

WAYS AND MEANS

COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Ways and Means 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 Wednesday February 28, 2007.

MEMBERS PRESENT:

Legislator Lou D'Amaro - Chairman
Legislator Ricardo Montano - Vice-Chairman
Legislator Tom Barraga
Legislator Kate Browning
Legislator Edward Romaine

ALSO IN ATTENDANCE:

George Nolan - Counsel to the Legislature
Gail Vizzini - Director, Budget Review Office
Renee Ortiz - Chief Deputy Clerk of the Legislature
Ben Zwirn - County Executive's Office
Pat Zielenski - Real Estate Division
Jacqueline Caputi - County Attorney
All other interested parties

MINUTES TAKEN BY:

Donna Catalano- Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 9:46 A.M.*)

CHAIRMAN D'AMARO:

Good morning, Ladies and Gentlemen. I apologize for the delay. Welcome to the Ways and Means Committee of the Suffolk County Legislature. And please rise and join Legislator Montano in leading us in our Pledge of Allegiance.

SALUTATION

CHAIRMAN D'AMARO:

There's an announcement. Immediately following the public portion of the committee meeting, we will be convening an Executive Session at the request of the Department of Law -- that is after we get through the agenda. Okay. Looking at the agenda, the first item we are going to be addressing this morning are public comments, and we do have one card that is filled out. If anyone else would like to address the committee this morning, please fill out a yellow card such as this, and we will be happy to hear what you have to say. All speakers will be given three minutes to address the committee. The first speaker this morning who has requested to address the committee is Cheryl Felice, the President of AME. Good morning.

MS. FELICE:

Good morning. How's everybody today?

CHAIRMAN D'AMARO:

All right.

MS. FELICE:

Okay. I'm here to speak to you on behalf of Resolution 2002-42 -- 2442, seeking to return to the Chart the Division of Insurance and Risk back to Audit and Control. The matters that are before you is we're seeking the resolution based on an Earnst and Young report that cited the need for stringent controls, checks and balances, better internal controls to provide assurances for detecting errors on a division that is responsible for processing over 12,000 claims a week to the total of \$400,000 a week.

AME was witness and present when or the Division of Insurance and Risk was formally under the control of the Comptroller several years back, probably within the last ten years. For political reasons, it was removed from that division and put in Human Services, Civil Service. And although we did not feel that there was an issue or a problem with Insurance and Risk over at Civil Service, when the effort was made to move them out, it raised a red flag to us. And then right after that red flag was raised, we learned that the County Executive has intentions releasing an RFP to privatize the division.

Naturally from a labor standpoint, we would oppose privatization at all costs, and we oppose it here and now. We feel that it was -- that the division never should have been removed from Audit and Control. And it's a very good business practice to restore it there now. But more importantly, what seems to be happening with the dialog over -- if it should have just been left alone over at Civil Service, if it should go back to Audit and Control -- is the fact I'm not convinced that anyone on the County level has really asked the front-line employees what it is they could do improve the services and delivery of services in the -- in that particular division to effectuate the management controls that management is obviously looking for and gain better control. No one asked the employees. No one has asked the division -- I'm not convinced that anyone has asked. If you have, I'd like to hear that.

I don't know if there's any representative from the Office of the Comptroller here today to speak on behalf of some of those controls that I am told have already put in place now that the budget reflect

Insurance and Risk is under the jurisdiction of the Comptroller. Yet, the County Charter doesn't reflect that. So those are the issues that we have -- that we have before you today.

And I would just like to leave this committee with those thoughts, that employees and the services they do are not costs to be cut in County Government, they're assets to be developed. And a compromising meeting of the minds to get to the bottom of what it is management is looking for and what it is the employees are looking for to better deliver those services would do everyone in this room and in this government and in this County a world of good. If the dialogs would simply just open, we'd have conversations, and the people having those conversations would listen to the suggestions of those giving them. Thank you.

CHAIRMAN D'AMARO:

Thank you, Ms. Felice, we appreciate your comments. Is there anyone else present -- are there any questions before -- okay. Is there anyone else present who would like to address the committee this morning? Okay. Then I would like to move immediately to the agenda. We will start with section -- Tabled Resolutions.

First to be called is **2188-2006. Authorizing conveyance of parcel bearing Suffolk County Tax Map Number 1000-015.00-05.00-025.003 to the Town of Southold pursuant to Section 72-h of the General Municipal Law.**

This has been an ongoing dialog that we've been having at the committee since last year on this. Mr. Zwirn, are you in a position to give us an update?

MR. ZWIRN:

Except that I have no news. No news. The last conversation I had was several weeks ago with the Supervisor and with some of the residents who live on the roads in question. Everybody seemed happy with, you know, the conversations that had gone on, but we haven't realized any final -- finality to it.

CHAIRMAN D'AMARO:

I think the last conversation we had with you here was we were talking about how to divvy up costs. And I think you were indicating that the residents were first starting to discuss that with you or with the town.

MR. ZWIRN:

They had agreed. They had the prerequisite number of people on the roads in question, because there are only 25 families. There are 138 families that live in this development, and if they all would chip in, this would have been a very minor expense. But they didn't. So they left the 25 families to fend for themselves, so the cost was a little bit more per family. I think there are one or two families that it's going to be a real difficult amount of money for them to come up with, but they've agreed to do it. We're just waiting to hear back from the town to find out how we can finally resolve this. And I don't know if Legislator Romaine has had a chance to get an update either, but we haven't heard anything. The Supervisor of the Town seemed to be --

CHAIRMAN D'AMARO:

And the bill that is actually before the committee on this issue now is the 72-h, which would convey the property or permit the conveyance of the property to the town, and I'm not sure they're prepared to do that at this time.

MR. ZWIRN:

No. But at the appropriate time -- I assume that they're waiting for the weather to get better so they can -- they can figure out exactly when to construct them. And I think they're trying to figure out how much the town can do on their own. And to tell you the truth, I think the town was also looking to see if they could put up more money on their own and ask the County for a little bit less, to their credit. But I think that -- I wish I could say it was finally done and be a ribbon cutting, but

not yet.

CHAIRMAN D'AMARO:

Not yet.

