to explain why they •• the necessity of that and why that's important, which is to permit seizure of vehicle of unlicensed home appliance repair businesses.

DIRECTOR GARDNER:

2061 would give the County an additional tool to prosecute those who do not have a license and continue to operate. In this case, as a home appliance repair contractor after they •• you know, as they know they don't have a license, they know they need one, we've been trying to get them to either go out of business or get the license and they continue to operate, it's very similar to the law passed earlier this year relating to home improvement contractors. And in this case, it's a tool that we look forward to, because of all the licensed contractors in the County, the worst offender happens to be in this area, the home appliance repair.

Also, this was run by the Home Appliance Repair Licensing Board by me a couple of weeks ago, and they are in •• they support it and would be in agreement with the bill. So it would be an additional tool that we would look forward to eagerly using against at least one particular

contractor.

LEG. NOWICK:

Okay. Thank you very much, Charlie.

CHAIRMAN ALDEN:

Legislator Lindsay.

LEG. LINDSAY:

Charlie, this piece of legislation is just an example of how, in my opinion, we have improved the licensing laws progressively over the last few years and have added more and more responsibility to the department. You know, I know every once in a while we get you a few more people to make sure that everything goes well, but the last time I was in the building that you guys are located in, I mean, I don't know that it would pass fire inspection. It's so cramped. I mean, you are splitting at the seam. I know we are talking about a master plan for the campus here. Is there any thought to getting Consumer Affairs a new building?

DIRECTOR GARDNER:

I haven't heard anything new on that front in a couple of years. It's been, I want to say, maybe •• maybe three •• at least four years ago that there was talk of moving the office and somewhere within this complex, because just prior to that, we were •• there was a plan in place to move us to the Dennison Building, but we had •• we had to kind of demerge from that. You know, we had to explain to people how the office is used, how the free standing building really helps us, because, as you know, I think I've reported a couple of times, we've gone from an average of five to 600 people coming into our lobby per month. This year now •• that was only a few years ago, three of four years ago. We're now at 12 to 1300 contractors, mostly contractors, coming into the lobby, and a lot of them are in there for five or ten minutes. They

need to give us a business name change or insurance papers or something very minor. Some of them are in there for violation, they're coming in for tests, etcetera.

The point is it's much more convenient for them to pull into that parking lot, get of their trucks and vans, come into the office, do what they have to do and leave as opposed to going into •• nothing against the Dennison Building, but the process that they have to go through is much more convenient for them. Also, we have electricians who take tests in the basement of our building. They need to carry equipment in. It just •• it didn't work in the Dennison Building. So that kind of died.

LEG. LINDSAY:

I'm not suggesting that you go to the Dennison Building.

DIRECTOR GARDNER:

After that is when they starting talking about relocating us some where within this complex, but I haven't heard anything concrete since then.

LEG. LINDSAY:

I know somewhere around Suffolk County Government there's a plan being conceived with a redesign of this campus. And, Mr. Chairman, I would make a request on behalf of the committee, if the committee agrees, that we put forward a request that a facility be considered, a larger facility for Consumer Affairs.

CHAIRMAN ALDEN:

Sure. Okay. Legislator Fisher.

LEG. VILORIA • FISHER:

Bill, you just triggered a question. A couple of years ago, there was legislation that sought to site some of our government buildings in downtown areas. Has the Site Committee looked at a type of configuration for Consumer Affairs? Do you know is that on the radar screen •• radar screen at all, you know, taking you out of the campus and putting you in a downtown somewhere?

DIRECTOR GARDNER:

If they have looked at that, I'm not aware of it.

LEG. VILORIA • FISHER:

It seems with the type of business or the type of flow you are describing that certainly that would be a good downtown revitalization function to have to kind of flow in some downtown that could use the visibility, that could use the traffic flow and maybe customers that it would create. So I think it's a good idea to really broaden the look, because I know that I've been at Consumer Affairs, and I agree with Bill, and I think all of us here agree that you need more space. Your function is growing. And you just described to me something before the meeting on pamphlets that were available, educational pamphlets, available for contractors, and how many did you say that LIBI provided for you?

DIRECTOR GARDNER:

LIBI gave us •• the sent us a packet of probably, I guess, there were 100 or so, and we put them in the lobby, and they were gone. They are out I was just told the other day, so I'm going

to contact LIBI and get more.

LEG. VILORIA • FISHER:

So it's an informational center as well as everything else, so I agree with Bill that we really have to look seriously at a way to give you more room, and I think provide other benefits to the County.

DIRECTOR GARDNER:

That flow as you described is really what is most important, because we have consumers who are coming into the office who are attending hearings, they're appearing, you know, on their behalf with a contractor, so there's a whole mix of people. Most of the people who come into the office are contractors, but we have many consumers coming in either to register complaints or they're there to meet with an investigator or they are there to attend a hearing with contractors with whom they have complaints against. And it's constant. Twice a week we have the written tests. You walk into that lobby on Tuesday or Thursday mornings, and you will on average find 25 to 35 contractors awaiting their written tests.

CHAIRMAN ALDEN:

Any other comments or questions? Thanks, Charlie.

DIRECTOR GARDNER:

There are four resolutions today; three reappointments one new appointment to one of our board, and that new appointment, Mr. Bill Macchione, is with us today.

CHAIRMAN ALDEN:

Let's just do the reappointments quick because the questions would be, you know, like, their

attendance and whether they are actually participating in the process.

DIRECTOR GARDNER:

I sent a packet over to each one of the members of the committee for the reappointments with their resumes and with their attendance for this year. I can just say that there aren't •• as far as I'm concerned and the office is concerned, Mr. Calemmo and Mr. Pichichero and Mr. Garthe are •• all three are very well respected and full participants in the board process and have been for the their tenure on the board.

CHAIRMAN ALDEN:

So you wholeheartedly are ••

DIRECTOR GARDNER:

All three of them, yes.

CHAIRMAN ALDEN:

Endorsing and recommended our approving?

DIRECTOR GARDNER:

Yes.

CHAIRMAN ALDEN:

So that's on Introductory Resolutions, page three. The first three are reappointments.

DIRECTOR GARDNER:

While I just met Mr. Macchione personally for the first time, his resume strikes me as a person I think that would add greatly to the board, especially because of his, not only his experience in

the field of carpentry, but his experience as an instructor, you know, Director of the Carpenters Training center for over ten years. That's one of the key function of the board members is helping us to prepare written tests for the contractors. So when I look at his resume, I would wholeheartedly support the recommendation of the County Executive for Mr. Macchione to be on the board.

CHAIRMAN ALDEN:

To your knowledge, there's no record of any kind of violations?

DIRECTOR GARDNER:

We have already checked that. Yes, that's clear. And he is here, by the way, if you would like to meet him and question him.

CHAIRMAN ALDEN:

If it's okay with the committee, we'll bring him up. Okay. So motion to take out of order 2175 by myself, seconded by Legislator O'Leary. All in favor? Opposed?

2175. Approving the appointment of William Macchione as a member of the Suffolk County Home Improvement Contractors Licensing Board. (COUNTY EXEC).