LEG. ROMAINE:

Mr. Chairman, I'd like to make a motion to table. And in that motion to table, my only request to Mr. Zwirn is if someone from the Executive Branch would reach out to Supervisor Scott Russel so at the next committee meeting we could have an update. And I would deeply appreciate if that would be done. But until that time, I'll make a motion to table.

CHAIRMAN D'AMARO:

I'll second the motion. On the motion, I'll call the vote. All in favor? Any opposed? Abstentions? The motion carries, the resolution is **TABLED (VOTE:5-0-0-0)**.

2217-2006. Naming the Supreme Court Building in Riverhead the "Alan D. Oshrin Supreme Court Building."

Once again, my report indicates that this has not yet passed through the Naming Committee, and on that basis, I will offer a motion to table.

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning.

LEG. ROMAINE:

On the motion.

CHAIRMAN D'AMARO:

Legislator Romaine, go ahead, please.

LEG. ROMAINE:

While it has not passed through -- because it's been tabled multiple times at the committee of which I've appeared in front of, the 90 day time period has elapsed. So this resolution is ripe for a vote.

CHAIRMAN D'AMARO:

It was my understanding that the 90 days had not elapsed.

LEG. ROMAINE:

I believe it has elapsed. If you could check with the Clerk's Office, they could probably tell you when this resolution was submitted or the Legislative Counsel.

CHAIRMAN D'AMARO:

We can check that.

MR. NOLAN:

That was laid on the table back in October. When it went to the Naming Committee, I can't say. But they are supposed to act within 90 days and make their recommendation.

CHAIRMAN D'AMARO:

Okay. Does anyone else wish to be heard on the motion? There's a tabling motion that's been made and seconded.

MS. BIZZARRO:

Chairman D'Amaro.

CHAIRMAN D'AMARO:

Yes.

MS. BIZZARRO:

Lynne Bizzarro, County Attorney's Office. I just wanted to make it clear for the record, it's 90 days from receipt of the request made to the Naming Committee, and I don't know when that 90 days -- when the time started to tick. I just wanted the committee to realize that.

LEG. ROMAINE:

To expedite matters, what I would ask -- I'll support the tabling motion for one cycle, but I would ask at our next committee meeting that the date that it was submitted to the committee -- because I believe we're passed the 90 days. But I would ask Legislative Counsel if he would provide us with that date so that if the 90 days has passed, certainly at the next committee meeting it will be ripe for a vote. Thank you.

CHAIRMAN D'AMARO:

Thank you. And Counsel will go ahead and do that. I'll call the vote on the tabling motion. All in favor? Any opposed? Abstentions? Motion carries, the resolution is **TABLED (VOTE:5-0-0-0)**.

2238-06. Sale of County-owned real estate pursuant to Local Law 13-1976 John D. Lightsey (SCTM No. 0200-973.90-03.00-017.000).

This again is a resolution the committee has been considering since last year involving a 50 by 100 lot. We had some questions concerning the value that the neighbor bid, especially given the fact that once the neighbor acquires the property for the indicated price, it would probably greatly enhance the value of the neighbor's property. Ms. Zielenski, we had asked for a reconsideration or a relook at the appraisal. Do you have an update for us on this?

MS. ZIELENSKI:

Yes. Actually what we did was go out and inspect the property more thoroughly to find that, in fact, the bidder, the only bidder on the property, who was adjacent to the property has an already developed parcel as are the parcels surrounding this undeveloped lot. So, in fact, it does not change the circumstances of -- in other words, it's not an undeveloped lot adjacent to it that can now be enhanced. This merely becomes the side yard to an existing property. And therefore, in this area, we felt that the price was appropriate.

CHAIRMAN D'AMARO:

The lot is not buildable under the town code.

MS. ZIELENSKI:

The lot is not separately buildable under our determination that we have a restricted deed that specifies the fact that it is not individually developable. It has to be combined with the adjacent tax lot, which is already developed.

CHAIRMAN D'AMARO:

After the sale? That restriction would be placed in the deed upon conveyance to the adjoining owner?

MS. ZIELENSKI:

That's correct.

CHAIRMAN D'AMARO:

Right. But presently as the lot stands, it is 50 by 100 plot that is not buildable as a matter of right under the present Zoning code; is that correct?

MS. ZIELENSKI:

I don't know quite how to respond to that, Legislator. The Town of Brookhaven does not approve 50 foot lots for development. And they have requested repeatedly that we don't transfer 50 foot lots as developable lots, which is why we restrict the deed.

CHAIRMAN D'AMARO:

Legislator Kennedy who was on this committee last year also had an interest in this resolution and was speaking to whether or not this was something the Workforce Housing would consider. And I took the liberty of calling Commissioner Morgo myself yesterday on this, because I know that was a concern he had --

MS. ZIELENSKI:

That had been considered.

CHAIRMAN D'AMARO:

Excuse me?

MS. ZIELENSKI:

It had been considered by them.

CHAIRMAN D'AMARO:

It had been considered, and he assured me that this is not something that would fit into the program and that they didn't just gloss over it, that they did take a look at it. The town simply doesn't want to include it in any program either. So at this point, I think we've discussed this resolution for five months now, I'll offer motion to approve, is there a second?

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries and the resolution is **APPROVED (VOTE:4-0-0-1 - Not present - Legis. Montano)**.

2242-06. Adopting Local Law No. 2006, A Local Law to enact a Campaign Finance Reform Act to limit campaign contributions from County Contractors.

Once again, this is legislation that's been pending before the committee since last year. As I stated at the beginning of this year, we are going to be taking a hard look at comprehensive reform when it comes to campaign finance. And with that said, I would offer a motion once again to table this particular bill.

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. All in favor? Opposed?

LEG. BARRAGA:

Opposed.

CHAIRMAN D'AMARO:

Legislator Barraga is opposed and Legislator Romaine is opposed. The motion does not carry. The motion fails. Okay. Let's hold that in abeyance and we'll go on to the next -- okay. We're going to come back to that resolution in a few moments.

I'll go on next to **2285-2006. Adopting a Local Law, A Charter Law transferring certain selected functions to the Department of Human Resources, Personnel and Civil Service, Division of Human Resources, to the Department of Law.**

CHAIRMAN D'AMARO:

I'll offer a motion to table.