CHAIRMAN ALDEN:

2175 is before us. Motion to approve by Legislator Lindsay, second by Legislator Fisher. Okay. Now the resolution before us. Good morning. Thanks for coming down. I usually start with one quick question. Why do you want to do this? You don't get paid to do it, right?

MR. MACCHIONE:

No. Just want to have a little bit more input into the licensing, being able to help out, and, you

know, trying to design a better mouse trap, so to speak, of, I guess, screening the contractors and see where there is proper people going out there representing the County when they proceed with their work.

CHAIRMAN ALDEN:

Do you have the time to do it?

MR. MACCHIONE:

Excuse me?

CHAIRMAN ALDEN:

Do you have the time to put in?

MR. MACCHIONE:

Yes, I do.

CHAIRMAN ALDEN:

Legislator O'Leary.

LEG. O'LEARY:

Charlie, my notes here reflect that this term of Mr. Macchione will expire May of '05, is that true?

DIRECTOR GARDNER:

Yes. The way the resolution was prepared it's to replace a board member who is deceased. So in May, Mr. Macchione will be back before the committee for reappointment.

LEG. O'LEARY:

Thank you.

DIRECTOR GARDNER:

I would also like to make a note that each member of the Home Improvement Board is paid \$100 per meeting attended.

CHAIRMAN ALDEN:

So, that draws it in a different light.

LEG. O'LEARY:

You don't have 365 meetings a year, do you?

DIRECTOR GARDNER:

It's a maximum per year of \$1500, but on the average it's about nine •• 900 to \$1000 if they attend nine or ten meetings.

CHAIRMAN ALDEN:

Any other questions? Okay. We have a motion and a second. All in favor? Opposed? It's unanimous. **APPROVED. (VOTE:7•0•0•0).**

What happens now is we have approved it out of committee, it will go before the full Legislative body, and they get to vote on it once again. I really don't see anything happening different than what happened in the committee. Traditionally, you don't have to go to the full Legislative hearing, so congratulations.

MR. MACCHIONE:

I want to thank everybody, and I will do a good job for you.

CHAIRMAN ALDEN:

Thank you. Any other questions of Charlie? Thanks, Charlie.

DIRECTOR GARDNER:

Thank you, Mr. Chairman, members of committee.

CHAIRMAN ALDEN:

We're going to go right to the first part of the agenda, which is tabled resolutions.

TABLED RESOLUTIONS

1675. Adopting Local law No. •2004, a Local Law to extend the County Code of Ethics

to all outside business activities. (COUNTY EXEC)

CHAIRMAN ALDEN:

I think this is a fine piece of proposed legislation. Anybody want to make a motion on it? Oh, Legislator Kennedy, motion to table, seconded by Legislator O'Leary. All those in favor? Opposed? 1675 unanimously **TABLED. (VOTE:7•0•0•0) VOTE:7•0•0•0).**

1687•2004. Adopting Local law No. •2004, a Local Law to clarify delegation of responsibility during absence or disability of County Executive. (BINDER)

CHAIRMAN ALDEN:

Motion to table by Legislator Lindsay, seconded by Legislator Fisher. All those in favor? Opposed? All right. It's going to be tabled, but this is something we have to look at. You know, if the County Executive, something happens to him, he is out of town or whatever, we have to update our •• so it's unanimously **tabled. (VOTE:7•0•0•0)**

1802•2004. Promoting integrity of appointments to Boards and Commissions in Suffolk County. (COOPER)

CHAIRMAN ALDEN:

Do I hear a motion? I don't hear a motion. Fails for lack of motion.

FAILED.

1972•2004. Adopting Local law No. •2004, a Charter Law creating a County Department of Environment and Energy. (COUNTY EXEC)

LEG. O'LEARY:

Motion to table.

CHAIRMAN ALDEN:

Seconded by myself. And on the motion, Hi, Ben.

MR. ZWIRN:

Good morning. Happy holidays to everybody. On this particular bill, the County Executive is just curious as to what the problems are, you know, getting it to the floor. Is there anything left out that he can answer, any questions?

CHAIRMAN ALDEN:

I can tell you right up front. I need a presentation that's going to tell me that isn't going to increase the amount of dollars it costs us for government. And also, I'm not so sure, you know, like, where the distinction is where certain people were transferred in here and other people were left, you know, outside in the existing agencies. The third thing is why can't this just be done by the County Executive in the overall scheme of things? Couldn't he gather •• if he wants something that's advisory in nature, couldn't he gather that in to himself and create, like, a commission or an advisory commission to the County Executive?

So I'm a little bit worried about, you know, like, number one, the money that it's going to cost us; number two, we're actually taking little pieces of a whole bunch of different departments, and we're putting them together to create energy and environment, yet we're leaving a whole bunch of little pieces all over the place. I have a whole bunch of questions on it. And we did give him one extra, like, Chief Deputy County Executive at the beginning of the year, and we gave him a couple of other positions that he created in the Executive •• you know, in the County Executive's Office. So I'm •• you know, I'm not sure where this fits into the overall scheme of

things.

MR. ZWIRN:

I think at the public hearing and we've made presentations in the past here, Mike Deering has been down here to speak to it. What I would ask is if it's possible, in the spirit in the holidays, that we could •• maybe this could be discharged without recommendation, get it before the entire Legislature, then we can answer those questions at the December 21st meeting, so that if there are any other questions we could have it. At that time if you want to table it, you could, but at least to give us a chance to answer any other questions that you have and make one more presentation, because it's something that, you know, the County Executive mentioned yesterday in his State of the Environment speech. It's important to him. It's been important to the environmental community to send a message out there that the environment is as important as all the other departments that are in County Government. And he has assembled a good team. It will not cost the taxpayers one more dollar.

CHAIRMAN ALDEN:

Isn't there a Commissioner being created, though?

MR. ZWIRN:

Mike Deering, I understand, would be transferred as the Commissioner, so it wouldn't create a new position. Mike Deering would just be named Commissioner as opposed to the lateral transfer.

CHAIRMAN ALDEN:

With all due respect, Ben, it's my job to do the •• you know, like, all that type of work and to actually present something, not just to •• otherwise, I mean, I can discharge everything on my agenda and just let the whole Legislative body, let them do all the work for me. But we do have a committee system, and whether it's fortunate or unfortunate, this is where the presentation has to be made, and this is where the people have to be convinced. I call the vote on it in a minute, but, you know, if it does get out, you know, I would still have all those questions. And I

kind of have them all right now. So if you want to just take that back, and you know, whatever the next meeting is that we would have as far as the committee meeting, and I'm sure there will be a successor committee to this, even if we don't make it this year, you know, we can start it right in January. But this is where, I think, the work has to be done and the presentation. The people on this committee have to be convinced. Maybe they are, we'll find out in a second.

LEG. VILORIA • FISHER:

Mr. Chair, if I may.

CHAIRMAN ALDEN:

Legislator Fisher.