LEG. MONTANO:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Montano. I'll call the vote. All in favor? Opposed? Abstentions? And the motion carries. The resolution is **TABLED (VOTE:5-0-0-0)**.

All right. Next on agenda, **2349-06. Adopting Local Law No. 2006, A Local Law amending the Domestic Partner Registry Law.**

CHAIRMAN D'AMARO:

At the sponsor's request I will offer a motion to table, is there a second?

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries, the resolution is **TABLED (VOTE:5-0-0-0)**.

2354-06. Sale of County-owned real estate pursuant to Local Law 13-1976 Bienvenida Javier (SCTM No. 0200-853.00-04.00-002.000).

Again, this is a resolution that had been tabled since last year concerning a 40 by 100 lot. There was a \$28,000 bid. Again, not a buildable lot, I believe, under the present zoning. Ms. Zielenski, anything you would like to add on that one?

MS. ZIELENSKI:

Actually, it's the same issue. It is a 40 foot lot. The winning is an adjoinder with a 60 foot lot providing them with a 100 foot lot, which is -- 50% of the properties in the neighborhood are 100 foot lots.

CHAIRMAN D'AMARO:

Right. I did look at the tax map and saw that myself.

MS. ZIELENSKI:

It brings it up to the local standard.

CHAIRMAN D'AMARO:

I think the tabling motion last time for based more on a technical correction to the resolution -- maybe not. Well, in any event, I'm in agreement with the Department of Real Estate on this one. So I will again offer a motion to approve this resolution.

LEG. BROWNING:

Can I ask a question?

CHAIRMAN D'AMARO:

Sure. Legislator Browning. Is there a second on the motion before we get into discussion?

LEG. BROWNING:

I'll second it for --

CHAIRMAN D'AMARO:

Discussion.

LEG. BROWNING:

Yeah. I'm noticing this is in Mastic Park, correct?

MS. ZIELENSKI:

Correct.

LEG. BROWNING:

And this person -- I don't want to crucify their name -- actually lives in Lynbrook; is that correct?

MS. ZIELENSKI:

Yes. Yes, that's correct.

LEG. BROWNING:

Is he the owner of the adjacent property to this?

MS. ZIELENSKI:

He's the owner of the adjacent properties, yes. That's correct.

LEG. BROWNING:

So is the adjacent property, is their a home on that property?

MS. ZIELENSKI:

Not at this time. The other adjacent property owners that were offered this property have developed -- are all developed properties, but the one that -- the only bidder that we had is, in fact, one that is not a developed property.

LEG. BROWNING:

Okay. Thanks.

MS. ZIELENSKI:

The original appraisal on this property was 18,000. The bit that we have 28,000. Nobody else wanted it[.|.|.]

CHAIRMAN D'AMARO:

There's a motion pending to approve and a second. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries, resolution is **APPROVED (VOTE:4-0-0-1 - Not Present - Legis Montano)**.

CHAIRMAN D'AMARO:

I want to go back to Resolution Number **2242, Adopting Local Law No. 2006, A Local Law to enact a Campaign Finance Reform Act to limit campaign contributions from County Contractors.**

As I stated previously, this one piece of a larger picture that the committee has been working on. And I'll again offer a motion to table.

LEG. MONTANO:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Montano -- all right, so.

LEG. ROMAINE:

Motion to reconsider.

CHAIRMAN D'AMARO:

Motion to reconsider by Legislator Romaine, seconded by Legislator Montano. All those in favor? Opposed? Abstentions? The motion is now before the committee once again. I will offer a motion to table, seconded by Legislator Montano. All in favor? Opposed? Abstentions?

LEG. ROMAINE:

Opposed.

LEG. BARRAGA:

Opposed.

CHAIRMAN D'AMARO:

Legislator Romaine is opposed and Legislator Barraga. Motion carries. **TABLED (VOTE:3-2-0-0)**

2413-06. Adopting Local Law No. 2006, A Charter Law creating a program for public financing of County campaigns and the banning of certain donations to curb potential conflicts of interest.

LEG. MONTANO:

Motion to table.

CHAIRMAN D'AMARO:

Motion by Legislator Montano to table, seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries, resolution is **TABLED (VOTE:5-0-0-0)**.

2442-06. Adopting a Local Law, A Charter Law transferring certain selected functions to the Department of Human Resources, Personnel and Civil Service, Division of Human Resources, to the Department of Audit and Control.

CHAIRMAN D'AMARO:

On 2442, I'll offer a motion to table.

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. On the motion, I'll call the vote. All in favor? Opposed?

LEG. ROMAINE:

Opposed.

CHAIRMAN D'AMARO:

Legislator Romaine is opposed. Abstentions? Motion carries.

LEG. MONTANO:

I'll abstain.

CHAIRMAN D'AMARO:

The motion carries, the resolution is **TABLED (VOTE:3-1-1-0 - Opposed - Legis. Romaine - Abstention - Legis. Montano)**

2593-06. Naming the new Supreme Court Building in Riverhead the "Distinguished Military Veterans Supreme Court Building."

Once again, this was tabled in the Naming Committee, and there's an issue of whether or not it's exceeded the 90 day limitation. I don't believe it has. So I'll offer a motion by Legislator Montano to table, I'll second. All in favor? Opposed? Abstentions? And the motion carries, the resolution is **TABLED (VOTE:5-0-0-0)**.

2599-06. Adopting Local Law No. 2007, A Charter Law to ensure a non-partisan, fair and objective process by which Legislative Districts are reapportioned.

Once again, this bill has gone through several revisions.

LEG. MONTANO:

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

CHAIRMAN D'AMARO:

I want to double check.

LEG. MONTANO:

On the motion, I believe the public hearing was closed. But if there have been revisions, would we not need to have a new public hearing? And I believe the revisions are substantial, substantive, whatever term you want to use.

CHAIRMAN D'AMARO:

Well, I think the general affect of the revisions didn't really change the essence of the bill, which really is for the -- a new methodology of reapportionment.

LEG. MONTANO:

But that just deals with the tile. We've been down that road before. In any event, I'm going to make a motion to table.

CHAIRMAN D'AMARO:

Okay. Is there a second on the motion to table.

LEG. BROWNING:

I'll second.

CHAIRMAN D'AMARO:

All in favor? Opposed?