LEG. VILORIA • FISHER:

I think it's a very good idea to discharge without recommendation, because this is a weighty matter. We are talking about a new department, a consolidation of information and a change in direction in some ways. And so I believe that those questions that you are asking, which are good questions, we don't want to add financial burden on the backs of our taxpayers, but we do want to address these very important issues. And perhaps these questions and others like them could be addressed before the entire Legislature, who will have to vote on this. And I think that you really have done your due diligence as a Chair in asking these questions. Mike Deering has come before this committee and made presentations. And it's certainly not something that hasn't been demonstrated before in the Legislature, where there are questions at the committee level and then there are broader questions which are asked at the full Legislative meeting, so that all 18 Legislators could benefit from the responses and the understanding of the ramifications of any piece of legislation.

And so with all due respect, I think the discharge without recommendation is a good suggestion. It gives the entire Legislature te opportunity to ask these important questions.

CHAIRMAN ALDEN:

I would feel I was shirking my duty if I actually did that, and here's why. I don't really •• I'm not a strong believer in the committee system, I don't think that's a secret, but as long as people want to set up committees, and that's where the work is supposed to be done, then we are going to do the work in committees and I'm not •• you know, unless the committee agrees and discharges it, but it would be over my protestations, because I feel that the work has to be done here. And to throw everything out into General Sessions, I don't think that we're giving the proper due to the committee system. And then that's one way of going though too. I will support anybody who wants to go forward and say that we don't need a committee system, just let the committee be the Legislature as a whole, and we'll look at everything in that regard. I don't mind looking at that. But as long as there's a committee system ••

LEG. VILORIA • FISHER:

I'm not asking to go to that level.

CHAIRMAN ALDEN:

•• we've got to do our work here. So, you know, I can't see taking one little piece and sending it out there. If we're going to do that, let's do it with every piece of legislation. Legislator O'Leary.

LEG. O'LEARY:

Good morning, Ben. Just two points. The one, there's some concern whether or not the consolidation is absolutely necessary. Clearly, over the past year without the formation of this department, the Executive's Office has done, according to him, stuntedly well with respect to these issues involving the environment. Secondly, there's a question whether or not consolidating into a Department of Energy would have any •• any impact whatsoever with respect to any authority or initiatives put forth with respect to energy issues, which is predominantly controlled by federal and state mandates and authority.

So there's a lot of questions from a my standpoint on whether or not this consolidation is necessary. I think the department as is performing a very good operational and functional matter with respect to all the issues that confront them. So there's a question from •• whether or not this consolidation will be truly as effective as proposed by the County Executive.

CHAIRMAN ALDEN:

Legislator Lindsay.

LEG. LINDSAY:

Ben, you want to answer that?

MR. ZWIRN:

I'm just asking •• I'm not requesting for approval. I'm just saying could we get this to the floor so that we could make a full presentation again and answer all the questions, have Mike Deering here. I know there are people who are in favor of this that don't always come down to the committee structure because •• because this has been •• this is not a bill that had just come before. And that's the only thing I would say that's different with this particular matter, Mr. Chair, is that if this were a new bill that came down and had not been one that had been debated since the beginning of year, I would say that you are right, let's keep it in committee until all of questions have been answered.

But we've had a public hearing, this has gone to the floor, it's been back, it's the end of the year. I mean, if we can just get it to a vote so that the entire Legislature can have one last chance to take a look at it. And Legislator O'Leary can express his views at that time. I agree, I mean, he has an opinion that's certainly •• you know, he represents the people of his district, and they may not think this is necessary. The County Executive does, and he would just like to be able to get an up or down vote of the full Legislature before the end of the year. It's

something that he's worked on all year. And we've had people down to the committee before, and if they haven't answered all your questions, I would just say just give them, you know, the last time before Christmas to give them that one last opportunity at the December 21st meeting.

CHAIRMAN ALDEN:

I've been very consistent right from the beginning, and the public hearing was nice, because I sat through that, that got the public comment. But here's where we have to do the work, in the committee. So I've been consistent all along. I said, you know, convince me. And I've said it to you, Ben, I've said it to Steve when i've talked to him about it, I talked to Paul Sabatino about it also. Convince me that this is a good thing for Suffolk County. And so far, I haven't been convinced. But also, you know, Mike Deering coming down, I think he came down once to talk to us about it.

You know, that's fine, but Mike Deering is somebody that wanted to be put into a position. You know, it's not Mike Deering that's creating the whole Energy and Environment, it's Steve Levy. So if Steve wanted to come down and he wanted to do a presentation to me in the committee, I think that that would be more than welcomed.

Like I said, I don't think there's a big rush here because all of us are still here in January. It's not like an election year where, you know, like, you're going to have a big turnover. So we're going to all be here in January, we're can continue the work. It's •• you know, as far as I can see, the end of year this year doesn't really, you know, count as any, you know, ending or definitive type process, whereas an election year, it is, because all legislation dies, and there is a whole bunch of new •• or there could be a bunch of Legislators. So I apologize for taking up everybody else's time. Legislator Lindsay.

LEG. LINDSAY:

One of the strengths of this Legislature in my short tenure here is the ability to come together as a body on behalf of constituents that we represent. And if you look at all of the issues that we have considered this year, last year, the year before, there are some major, major issues. And surprisingly, more times than not, partisanship is put aside and votes are taken, and, you know,

we come together for the good of the people that we represent. Every once in a while, we run across an issue that's spilt across partisan lines, and this one of those issues.

Consistently all year long, you know, we haven't been able to agree on that. And I admit, it doesn't happen often, but one of the methods of solving that •• that dilemma has been to discharge a resolution without recommendation and let it go up and down before the whole body. And I think, you know, what Ben is suggesting is probably a good suggestion; either we're going to do this or we're not going to do it. We've been arguing about it for six months. I would second Legislator Fisher's resolution (sic) to discharge without recommendation.

CHAIRMAN ALDEN:

Legislator Mystal.

LEG. MYSTAL:

This is for you, Ben. This thing has been vetted probably for the past six months and this is pure •• and I'm going to say it, because nobody is saying it •• this is pure political ball. You know, everybody is playing politics with it. This is a political conundrum. You all know that the Republican side doesn't want it, the Democratic side do want it. They don't want to let it. We don't have the vote to let it out, no matter what the Chair says about letting the people vote. They've already caucused on it. We don't have the vote. When the vote comes down, it's going to be four•three, you know, not to let it out.

Is there any way the County can negotiate with the Republican side, because that's what it is, it's all politics. We want it, they don't want it, and this is all negotiation, political negotiation. And I would like for it go, you know, on the floor for an up and down vote. And if it doesn't go on the floor, probably the vote will go down, because again, it's going to be a party line vote. Is there

any way the County •• I know the County Executive has reached out trying to negotiate this, and I think, you know, maybe the Republican side maybe has tried to negotiate it also. What is •• I don't know what the impact is except the political impact. They don't want to give them the department, and he wants the department, they don't want to give it to him. That's the plain old bottom line, the politics bottom line.

MR. ZWIRN:

I think, you know, the County Executive knows that there's always give and take on issues, and I think he was willing to talk about the problems people might have had with this bill or other issues to try to work out some sort of agreement, because he thought it was an important piece of legislation to have this department. Again, you know, if everything you say is so, and I don't doubt that •• there's certainly a lot of truth to what you're saying.