CHAIRMAN D'AMARO:

Opposed.

LEG. BARRAGA:

Opposed.

LEG. ROMAINE:

Opposed.

CHAIRMAN D'AMARO:

Okay. The motion fails. I'll offer a motion to approve. Is there a second.

LEG. ROMAINE:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Romaine. All in favor?

LEG. BARRAGA:

On the motion.

CHAIRMAN D'AMARO:

Legislator Barraga.

LEG. BARRAGA:

I just need clarification on a few minor points with reference to the Legislation I'm looking at. Page 4, Subsection E, they continually refer to as far as the -- who appoints whom to the committee. They continually make reference Majority Leader making appointments. We have a Majority Leader in the Legislature. Are we talking about the Presiding Officer or the Majority Leader making the appointments?

MR. ZWIRN:

Well, my understanding is that is was to be coming from the Majority and the Minority would have --

LEG. BARRAGA:

Because the use the term Majority Leader in the text.

MR. ZWIRN:

I guess they use Majority Leader because it's possibly the Majority Leader may not be the Presiding Officer. I think that's, in fact, happened. Maybe Legislator Romaine, whose got historical reference here -- I think that's been the case when they've had a split board.

LEG. ROMAINE:

When you have a split board, you may have a 9-9 Legislature and you may have a Presiding Office from one that doesn't have a majority.

LEG. BARRAGA:

It looks to me like when you use the term Majority Leader, it's the Majority Leader who is going to make the appointment as opposed to the Presiding Officer. It's says Majority Leader, not majority.

LEG. ROMAINE:

For example, I guess three or four years ago Maxine Postal was the Presiding Officer, but her party did not -- the party that she was enrolled in did not have a majority in the Legislature at the time.

LEG. BARRAGA:

But let's say we do have a majority, let's say the current make-up. We have a Majority Leader, is he the going to make the appointments?

LEG. ROMAINE:

Yes. That would be Mr. Cooper.

LEG. BARRAGA:

All right. So it's not Mr. Lindsay.

LEG. ROMAINE:

It would not be Mr. Lindsay.

LEG. BARRAGA:

As long as everybody realizes that. The appointments being made to the Commission on Reapportionment will be made by Majority Leader, not the Presiding Officer under this legislation.

As long as you understand that.

MR. ZWIRN:

And I think the reason was --

LEG. MONTANO:

I have other problems, severe problems with this bill.

LEG. BARRAGA:

Well, let me finish my --

LEG. MONTANO:

It's been recessed.

CHAIRMAN D'AMARO:

Okay. Legislator Barraga had the floor. But before you go on, Legislator, I have been informed by Counsel that the public hearing was not, in fact, closed, that it had been recessed, which would require a tabling. So it's your pleasure if you want to proceed or if you want to hold it until a later time.

LEG. BARRAGA:

Well, just a couple of points. I notice with reference to the commission's report, if it's rejected, they have the ability to submit -- if it's rejected by the Legislature, they have the ability to submit a revised report and that can be rejected. And then you each a point where I guess, if my memory serves me right, County Executive and the Presiding Officer put through what had the potential of what could be a Charter Law. And if a period of time goes by and nothing happens, the way this reads right now, it looks like the revised report that was rejected by the Legislature the second time would take hold and become law.

MR. ZWIRN:

I don't believe that's the case. What happens is the way the bill was --

LEG. BARRAGA:

Let me just read this. "In the events this Charter Law revising the boundaries of the Legislative districts is not adopted within 120 days from the date of introduction, the commission's revised report and plan shall be deemed approved just as if it were duly approved via Legislature resolution.

CHAIRMAN D'AMARO:

I think that's an old version.

MR. ZWIRN:

That's an old version. I think that has been -- that has been changed. That has been changed. That is no longer the case. What happens is the commission would have two bites at the apple, and the reason they have a second bite is because they may have been close the first time. And the Legislature said, well, if you just move this here and you move that here, then we'll be happy and we can approve the plan so they can go back and make those minor adjustments and then it can come back. If it's completely, you know, unacceptable, then ultimately -- we would have to put it to a time frame so it can go before a Special Master in a due matter of course, because those are Legislator Montano's concerns, and we try to address those in this bill.

LEG. BARRAGA:

The last question I have is that in terms of who's eligible to be on the commission. And apparently those -- there are certain aspects where people are not eligible; individuals who currently serve or have served in the immediately preceding ten years in any elected Federal, State or local partisan

office. The commission, based on what I'm reading, has two retired judges as members. So they're usually elected. So they would have to be out of office ten years before they get on this commission? I mean, they might be quite elderly by the time they are eligible to get on this commission.

MR. ZWIRN:

What do you mean by -- what would be elderly?

LEG. BARRAGA:

If they retired at 70, they wouldn't at least 80 years of age.

MR. ZWIRN:

I'm reaching that time when elderly is like we.

LEG. BARRAGA:

I mean, I'm just wondering if this would be appropriate, you know, for that particular category.

MR. ZWIRN:

I understand what you're saying. But I think the thought was to try to make it as least political as possible, judges being the least political, but not completely nonpolitical. So if we remove them several years down the road, their political colors would be -- would have faded by that time.

LEG. BARRAGA:

Okay. Thank you.

CHAIRMAN D'AMARO:

Perhaps less on politics and more on wisdom at 80 years old.

MR. ZWIRN:

I think that's what I said.

CHAIRMAN D'AMARO:

All right. In any event, as was pointed out by our Counsel, the resolution needs to be tabled because the public hearing had been recessed according to our records. Legislator Montano has made a motion to table, I'll second. All in favor? Opposed? Abstentions? Motion carries, the resolution is **TABLED** pending the public hearing (**VOTE:5-0-0-0**).

LEG. ROMAINE:

Mr. Chairman, at this time as we had discussed, I have to leave because of a previous appointment. I will be back for the other committees today. But I've made you aware of that, and I have to leave now unfortunately before another appointment.

CHAIRMAN D'AMARO:

Okay. Thank you, Legislator Romaine. Okay that concludes the Tabled Resolution portion of the agenda. I'd like to turn to Introductory Resolutions.

1021. Authorizing certain technical correction to Adopted Resolution No. 1153-2006.

And I'll offer a motion to approve.