LEG. MYSTAL:

What I'm saying is that, you know, we can put a lot of nice words around it and we can make philosophical stands, we can make an economical stands on it, we can make all kinds of monetary, budgetary stands, all of that, we can make all those stands, beautiful words for, you know, our stenographer to take down, which nobody will read, but the bottom line is pure hardball politics being played. That's all it is.

MR. ZWIRN:

I understand.

LEG. MYSTAL:

You are not going to get it, because they are not going to vote for it.

MR. ZWIRN:

Politics plays a part in government, there's no question. And in echoing what Legislator Lindsay said, this Legislature at least since I've been here in the beginning of •• end of March, beginning of April, has done an awful lot of good work on behalf of the taxpayers on both sides of the aisle. I mean, everybody •• I think, the County Executive, the Legislature are to be commended. There are going to be partisan fights. I mean, there are different ideologies on certain issues, and sometimes there is hardball politics. I think this is one of these good government bills overall. With all due respect to the Chairman's concerns about expanding the •• you know, the bureaucracy and creating, you know, more taxes for the people, I think that's something that the County Executive is also concerned about, and I think we can answer those questions, you know, favorably.

Again, all I would say is that if we can just get it •• and I don't want to harp on it, because I understand how the system works, if you could get it to the floor between now and the 21st, there's a chance for all sides to reach out again to see if it could be done. Because if not, certainly if it is a political thing, the votes are there to defeat it. The County Executive would have to reach across party lines to get support for final passage. And, you know, that's something that I think can be worked out between the different •• the different parties. I'm just here to see if I can try to get it just that one last step so that we can •• we can do that before the end of the year.

LEG. MYSTAL:

Good luck.

CHAIRMAN ALDEN:

Well, actually, let's go into it a little more than if we want to say it's partisan politics. Well, now, here's another concern of mine, and I'll tell you what happened. We were looking at the Operating Budget, and it was handed to me, and there's 11 people with Xs through their name; a woman whose one child died, she's got two boys, one child that died from a rare disease, and the other child was in the process of dying. Well, you know what her Christmas present was? Her job was eliminated. That was a proposal from the County Executive's Office. I'm not sure that this doesn't have the same type of thing in it, and I'm not going to allow that to go down. I'm not going to see people have Xs through their names at any time of the year, whether it be Christmastime or whether it be in January or July or August or anything like that.

So it's my job to make sure the people of Suffolk County are getting a fair deal on this. And I haven't seen a presentation in this committee. I had a guy come down here and say, this would be a nice thing to have energy and environment, it's very important. Yeah, well, I think it's very important too. And I've been fighting for some energy issues for seven years, but you know what people do to me? Oh, that's nice, Cameron, and then they vote for the most contaminating least energy efficient and environmentally friendly piece of equipment that we can go and buy. So that what our policy ends up being.

So it is very nice, yeah, and it's nice for somebody to sit back and say this is all about partisan politics. No. It's about if we're a committee and I'm charge with doing the duty, I'm going to do that duty. You know what? Everybody in the committee has a right to go ahead and vote. And if they want to send this out to the floor and let everybody as a whole do it, fine, then I'll repeat myself again, I'm not a big supporter of the committee system, especially not the way it works here. But you know what? We have a committee system, and that's what the majority of the Legislators decided, so that's the way it's going to work. We're going to do the work in the committee, and then after we're done doing the work, we'll send it out. And if other Legislators have more questions, then they can answer it. But I'll call the vote now. We have competing pieces of •• and you know what? Maybe I'll just abstain. I'm not going to vote for it or vote against it. I think there's more work that has to be done. Legislator O'Leary.

LEG. O'LEARY:

At the sake of being repetitive, I just want to point out that there have been numerous bipartisan initiatives that have been addressed this past year, for example, the creation of the Department

of Economic Development and Affordable Housing. Clearly, on a bipartisan level it was decided that this is something that was necessary, this is something that would improve a lot, if you will, the quality of life of the people of Suffolk County.

There is a question whether or not this department, the need to have this department created is necessary, and there's a lot of questions that have arisen as a result of the attempt to form this particular department. As I recall, there were questions involving whether or not Real Estate should be in this department, which it is. I brought out just before, previously, the question on energy. You know, it's a federal and state authority for all intents and purposes. And clearly, the environment and energy are two very special issues to this body and to the people in the County, and we question whether or not they should be consolidated into one particular department.

And from my standpoint, that's the issues that are facing me, not necessarily a partisan issue, because we have demonstrated that we can be bipartisan on several initiatives, as I just explained. But there's a question here whether or not the creation of this department is absolutely necessary, and those answers to my liking not been fulfilled.

CHAIRMAN ALDEN:

Legislator Lindsay.

LEG. LINDSAY:

Legislator Mystal.

CHAIRMAN ALDEN:

Legislator Mystal.

LEG. MYSTAL:

Thank you, because this is getting under my skin. Unless, unless you guys believe that the seven Democrats who are sitting around this horseshoe are dummies, have absolutely no interest in the people of Suffolk County, and that the 11 Republicans who are sitting on the other side are geniuses and who also are the only people who are concerned with the well being of the residents of Suffolk County, then you cannot •• if you don't believe that, then you have to call it a partisan political problem. Because you have seven Democrats who are firmly •• firmly believe that we need this department, and you have is 11 Republicans who firmly believe you don't want it. So unless you think somehow the seven of us are stupid and dummies and don't have any concern whatsoever for the people in Suffolk County and you guys are geniuses and smart and have all the concern •• so when it comes down 11•7 who haven't budged in six months, then it's partisan politics. No matter what kind of cream or sugar coat you give it.

CHAIRMAN ALDEN:

Let's be honest, though. Let's not •• let's not beat this thing all around and make something else of it. It's been in this committee. You're not talking 18 Legislators. It's been in this committee. There's one Legislator that hasn't been convinced, that's me. And from the sounds of it, Legislator O'Leary hasn't been convinced that there's any good in here. And you know what? I don't believe in the tooth fairy. So when you start saying seven believe it, 11 don't believe it. You know what? Maybe Steve Levy went and got his votes by promising guys jobs and people •• other people's, you know, husbands or whatever. So that's maybe where those seven votes come from. I'm not so sure it's just seven •• seven people stepping out and say, oh, you know, what, this is such a great thing, this is the best thing since sliced bread.

So don't start saying political this, political that. I haven't been convinced. There's been nothing said in this committee so far by anybody, nobody has come before us to convince me that this is a great thing. So don't blow it up into something that it's not, okay? And as far as that goes, there hasn't been a vote. So when you're starting to say 11 say it's no good, seven say it has been good, well, I don't see that. There's never been a vote on.

MR. ZWIRN:

Well, that's what I'm trying to ••

CHAIRMAN ALDEN:

Legislator Lindsay. If you believe in the committee system, and maybe you do, maybe you don't, but we have a committee system. Then come down to the committee and convince the committee that it's a good thing. That's the message that has to go back to the County Executive. He can hold all the press conferences he wants and everything else, great. And you know what? In the beginning of the year •• and I wasn't really for it, I gave him a lot of slack, he wanted to change his office around, he wanted to create new positions, things like that. Well, you know what? I voted for it, because Steve Levy who is the County Executive should have that option to go and change things around. And if he can do this in some other way, let him go ahead and do it. Legislator Lindsay.