LEG. BROWNING:

I'll second.

CHAIRMAN D'AMARO:

Second by Legislator Browning and place on the Consent Calender. All in favor? Opposed? Abstentions? Resolution passed. **APPROVED** and placed on the **CONSENT CALENDER**

(VOTE:4-0-0-1 - Not Present - Legis. Romaine)

1024. Amending Adopted Resolution No. 9 - 2007.

I will offer a motion to approve, seconded by Legislator Browning. All in favor? Opposed? And put on the Consent Calender as well. All in favor? Opposed? Abstentions? Motion carries. **APPROVED and placed on the CONSENT CALENDER (VOTE:3-0-0-2 - Not Present - Legis Romaine and Montano)**

1026. Authorizing certain technical corrections to Adopted Resolution No. 1434-2006.

Again, I'll offer a motion to approve and place on the Consent Calender, seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries. **APPROVED and placed on the CONSENT CALENDER (VOTE:3-0-0-2 - Not Present - Legis Romaine and Montano)**

1027. Approving payment to General Code Publishers for administrative code pages.

Motion to approve and place on the Consent Calender, seconded by Legislator Browning. All in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0 - Not Present - Legis Romaine).**

1032. Authorizing certain technical correction to Adopted Resolution No. 1486-2006 (CP 7427).

Once again, a technical correction. I'll offer a motion to approve and place on Consent Calender. Is there a second?

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1035. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Harry Jones and Susan Jones, wife (SCTM No. 0200-768.00-02.00-039.000).

Motion by Legislator Browning to approve the 16 and place on the Consent Calender. I will second. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1036. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joanne R. Pizzo and Lawrence M. Pizzo, Jr., her husband (SCTM No. 0200-955.00-03.00-026.004).

CHAIRMAN D'AMARO:

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:3-0-0-1 - Not Present - Legis Romaine).**

1037. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act First Bell Harbor Development, Inc. (SCTM No. 0200-978.10-02.00-013.000).

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER**

(VOTE:4-0-0-1 - Not Present - Legis Romaine)

1038. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Lois M. Rosenblatt, Public Administrator of the estate of Lucille Lake (SCTM No. 0300-041.00-02.00-030.000).

Once again, this is a Local Law 16. I'll offer the same motion, same second, same vote.

APPROVED and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1039. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jason Kirchner and Lisa Kirchner (SCTM No. 0500-046.00-01.00-106.000),

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1040. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act 2003 Heyward Street Corp. (SCTM No. 0500-074.00-01.00-028.000).

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1041. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act 2003 Heyward Street Corp. (SCTM No. 0500-074.00-01.00-029.000).

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1042. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act George E. Lord (SCTM No. 0500-140.00-02.00-040.001).

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1043. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Marsha Greenman and Jacqueline Forte-McGowan, trustees under agreement dated June 18, 1989 for the benefit of Matthew Alan Forte (SCTM No. 0600-014.00-01.00-054.000).

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1044. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Custom Designer Homes of Long Island (SCTM No. 0900-129.00-02.00-036.012).

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1045. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Pedro Diaz (SCTM No. 0900-139.00-02.00-031.003).

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1046. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Essy Hosseinipour (SCTM No. 0900-232.00-03.00-010.000).

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:1-0-0-1 - Not Present - Legis Romaine)**

1053. Authorizing certain technical corrections to the 2007 Adopted Operating Budget for certain contract agencies.

Just very briefly, Ms. Vizzini, if you could just explain that for the committee's benefit.

MS. VIZZINI:

This is really conforming the name of the contract agency to the legal name. The change is from Greater Sayville Community Ambulance to simply Community Ambulance, Inc.

CHAIRMAN D'AMARO:

Okay. Motion to approve and place on the Consent Calender, is there a second.

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. All in favor? Opposed? Abstentions? And the motion carries. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1058. Sale of County-owned real estate pursuant to Local Law 13-1976 Concepcion Martinez (SCTM No. 0500-163.00-05.00-014.001).

CHAIRMAN D'AMARO:

This involves a 25 by 100 lot. Ms. Zielenski, would you like to add anything for the committee's information.

MS. ZIELENSKI:

Not unless someone has questions.

LEG. MONTANO:

Motion to approve.

CHAIRMAN D'AMARO:

Motion to approve by Legislator Montano, I'll second. All those in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1059. Sale of County-owned real estate pursuant to Local Law 13-1976 Vincent A. Bongiorno and Derly C. Chiodo, as joint tenants with rights of survivorship (SCTM No. 0200-641.00-05.00-001.000).

This involves a 40 by 100 lot, and I believe is redeemed for 19,500. I'll motion to approve, is there a second?

LEG. BROWNING:

I'll second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries.

APPROVED (VOTE:4-0-0-1 - Not Present - Legis Romaine).

1060. Sale of County-owned real estate pursuant to Local Law 13-1976 Timothy Scanlon and Lorraine Auer, as joint tenants with rights of survivorship (SCTM No. 0500-319.00-01.00-005.000).

I'll offer a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. All in favor? Opposed? Abstentions? And the motion carries.

APPROVED (VOTE:4-0-0-1 - Not Present - Legis Romaine)

1062. Sale of County-owned real estate pursuant to Local Law 13-1976 Thomas A. Brennan and Diane Brennan, his wife (SCTM No. 0103-009.00-04.00-006.000).

This involves a 25 by 100 lot for redemption. I'll motion to approve, is there a second?

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning once again. All in favor? Opposed? Abstentions? Motion carries.

APPROVED (VOTE:4-0-0-1 - Not Present - Legis Romaine)

1063. Sale of County-owned real estate pursuant to Local Law 13-1976 Elaine Lombardo and Joseph L. Andia and Susan Andia, his wife, all as joint tenants with right of survivorship (SCTM No. 0500-322.00-01.00-009.008).

This involves a very small irregular shaped parcel. I'll offer a motion to approve, seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE:4-0-0-1 - Not Present - Legis. Romaine).**

1069. Authorizing certain technical corrections to Adopted Resolution No. 1153-2006, to provide funding for the Sachem Youth Advisory Group.

Ms. Vizzini, once again, briefly.

MS. VIZZINI:

Similar. This conforms it to the legal name. The change is Sachem Youth Athletic Group to Sachem Youth Advisory Group.