LEG. LINDSAY:

Calm down. Calm down. All right?

CHAIRMAN ALDEN:

I'm not going to take political attacks from anyone.

LEG. LINDSAY:

Well, just to set the record straight, I wish my wife would go to work. I'm not voting for this because somebody did something for me, because I think it's a good idea, and that's my right just like it's your right to object to it. And that what we're all about. All we're simply saying is •
• is the County Executive willing to change this bill anymore or has he changed it as much as he's going to?

MR. ZWIRN:

No. He has always held out his hand to see if there could be some negotiation. If there's something in particular •• now, the Chair has mentioned that somebody's position was eliminated, and that was of concern to him.

CHAIRMAN ALDEN:

In the budget.

MR. ZWIRN:

In this department? I mean, I don't know where in the budget.

CHAIRMAN ALDEN:

No. Ben, in the budget, there were 11 positions ••

LEG. LINDSAY:

He's mixing one thing with another.

CHAIRMAN ALDEN:

Right. I'm just saying that there's a concern on my part that this proposed legislation would eliminate somebody's job. It could be a same position.

MR. ZWIRN:

It doesn't.

CHAIRMAN ALDEN:

Nobody's come down to tell me that.

MR. ZWIRN:

I'm telling you that. If that's a concern of yours, that's not happening.

CHAIRMAN ALDEN:

Well, it eliminates jobs.

MR. ZWIRN:

There are vacant positions, they're moving people around, but there's nobody losing their job at this department.

CHAIRMAN ALDEN:

Why it is that certain pieces ••

MR. ZWIRN:

And it's not increasing ••

CHAIRMAN ALDEN:

Ben, why is it that certain pieces are brought over and other pieces are left?

MR. ZWIRN:

Because he's building a department so that he can have it under one •• under one Commissioner.

CHAIRMAN ALDEN:

Where's the distinction then? Where's the distinction between this piece coming over and this piece not coming over?

MR. ZWIRN:

Because it will be creating a new department of Environment and Energy, so he's taking pieces from the Real Estate Department, from different •• the Health Department so that they can build one cohesive unit.

CHAIRMAN ALDEN:

Convince me that those pieces fit together, and I might vote for it. But I haven't been •• nobody's even attempted to convince me. And I'm sorry, I butted into Legislator Lindsay's time. Sorry.

LEG. LINDSAY:

What I was simply going to say, if this bill is in its final form, and it isn't going to change anymore, bring it to the floor and let us vote on it. I mean, it's going to be •• we've been kicking this around for 11 months. If you don't agree with it, knock it down.

CHAIRMAN ALDEN:

I agree with you. Let's hold the vote. We have a vote to table, and we have a vote to discharge without recommendation. The vote to table takes precedence. All in favor of tabling? You have three•four. You have three against tabling, I'm going to abstain. Tabling fails. All right. You

have a motion to discharge without recommendation and you have a second. So the motion was made by Legislator Fisher or Legislator Lindsay? Legislator Lindsay seconded it. All those in favor of discharging without recommendation? You have three. All those that are against discharge without recommendation? You have three. I abstain. It fails. This piece of legislation is now dead. That's what you want, you've got it, I abstain. **FAILED. (VOTE:3•3•1•0) (Opposed; Legis. O'Leary, Kennedy and Nowick) (Abstention; Legis. Alden).**

1986•2004. Authorizing legal action against Long Island Convention and Visitors Bureau, Inc., seeking recovery of improperly spended taxpayer funds. (CARACCIOLO).

CHAIRMAN ALDEN:

Legislator Caracciolo asked me to table it one more cycle. Motion to table by myself, seconded by Legislator O'Leary. All those in favor? Opposed? 1986 is **tabled. (VOTE:7•0•0•0)**

2019•2004. Establishing policy on use of County Clerk's Office for title examination purposes pending County Center renovations. (CARACCIOLO)

CHAIRMAN ALDEN:

Motion to table by myself, seconded by Legislator O'Leary. All those in favor? Opposed? 2019 is **tabled. (VOTE:7•0•0•0)**

2061•2004. Adopting Local law No. •2004, a Local Law to permit seizure of vehicles of unlicensed home appliance repair businesses. (NOWICK)

CHAIRMAN ALDEN:

Motion to approve by Legislator Nowick, seconded by Legislator Lindsay. All those in favor? Opposed? 2061 is **approved. (VOTE:7•0•0•0)**

2078•2004. Authorizing the sale of County owned real estate pursuant to Section 215, New York State County Law to Richard Edelstein and Glenda Edelstein, his wife. (FOLEY)

CHAIRMAN ALDEN:

Legislator Foley asked to have this tabled last time. Does anybody know what ••

MR. PERILLIE:

I think he is okay with letting it go through.

CHAIRMAN ALDEN:

Motion by Legislator Lindsay, seconded by Legislator Fisher. All those in favor? Opposed? 2078 is **approved. (VOTE:7•0•0•0)**

Just on 2078. I'm sorry. Real estate, do you have •• 2078 is ••

MS. LONGO:

Just if you had any questions.

CHAIRMAN ALDEN:

Authorizing the sale of County owned.

MS. LONGO:

That was a hardship, and they came to the Legislator for a •• it was passed the redemption date.

CHAIRMAN ALDEN:

I'm going to ask Counsel, are we allowed to do that anymore?

MS. KNAPP:

Yes. This is a gentleman who had a note that he had •• a medical note that said that he was suffering from depression and other psychological disorders and his emotion problems could have led him to not being able to keep up with daily living matters.

CHAIRMAN ALDEN:

So that figures into one of the requirements, right?

MS. KNAPP:

Yes.

CHAIRMAN ALDEN:

On the existing legislation, because we did lose a lawsuit on this. All right. We'll call of vote then. 2078 was approved. You want to put it on the Consent Calendar? Leave it off? Okay.

2085 • 2004. Adopting Local law No. • 2004, a Charter Law to transfer print shop from County Department of Human services to, Civil Service and Personnel to County Department of Public Works. (COUNTY EXEC)

LEG. O'LEARY:

Motion.

CHAIRMAN ALDEN:

Motion to approve.

LEG. LINDSAY:

Second.

CHAIRMAN ALDEN:

On the motion.

MS. KNAPP:

I believe this was tabled because the SEQRA is still pending on this one. I don't believe they've •
• I don't believe that SEQRA has
given ••

CHAIRMAN ALDEN:

Anybody have an answer on that? Okay. Just to play it on safe side ••

MS. KNAPP:

I believe my office checked on it for this agenda.

CHAIRMAN ALDEN:

Okay. Legislator O'Leary changes his motion to table, I'll second that. All those in favor?
Opposed? 2085 is **tabled** pending the SEQRA. **(VOTE:7•0•0•0)**.

**2099•2004. Authorizing certain technical corrections to adopted Resolution No. 929
•2004. (COUNTY EXEC)**

CHAIRMAN ALDEN:

Do you know what those technical corrections are?