CHAIRMAN D'AMARO:

Motion to approve and place on the Consent Calender. Is there a second.

LEG. BARRAGA:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Barraga. All in favor? Opposed? **APPROVED** and placed on the **CONSENT**

CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine).

1084. Authorizing certain technical correction to Adopted Resolution No. 1027-2006.

MR. NOLAN:

This corrects a resolution where the County is accepting a grant and just authorizing the County Executive enter into an agreement with the DEC to accept the money.

CHAIRMAN D'AMARO:

I'll motion to approve and place on the Consent Calender once again.

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries.

APPROVED and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine).**

1092. Authorizing an extension of a lease of premises located at 95 Executive Drive, Edgewood, New York, for use by the Department of Social Services.

CHAIRMAN D'AMARO:

I'll offer a motion to approve, is there a second?

LEG. BARRAGA:

Second.

CHAIRMAN D'AMARO:

Okay. Seconded by Legislator Barraga. Is there anyone here from County Executive's office would like to address the committee on this and explain the lease or at least the terms of the lease to committee? County Attorney's Office. Great.

MS. BRADDISH:

Good morning. Basha Braddish from the County Attorney's office. 95 Executive Drive is an existing Social Services Center. The lease expired back in March. The landlord indicated that he prefer that the County vacate the premises. However, given the short amount of time and the length of time that it takes to identify a new location, negotiate and actually occupy the building, the landlord was willing to give us a ten year lease, which gave us a lot of time to find a new place. However, we have a cancellation occupation in it, which really only requires notice at any time. The landlord is looking to vacate that property as soon as possible.

CHAIRMAN D'AMARO:

And there's no right to renew beyond the ten years, however.

MS. BRADDISH:

Correct. There's no right to renew. It's a ten year term with the option to cancel at any time. He did do some basic renovations for us. The facility is actually in good condition. And as an aside, we -- I also represent -- work for the Space Steering Committee, and we have located two potential sites that we'll be presenting to replace this facility. And that will be presented to the Space Steering Committee at the April meeting.

CHAIRMAN D'AMARO:

Very good. Ms. Braddish, thank you for your comments. Any questions? I'll offer a motion to approve, is there a second?

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries.

APPROVED (VOTE:4-0-0-1 - Not Present - Legis Romaine)

1141. Authorizing certain technical corrections to Adopted Resolution No. 1153-2006, to provide funding for the Middle Country Library Foundation.

I'll offer a motion to approve and place on the Consent Calender, seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:4-0-0-1 - Not Present - Legis Romaine)**

1142. Authorizing conveyance of parcel to the Town of Huntington (Section 72-h, General Municipal Law).

Once again, I'll offer a motion to approve, seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries.

APPROVED (VOTE:3-0-0-1 - Not Present - Legis Romaine)

1145. Restricting the taking of certain lands for non-payment of real property taxes.

LEG. MONTANO:

Explanation.

CHAIRMAN D'AMARO:

If Counsel would be kind enough to give a brief explanation.

MR. NOLAN:

This resolution establishes a process when the County is taking properties pursuant to the Tax Act that a field inspection would have to be performed by the folks at Real Estate. And if the property was a sump or a road or a street that an evaluation would have to be done that the taking was in the best interest of the County, and then could be effectuated by a resolution of the County Legislature. This is similar to an Executive Order that the County Executive recently issued along the same lines.

MR. ZWIRN:

The County Exec has no problem with this bill. We do have an Executive Order in effect. This would sort of codify the Executive Order. It's designed to prevent the situation that we had out in Southold where we would taking roads and eventually have to try to figure out how to get them back to the towns.

CHAIRMAN D'AMARO:

But since then the Executive Order has been in place where we are doing site inspections now and looking a little more closely before the taking.

MR. ZWIRN:

We're looking much more closely at the property before we take it.

CHAIRMAN D'AMARO:

Okay. Well, if the policy is already in place, I'd be more inclined to offer a motion to table this resolution. All right. Legislator Browning, did you want to make a motion?

LEG. BROWNING:

I'll make a motion to approve.

CHAIRMAN D'AMARO:

All right. I'll second the motion. All in favor? Opposed? Abstentions? And the motion carries.

APPROVED (VOTE:4-0-0-1 - Not Present - Legis Romaine)

1160-2007. To expedite acquisition and redevelopment of Liberty Plating property.

LEG. MONTANO:

Motion to approve.

CHAIRMAN D'AMARO:

Motion to approve by Legislator Montano, seconded by Legislator Browning. Once again, if I could ask Counsel for a brief explanation of this bill.

MR. NOLAN:

This resolution basically is a restatement of a resolution, an earlier resolution, directing various County departments to start to work on taking of this property. This is -- the taxes are long passed due. The County has not taken this particular parcel because there was containment at the site. There has been an ongoing cleanup.

A resolution from 2005 directed the departments to start the process of the a taking by evaluating the site and then also working to take the steps necessary to protect the County from any potential liability for taking the site. So it's directing Economic Development and the Real Property people to, again, start moving on the process of the County taking this property for taxes.

CHAIRMAN D'AMARO:

Ms. Bizzarro, you had asked also, you wanted to address this bill.

MS. BIZZARRO:

Yes. Thank you, Chairman D'Amaro. I just wanted the committee to be aware that the County Attorney's Office has reached out on various occasions to EPA, because the only way this is going to work if, in fact, the County is interested in ultimately taking the property, there's going to have to be a contract between the County, EPA and State DEC regarding all the liens on the property, you know, there was a lot of work done on this property. My understanding is the cleanup of this site is complete. EPA may not be looking for any money, but we don't know about the State DEC who spent approximately a million dollars to clean the property up.

So we've been trying to reach out or we have been reaching out to EPA, and we're just getting nowhere in that regard. So, you know, I don't know what should take place first. You know, we need -- you know, before we decide we're going to do anything, we need to know everybody wants to join in, enter into a contract and work all the issues out as there are a lot.

CHAIRMAN D'AMARO:

How is this bill going to help you move this process along?

MS. BIZZARRO:

The bill is not going to help the Law Department in any fashion. I mean, we're ready, able and willing to move along once we get the direction that we need. As I said, we've been reaching out to EPA. We need EPA to come to the table and say, "Okay, let's sit down." We need State DEC to sit down and say, "Okay, let's all talk about it if you are interested in taking this property."