MS. KNAPP:

This was one that I reviewed with the Budget Review Department, and they agreed that the

changes were needed. I had some concerns about it because it changed a grade, however, when you look at the original resolution, they had a Grade Two, I think, which probably doesn't even exist.

CHAIRMAN ALDEN:

Motion to approve by Legislator Kennedy, seconded by Legislator Nowick. All those in favor? Opposed? 2099 is **approved. (VOTE:7•0•0•0).**

2172•2004. Approving the reappointment of Russell Calemme as a member of the Suffolk County electrical Licensing Board. (COUNTY EXEC)

CHAIRMAN ALDEN:

Motion to approve by Legislator Lindsay, seconded by Legislator O'Leary. All those in favor? Opposed? 2172 is **approved. (VOTE:7•0•0•0).**

2173•2004. Approving the reappointment of Patrick Pichichero as a member of the Suffolk County Home Improvement Contractors Licensing Board. (COUNTY EXEC)

CHAIRMAN ALDEN:

Motion by Legislator O'Leary, seconded by Legislator Kennedy. All those in favor? Opposed? 2173 is **approved. (VOTE:7•0•0•0).**

2174•2004. Approving the reappointment of William Garthe as a member of the Suffolk County Home Improvement Contractors Licensing Board. (COUNTY EXEC)

CHAIRMAN ALDEN:

Motion by Legislator Kennedy, seconded by Legislator Nowick. Okay. Motion by Legislator Nowick, seconded by Legislator Kennedy. All those in favor? Opposed? 2174 is **approved.**

(VOTE:7•0•0•0).

2178•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk county Tax Act, Connie LoForte. (COUNTY EXEC)

MS. LONGO:

That was an as of right redemption.

CHAIRMAN ALDEN:

As of right redemption.

LEG. VILORIA•FISHER:

Motion to approve and place on the Consent Calendar.

CHAIRMAN ALDEN:

Thank you. Seconded by O'Leary. All those in favor? Opposed? **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7•0•0•0)**

2179•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk county Tax Act, South Shore Funding. (COUNTY EXEC)

MS. LONGO:

As of right.

LEG. VILORIA • FISHER:

Same motion.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7 •0•0•0).**

2180 • 2004. Authorizing the sale, pursuant to Local law 16 • 1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Dominick Roberti. (COUNTY EXEC)

MS. LONGO:

As of right redemption.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7 •0•0•0).**

2181 • 2004. Authorizing the sale, pursuant to Local law 16 • 1976, of real property

**acquired under Section 46 of the Suffolk County Tax Act, Sleiman M. Khatoun.
(COUNTY EXEC)**

MS. LONGO:

As of right redemption.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

**2182•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property
acquired under Section 46 of the Suffolk County Tax Act, Birdie Evans as Executrix of
the estate of Richard Owens.
(COUNTY EXEC)**

MS. LONGO:

As of right.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

**2183•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property
acquired under Section 46 of the Suffolk County Tax Act, Birdie Evans as Executrix of
the estate of Richard Owens.
(COUNTY EXEC)**

MS. LONGO:

As of right.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

2184•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Birdie Evans as Executrix of the estate of Richard Owens.

(COUNTY EXEC)

CHAIRMAN ALDEN:

As of right. Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7•0•0•0)**

LEG. VILORIA•FISHER:

Excuse me. I just wanted to ask a quick question to Real Estate, just a quick question. Now, these three pieces apparently are contiguous, can't that be done with one resolution? Why does it have to be separated out like that?

MS. LONGO:

They're different tax map numbers.

LEG. VILORIA • FISHER:

Okay. Thank you. Two of them •• I'm sorry, I'm looking at 111 and 110. I thought they were both the same number.

MS. LONGO:

110, 111, and 112.

LEG. VILORIA • FISHER:

I see. Thank you.

2185 • 2004. Authorizing the sale, pursuant to Local law 16 • 1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Joseph Zamboli and Jerilynn Zamboli, husband and wife. (COUNTY EXEC)

MS. LONGO:

As of right.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR**. (VOTE:7
•0•0•0).

2186•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Joseph Zamboli and Jerilynn Zamboli, his wife. (COUNTY EXEC)

MS. LONGO:

As of right redemption.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR**. (VOTE:7
•0•0•0).

2187•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Joseph Zamboli and Jerilynn Zamboli, his wife. (COUNTY EXEC)

MS. LONGO:

As of right redemption.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

2188•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Steven J. Perricone, as trustee of the Joseph Perricone Trust. (COUNTY EXEC)

MS. LONGO:

As of right.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

2189•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Chanradeo Mohan and Rupwatee Mohan, his wife. (COUNTY EXEC).

MS. LONGO:

As of right redemption.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

2190•2004. 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 the Town of Southampton pursuant to Section 40•D of the Suffolk County Tax Act. (COUNTY EXEC)

MS. LONGO:

That was lack of notice to the prior owner.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7•0•0•0).**

2191•2004. 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 the Town of Huntington pursuant to Section 40•D of the Suffolk County Tax Act. (COUNTY EXEC)

MS. LONGO:

That was also lack of notice.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7•0•0•0).**

2192•2004. 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 the Incorporated Village of Sag Harbor, Town of East Hampton pursuant to Section 40•D of the Suffolk County Tax Act. (COUNTY EXEC)

MS. LONGO:

That was lack of notice.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7•0•0•0).**

2196•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Jeffery Haas. (COUNTY EXEC)

MS. LONGO:

As of right redemption.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7•0•0•0).**

2197•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Frank Bistran. (COUNTY EXEC)

MS. LONGO:

As of right.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

**2198•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property
acquired under Section 46 of the Suffolk County Tax Act, Gold Coast Homes at
Woodland and Bayview, Inc. (COUNTY EXEC)**

MS. LONGO:

As of right redemption.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

**2199•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property
acquired under Section 46 of the Suffolk County Tax Act, AJT Realty Corp. (COUNTY
EXEC)**

MS. LONGO:

As of right.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR**. **(VOTE:7
•0•0•0)**.

2200. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act, AJT Realty Corp. (COUNTY EXEC)

MS. LONGO:

Same, as of right.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR**. **(VOTE:7
•0•0•0)**.

2201•2004. Authorizing the sale, pursuant to Local law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act, AJT Realty Corp. (COUNTY EXEC)

MS. LONGO:

As of right.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR**. **(VOTE:7
•0•0•0)**.

**2202 • 2004. Authorizing certain technical corrections to Resolution No. 594 • 2004.
(MYSTAL)**

CHAIRMAN ALDEN:

Brief explanation.

MS. KNAPP:

It apparently, allotted •• the original resolution allocated \$1250 to United Fund, and it should have been United Way.

CHAIRMAN ALDEN:

Motion by Legislator Mystal, seconded by Legislator Viloría•Fisher. All those in favor? Opposed?
2202 is **approved. (VOTE:7•0•0•0)**

CHAIRMAN ALDEN:

Can we put technical corrections on the Consent Calender? Let's put it on the Consent Calendar. The motion was to approve and put on the Consent Calendar. 2202 is **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7•0•0•0)**

**2203 • 2004. Authorizing certain technical corrections to Resolution No. 1157 • 2004.
(COUNTY EXEC)**

MS. KNAPP:

Changes a PIN number.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

**2204•2004. Authorizing certain technical corrections to Resolution No. 741•2004.
(COUNTY EXEC).**

MS. KNAPP:

This also changes a PIN number.