LEG. MONTANO:

On the motion.

CHAIRMAN D'AMARO:

Yes. Legislator Montano.

LEG. MONTANO:

When you say you've reached out, what does that exactly mean? You know, how have you reached out?

MS. BIZZARRO:

We've been in contact with the Attorney's Office.

LEG. MONTANO:

Verbally?

MS. BIZZARRO:

Yes. Yes. We've called --

LEG. MONTANO:

Has there been any correspondence from your office relative to the prior resolution that this one refers to talking about the process of getting together and -- in other words, what I'm asking you is, you know, when you say reach out, I don't know what that means. Have you had meetings with them, have you written letters to them, is there a file on this? Because if you recall, I asked you about three months ago to report back as to the progress, and we never got that.

MS. BIZZARRO:

Oh, I did. I did. I reported back verbally at the Ways and Means Committee. Absolutely. I gave you an update on Liberty Plating and Mackenzie. And I gave you this same update at that time, that we continue to pick the phone up, sends e-mails to Ms. {Diminser} over at EPA, and we're just not getting any response.

LEG. MONTANO:

And this resolution requires, I believe, Counsel, that in 60 days you issue a written report as to where you are at what the status is.

MS. BIZZARRO:

That's what this resolution does.

LEG. MONTANO:

That's what this resolution asks. So this resolution basically codifies what we've been talking about for the last two years in terms of let's put on paper where we're at. I know I've spoken with DEC, and this is not a criticism, but I've spoken with people from DEC. They've indicated very clearly amenable to sit down and resolve this issue. I've spoken to, not EPA, but I've spoken with Congressman Israel's Office. They're amenable to, you know, move the process. So what we're looking to do is jump start this process so it doesn't linger. I know I met with the Real Estate Director a while back. We'd like to get this moving. We'd like to get a report on that. That's what this bill provides. Do you have any objections to this bill?

MS. BIZZARRO:

It's not objections. Chairman D'Amaro asked me if, you know, this bill would move anything along in the County --

LEG. MONTANO:

Right. But I'm asking you if you have any objections to it.

MS. BIZZARRO:

No.

LEG. MONTANO:

Okay.

MS. BIZZARRO:

I have no legal objection to it.

LEG. MONTANO:

Thank you.

CHAIRMAN D'AMARO:

Okay. The only part of the bill that I would like to perhaps discuss a little bit further is the fact that there's nothing wrong in my mind with codifying a procedure in trying to jump start a procedure, but we have to be just a little mindful of asking every time we want to move something along for written reports from every department involved, because in my mind, that's kind of make-work. And we don't have the resources. We're stretched thin enough as it is in County Government. And if we start putting into resolutions we want a report on every piece of action being taken in departments, I think -- I think we start to drain those resources unnecessarily.

LEG. MONTANO:

With respect to this property, if I may. This codifies, as I said, a resolution that was passed two years ago; is that correct, Counsel, 2005?

MR. NOLAN:

2005.

LEG. MONTANO:

So we're not willy-nilly asking for written reports. What we're doing is following up on that something that really should have been in progress for two years. And I think, you know, these are both -- both this bill and the bill that follows, Mackenzie Chemical Plants, are two properties which were brownfields in my district. One of them is on a major road that has been used as a -- sort of a homeless camp for the last several years because it's abandoned property, no one has taken care of it. Liberty Plating had long gone under. I think the taxes that are owed the County exceed or are close to a million dollars at this point.

The town has some real designs in terms of developing this property as well as Mackenzie Chemical. These are two eye sores in the district. We'd like to move this. I've had several meetings recently, within the last -- last month with Commission Gene Murphy from the Islip Planning Department. With respect to Liberty, they want to do a RFP. With respect to Mackenzie, they have some designs because they own the adjacent properties.

So the reality is that we need to move these -- these two bills because we need to get these properties to a point where we can actually develop. There are other things that are going on in my district, Legislator D'Amaro. Right up the street from this, the County just appropriated a million and a half dollars to improve the intersection of Suffolk Avenue, Brentwood Road. We also have a project that was funded by downtown redevelopment for 200 -- \$196,000 with \$50,000 from the State of New York to redevelop Ross Memorial Park. So this project is in that same area. This is part of a general scheme that we have to redevelop the Brentwood area, and that's why I introduced this bill. And as I said, it's a follow-up to a bill that was put out two years ago. And I think it's time that we move this along. I don't like to burden the County Attorney's Office with additional paperwork. I understand, you know, that they have other responsibilities, but this is something that, I think, vital to my district. It's a district-specific item, and I'd ask the committee join me in supporting this.

CHAIRMAN D'AMARO:

Thank you, Legislator Montano. But I think what I'm hearing from the County Attorney's Office is that the process, I agree with you, should be moving along and should be expedited, but it's not

moving not because of the County's lack of trying to push it, but because of some other parties at different levels of government that are not being responsive. And I can't make the connection between that and passing this bill and imposing a requirement of a written report within 60 days from Economic Development as well as the Department of Law on how that's going to push another level of government or the State Government to move this along.

LEG. MONTANO:

Well, I heard very clearly that they have no objection to this bill. So if they have no objection and this is something that's vital and district-specific, I see no reason why we would not pass it.

CHAIRMAN D'AMARO:

Again, I don't disagree that the development of the property is vital, but I don't believe the bill is vital to keep the process moving especially if the County has been reaching out and doing everything they can or it can to keep this process moving. And in fact, it's the other -- in fact, Ms. Bizzarro has come to this committee and updated us on their efforts periodically. So, again, I'm just concerned about imposing these written report requirements on departments within the County Government when we have limited resources to begin with.

LEG. MONTANO:

I'm not disagreeing with you. I'm saying that this is a follow-up to something that was commended over two years ago. To ask for a report, to ask to see exactly what stage it's at so that we can move this along, I don't think is a major imposition on the Department of Law.

CHAIRMAN D'AMARO:

Okay. Well, I thought we had just gotten that report. And I'm not sure that again --

LEG. MONTANO:

No. I'm not going to debate with --

CHAIRMAN D'AMARO:

Okay.