CHAIRMAN ALDEN:

Same motion, same second. **APPROVED** and placed on the **CONSENT CALENDAR. (VOTE:7
•0•0•0).**

**2207•2004. Authorizing conveyance of parcel to the Town of Brookhaven (Section 72
•H, General Municipal Law). (LOSQUADRO)**

CHAIRMAN ALDEN:

Can we just have an explanation?

MS. KNAPP:

This is Legislator Losquadro's resolution. It would allow a public access point for the _Machia_ Nature Preserve. They are going to pay the back •• I'm going to assume it's back taxes, \$19,414.13 is in the resolution.

LEG. VILORIA • FISHER:

Motion.

CHAIRMAN ALDEN:

Motion to approve by Legislator Fisher, second by Legislator O'Leary. All those in favor? Opposed? 2207 is **approved. (VOTE:7•0•0•0)**.

2215 • 2004. Authorizing transfer of three surplus County computers to Comsewogue Youth. (VILORIA • FISHER)

LEG. VILORIA • FISHER:

Motion.

CHAIRMAN ALDEN:

I'll be proud to second that. All in favor? Opposed? 2215 is **approved. (VOTE:7•0•0•0)**.

2222 • 2004. Adopting Local law No. • 2004, a Local Law to authorize conveyance of development rights to Starlight Properties. (O'LEARY)

MS. JULIUS:

Mr. Chair, it has to be tabled.

CHAIRMAN ALDEN:

Motion to table by Legislator O'Leary, seconded by myself for the public hearing. All those in favor? Opposed? 2222 stands **TABLED** for the public hearing. **(VOTE:7•0•0•0)**

CHAIRMAN ALDEN:

Legislator Mystal.

LEG. MYSTAL:

A revamped bill, is that what it is?

2228•2004. Transfer of Town of Brookhaven owned real estate to the County of Suffolk pursuant to Section 72•H of the General Municipal Law. (COUNTY EXEC)

CHAIRMAN ALDEN:

Brief explanation. As they're probably going to say in Legislator Crecca's Court, stepping up.

MS. LONGO:

2228, these are dirt roads in the Pine Barrens by Toppings Path, north of County Route 111, Hot Water Street and Toppings Path that the Town of Brookhaven owns that the County would like to manage because we own all that property.

CHAIRMAN ALDEN:

This is a good thing you are saying?

MS. LONGO:

Yes.

CHAIRMAN ALDEN:

Okay. Legislator Fisher makes a motion to approve, seconded by Legislator O'Leary. All those in favor? Opposed? 2228 is **approved (VOTE:7•0•0•0)**.

2229•2004. Amending the Suffolk County Temporary Classification and Salary Plan in the Department of Parks, Recreation and Conservation. (COUNTY EXEC)

CHAIRMAN ALDEN:

Explanation, please.

MS. KNAPP:

This is for the temporary Parks employees. It looks as though the Director of Budget Review would like to comment on it. He probably can do it better than I can.

CHAIRMAN ALDEN:

Hi, Jim.

MR. SPERO:

This is increasing the hourly rate for part time employees of the Parks Department.

CHAIRMAN ALDEN:

From what to what?

MR. SPERO:

There are a number of title included in the resolution; park attendant one would go from \$7 an hour to \$8 an hour; park attendant two from 7.50 an hour to 8.55 an hour; park attendant three, 8.50 an hour to 9.70 an hour; EMT with one and two years experience, 9.95 an hour to 10.95 an hour; and EMT third year, 11.15 an hour to 12.25 an hour, senior labor crew leader, 9.33 an hour to 10.65 an hour; park security aide first and second years, 8.75 an hour to \$10 hour; parks security aide third year, \$9 an hour to 10.25 an hour; park ranger one, first year, 12.50 an hour to 14.25 an hour; park ranger, second year, \$14 dollars an hour to \$16 an hour; park ranger three, third year, 15.50 an hour to 17.75 an hour. This would help the department with the recruitment of the seasonal titles.

CHAIRMAN ALDEN:

Legislator Nowick.

LEG. NOWICK:

I think you probably just answered my question. I just wondered why the Parks Department stood alone as far as having salary increases, but you are tell us that they're having trouble •• seasonal for the summer.

MR. SPERO:

It will help with recruitment in these titles for the summer months.

LEG. NOWICK:

Okay. Thank you.

CHAIRMAN ALDEN:

Legislator Lindsay.

LEG. LINDSAY:

There's an attached memo that evidently they're having trouble retaining and attracting people during the summer months.

LEG. NOWICK:

I thought that I heard Legislator Alden would have volunteered in the summer months to work on the golf course.

LEG. LINDSAY:

What would that classification be, ranger?

CHAIRMAN ALDEN:

This Legislator doesn't like to work in the summertime.

LEG. KENNEDY:

Mr. Chairman.

CHAIRMAN ALDEN:

Legislator Kennedy.

LEG. KENNEDY:

Just a question. I just have a question about the mechanics here. I see in one of the whereases there's sufficient revenues generated by park use. Is this dedicated fund money that moves from park fees over to wages, or is that just general reference?

MR. SPERO:

Park revenues are just part of the General Funds.

MR. ZWIRN:

We get your point.

LEG. KENNEDY:

You like that. Okay. Thank you.

CHAIRMAN ALDEN:

Motion to approve by Legislator Fisher, seconded by Legislator Lindsay. All those in favor?
Opposed? 2229 is **APPROVED. (VOTE:7•0•0•0)**

2230•2004. Authorizing the disbursement of \$12, 130 from the Suffolk County Living Wage Contingency Fund for Hide and Seek Children Services, Inc. DBA Kids Place Early Childhood Center, a day care provider under contract with the Department of Social services. (COUNTY EXEC)

LEG. MYSTAL:

Explanation, please.

CHAIRMAN ALDEN:

Ben.

LEG. VILORIA•FISHER:

Excuse me, Mr. Chair. I'm sorry I have to ask to go back and reconsider **2229**, because my kids have had jobs actually cleaning bathrooms at Blydenburgh Park.

CHAIRMAN ALDEN:

Motion to reconsider by Legislator Vloria •• Fisher, seconded by myself. All those in favor? Opposed? It's again before us. Motion to approve, Legislator Lindsay, seconded by Legislator Mystal. All those in favor? Opposed? We have one abstention.

LEG. VILORIA • FISHER:

One abstention.

CHAIRMAN ALDEN:

Legislator Vloria • Fisher. **APPROVED. (VOTE:6 • 0 • 1 • 0)**

(Abstention; Legis. Vloria • Fisher).

Okay. 2230. Hi, Brenda.

MS. ROSENBERG:

Hi, Legislator Alden. This particular resolution uses some of the contingency funding that was placed in our budget to help Hide and Seek Day Care to meet the living wage retirements, and it would give them an additional 12,000 and change to make those requirements.

CHAIRMAN ALDEN:

Okay. There's a larger fund, right?

MS. ROSENBERG:

The total fund for the year was one and a half million dollars, and fortunately or unfortunately, only approximately \$264,000 was used this prior year for that.

CHAIRMAN ALDEN:

What happens to that fund balance at the end of the year, it goes to ••

MS. ROSENBERG:

It goes to the General Fund.

CHAIRMAN ALDEN:

So now we're going to have to allocate money again next year?

MS. ROSENBERG:

It has been allocated already for next year.

CHAIRMAN ALDEN:

Okay. Good.

LEG. VILORIA • FISHER:

Brenda, there is work that is being looked at right now by Legislator Bishop, I know he's talked to you, and I'd like to speak with you also regarding the issues of child care centers and the Living Wage Bill. How many child care facilities have access to funds?

MS. ROSENBERG:

This year?

LEG. VILORIA • FISHER:

This year in 2004.

MS. ROSENBERG:

Five.

LEG. VILORIA • FISHER:

Okay. And next year the child care workers are scheduled to enjoy another increase, another 50 cents.

MS. ROSENBERG:

It supposed to be going up to 8.50 with health benefits and 9.75 without, just for day care providers.

LEG. VILORIA • FISHER:

Right. And do you anticipate a greater number of centers accessing the ••

MS. ROSENBERG:

Well, the problem, as you know, is most of these agencies, these day care providers, get exempted based on a six to one exemption where the highest paid employee doesn't make more than six times the lowest paid employee. They have been all •• many of them have been applying for that exemption, so the day care workers are not get that salary.

LEG. VILORIA • FISHER:

Okay.

MS. ROSENBERG:

That's what this hardship funds does, it's providing the workers a raise in their salaries.

LEG. VILORIA • FISHER:

Okay. Thank you very much.

CHAIRMAN ALDEN:

Motion to approve by Legislator Viloría•Fisher, seconded by Legislator Lindsay. All those in favor? Opposed? 2230 is **approved. (VOTE:7•0•0•0).**

2266•2004. Approving maps and authorizing the acquisition of lands together with Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of properties to be acquired for the reconstruction of CR 2, Straight Path at Mount Avenue, Town of Babylon, Suffolk

County, New York.
(COUNTY EXEC)

LEG. MYSTAL:

Motion to approve.

CHAIRMAN ALDEN:

Legislator Mystal makes a motion to approve, seconded by Legislator O'Leary. All those in favor? Opposed? 2266 is **approved. (VOTE:7•0•0•0).**

2273•2004. Authorizing certain technical corrections to Resolution No. 1167•2004.
(ALDEN)

CHAIRMAN ALDEN:

Brief explanation. This transfers \$1.4 million to the First Legislative District for unspecified purposes •• no, no. Actually, we're waiting for an explanation. And we'll wait for hell to freeze over for this explanation.

MS. VIZZINI:

Unfortunately, we don't have a copy in front of us. If I can get your copy.

MS. JULIUS:

Mr. Chairman, are we on 2273 or 2274.

LEG. LINDSAY:

I have 23273 on the agenda.

CHAIRMAN ALDEN:

I withdrew 2273.

MS. JULIUS:

Okay.

**2274 • 2004. Authorizing certain technical corrections to Resolution No. 1112 • 2004.
(CARACCIOLO)**

LEG. VILORIA • FISHER:

Mr. Chair, I just handed Mr. Spero my copy of the legislation, because apparently, there's a Scribenor's error, and next to every dollar amount is a plus even though it says from and to, everything says plus, so that needs to be corrected on the copy.

MR. SPERO:

Scribenor's error. I believe that could be handled as a Scribenor's error.

MS. KNAPP:

What specifically is the •• the Scribenor's error is that it should have ••

MR. SPERO:

A plus or minus instead of two pluses.

MS. KNAPP:

A plus or minus?

CHAIRMAN ALDEN:

Now, we will get to the •• what's the heart of the resolution?

MR. SPERO:

It's just changing the •• it doesn't really change any funding, it just changes the accounts that the funding was coming from.

CHAIRMAN ALDEN:

Okay. It's coming from what now and going to where?

MR. SPERO:

It's going to a transfer to the General Fund to a transfer to the Gabreski Airport Funds. And there's two of those. There from the Suffolk Community Council in the Executive Office to a Suffolk Community Council contract in the Department of Health.

LEG. MYSTAL:

The question is why.

CHAIRMAN ALDEN:

Legislator Mystal.

MR. SPERO:

It wasn't done correctly to begin with, so we're just making it correct.

LEG. VILORIA • FISHER:

It's not like an offset, it's just a mistake originally?

CHAIRMAN ALDEN:

And there's still a bunch of mistakes. Jim, is this a good thing that we're doing here? Does this clean up some ••

MR. SPERO:

This is just a clean up.

CHAIRMAN ALDEN:

Clean up some problems. As soon as we get the pluses and minuses figured out though, right? And you're going to help us with that. All right. So motion by myself, seconded by Legislator O'Leary. All those in favor? Opposed? 2274 is **approved. (VOTE:7•0•0•0).**

S•81. Sense of the Legislature resolution in support of fair wages for commercial office cleaners. (LINDSAY)

LEG. LINDSAY:

I'd like to table it for now.

CHAIRMAN ALDEN:

The sponsor is requesting tabling motion, seconded by Legislator O'Leary. All those in favor? Opposed? Sense 81 is **tabled. (VOTE:7•0•0•0).**

S•82. Memorializing Resolution requesting the New York State Legislature enact exemptions to the Freedom of Information Law to protect against identity theft. (CARACCIOLO).

LEG. O'LEARY:

What exemptions?

CHAIRMAN ALDEN:

Name, address, phone number, Social Security number, place of employment, amount of money that they make, mother's maiden name.

LEG. O'LEARY:

Motion to approve.

LEG. KENNEDY:

Mr. Chairman, just on the matter.

CHAIRMAN ALDEN:

Legislator Kennedy.

LEG. KENNEDY:

There are •• I'd ask Counsel, when County agencies are complying with Freedom of Information requests, do they always operate under Public Officer's Law or other piece of legislation or, I guess, laws that govern the operations of the office?

MS. KNAPP:

The Public Officer's Law is certainly the Freedom of Information request section. Certain public safety agencies may operate under different sections of the law.

LEG. KENNEDY:

Fine. Thank you.

CHAIRMAN ALDEN:

I'll entertain a motion. Motion by Legislator Kennedy, seconded by Legislator O'Leary to approve. All those in favor? Opposed?

LEG. LINDSAY:

Put me on as cosponsor.

CHAIRMAN ALDEN:

Sense 82 is **APPROVED. (VOTE:7•0•0•0)**. Cosponsor, Legislator Lindsay.

All right. We actually have an Executive Session ••

MS. BIZZARRO:

No. We don't have anything.

CHAIRMAN ALDEN:

Good. No Executive Session. Anybody else have any other business to come before the committee. We stand adjourned. Thank you.

(* THE MEETING WAS ADJOURNED AT 10:47 A.M. *)

_ _ **DENOTES BEING SPELLED PHONETICALLY**