LEG. MONTANO:

-- the County Attorney. I'm not satisfied with where we're at in terms of, you know, what information I have gotten. I do have a follow-up meeting with the County Attorney's Office. And I don't mean to criticize the County Attorney, but I want this to be jump started. I think this bill does that, and that's why it's been introduced. There's a motion to approve on the table.

CHAIRMAN D'AMARO:

Again, I have no problem with criticism when it's due. My problem with this piece of legislation, again, is just setting a precedent of requiring written reports from a County Government that's already stretched, in my opinion, too thin.

MS. BIZZARRO:

If I may. I'm getting the sense that there's a thought that the County Attorney is sort of heading the charge on this, like we're going to get together the massive people that need to get this moving along. The County Attorney's Office does not make policy. We're not here to make the decision as to whether collectively everyone is going to approve the taking of this property. So for us to take the lead on this is not -- and that's the sense that I'm getting. We will go to whatever meetings that we're asked to go and prepare whatever legal documents need to be made and negotiate whatever we have to negotiate.

LEG. MONTANO:

Right.

MS. BIZZARRO:

But we need to be given that direction.

LEG. MONTANO:

Right.

MS. BIZZARRO:

And I'm giving you the status that we've been trying to reach out. We've been trying to get some direction, and we're not getting it from other parties. And I can't change that.

LEG. MONTANO:

I understand that.

MS. BIZZARRO:

My concern is that I'll be here two months from now saying the same thing, because I don't know what this bill will do.

LEG. MONTANO:

Well, no. Actually you'll be giving a report in two months --

MS. BIZZARRO:

Right.

LEG. MONTANO:

-- which doesn't have to be extensive, which will outline the efforts and the context that have been made and the status, because the reality is that if we're going to take this property, it's going to require a lot of assistance and technical advice from the Department of Law, because the papers that will -- as you explained earlier, the papers that are needed to ensure that the liens that may be on this property are liquidated so that when we take the property, we're taking it free and clear. And then we can move ahead as a County to redevelop it. So your input is essential. This is not something that can be done without the assistance of the Department of Law, and that's why the report is being requested, and that's why the bill is in there.

And I believe that is innocuous, it's not going to do -- it's not going to drain your resources whatsoever, unless you tell me contrary. And, you know, I'd like to move forward on this. I think that a two-year wait for, you know, a district-specific item like this is sufficient time to have waited. We'd like to move this process. There have been discussions that you may not be aware of, as I said, with the Planning Department, with the town, with other officials, and we need to coordinate that. And I think that this bill will do that.

MS. BIZZARRO:

As I said, we'll attend whatever meeting you need us to attend and do whatever you need us to do.

LEG. MONTANO:

And I appreciate that.

CHAIRMAN D'AMARO:

Ms. Bizzarro, the two-year wait is certainly a long time, and I agree with Legislator Montano, but is the delay as we stand here today due to a lack of expediting on the County's behalf?

MS. BIZZARRO:

Not as far as I can see in the paperwork and in my file, not at all.

LEG. MONTANO:

And there's no implication of that whatsoever. We would simply like to move this along. We're not laying blame. What we're saying is let's get this process moving to the point where we go to the

next step. And we're ready for the next step.

CHAIRMAN D'AMARO:

Okay. But the legislation says this is to expedite acquisition and redevelopment. And I'm asking you from the Department of Law, how is this going to provide you with the tool to expedite this acquisition?

MS. BIZZARRO:

I don't know. And that's why I say I may be here two months from now or it will be in writing, and I'm in the same position.

LEG. MONTANO:

I can be the judge of that, because this is in my district and I want to move the process along. So your assistance would be vital to me so that I would have the information necessary to do the political lift that needs to be to get these properties developed. All right?

MS. BIZZARRO:

We'll be at your assistance.

LEG. MONTANO:

And as I said, there are other levels of government that are involved with this. And, you know, they're at the stage where they're -- they, you know, there have been letters of support from the town on this. We actually excluded these two properties from the Brownfields Legislation for the specific purpose of ensuring that they get developed. And we want to move that along. Ten years to have an abandoned property where last year someone died because of a fire in a homeless setting is unacceptable to me.

CHAIRMAN D'AMARO:

All right. My final question is, again, is this bill -- absent this bill, is it going to change the level of assistance or attention that you would give to this project?

MS. BIZZARRO:

Absolutely not.

CHAIRMAN D'AMARO:

No. Okay. Thank you, Ms. Bizzarro.

MS. BIZZARRO:

Thank you.

LEG. MONTANO:

There's a motion to approve and a second.

CHAIRMAN D'AMARO:

All right. There's a motion to approve and a second pending. I'll call the vote. All in favor? Any opposed? Abstention? Motion carried. **APPROVED (VOTE:4-0-0-1 - Not Present - Legis. Romaine).**

The last bill on the agenda today is **1161 of 2007, to expedite acquisition and redevelopment of Mackenzie Chemical Works Property.**

LEG. MONTANO:

Motion to approve.

LEG. BARRAGA:

Second.

LEG. MONTANO:

On the notion. This follows the same discussion, because this is a similar type of property located not in Brentwood, but in Central Islip. As I said earlier, the Town of Islip owns adjacent property to this particular site. My aide and I visited the site the other day. I believe it was EPA was involved in active cleanup of this site. I believe that this site is also ready. We will determine that as we go along.

CHAIRMAN D'AMARO:

All right. There is a motion pending --

LEG. BARRAGA:

Second.

CHAIRMAN D'AMARO:

-- to approve the resolution, seconded by Legislator Barraga. I'll call the vote. All in favor? Opposed? Abstentions? And the motion carries. **APPROVED (VOTE:4-0-0-1 - Not Present - Legis. Romaine)**

Okay. Once again, we are going to adjourn now into Executive Session, and we will reconvene after to adjourn the meeting after Executive Session. Thank you

(*AN EXECUTIVE SESSION WAS HELD*)

CHAIRMAN D'AMARO:

Okay. We're back from Executive Session. I'll entertain a motion from Legislator Browning to adjourn, I'll second. All those in favor? Opposed? We're adjourned.

(*THE MEETING WAS ADJOURNED AT 1:21 P.M. *)

{ } DENOTES BEING SPELLED PHONETICALLY