

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 March 14, 2007.

MEMBERS PRESENT:

Legislator Lou D'Amaro - Chairman
Legislator Elie Mystal - Vice-Chairman
Legislator Edward Romaine

MEMBERS NOT PRESENT:

Legislator Tom Barraga - Excused Absence
Legislator Kate Browning - Excused Absence

ALSO IN ATTENDANCE:

George Nolan - Counsel to the Legislature
Gail Vizzini - Director, Budget Review Office
Robert Lipp - Budget Review
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 9:53 A.M.*)

CHAIRMAN D'AMARO:

Thank you, ladies and gentlemen. I apologize for the delay this morning. Welcome to the Ways and Means Committee of the Suffolk County Legislature. And I ask that everyone please rise and join us in the Pledge of Allegiance led by Legislator Mystal.

SALUTATION

CHAIRMAN D'AMARO:

Before we start, I would like to announce for the record that Legislators Barraga as well as Legislator Browning will not be joining the committee this morning, both will -- please note an excused absence on the record. Thank you.

Okay. We don't have any cards in advance to address the committee -- from anyone to address the committee. Is there anyone present who would like to address the Ways and Means Committee this morning? If not, then we will proceed to our -- the next section on our agenda, which is Tabled Resolutions.

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.

LEG. MYSTAL:

Motion to table.

CHAIRMAN D'AMARO:

Motion by our Vice-Chair Legislator Mystal to table, I will second the motion. All in favor? Opposed? Abstentions? Motion carries and the resolution is **TABLED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning)**.

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

LEG. MYSTAL:

Motion to table.

CHAIRMAN D'AMARO:

Motion by Legislator Mystal to table, I will second. I will call the vote. All in favor? Any opposed?

LEG. ROMAINE:

Opposed.

CHAIRMAN D'AMARO:

Please note one opposed. And the motion carries, resolution is **TABLED (VOTE:2-1-0-2 - Opposed - Legis. Romaine - Not present - Legis. Barraga and Browning)** .

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

I will offer a motion to table.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All in favor?

LEG. ROMAINE:

Discussion.

CHAIRMAN D'AMARO:

Go ahead, please.

LEG. ROMAINE:

Very briefly, we keep on tabling this. Oh, this is the Schneiderman bill. Okay. No discussion.

CHAIRMAN D'AMARO:

I will call the vote. All in favor? Any opposed? Abstentions? And the motion carries, the resolution is **TABLED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning)**.

2285-2006, Adopting Local Law No. 2006, A Charter Law transferring certain selected functions of the Department of Human Resources, Personnel and Civil Service, Division of Human Resources, to the Department of Law.

LEG. MYSTAL:

Motion to table.

CHAIRMAN D'AMARO:

Motion to table by Legislator Mystal, I'll second. All in favor? Any opposed? Abstentions? Motion carries. **TABLED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning)**.

2413-2006, Adopting Local Law No. 2007, A Charter Law creating a program for public financing of County campaigns and the banning of certain donations to curb potential conflicts of interest.

I'll offer a motion to table, seconded by Legislator Mystal. On the motion? Legislator Romaine?

LEG. MYSTAL:

That's the one you want to speak about?

LEG. ROMAINE:

No. I'm going to speak about the redistricting. This one, you know, I'm open to compromise with the County Executive. I'm looking forward to working with him on campaign finance. I'm even willing to consider public financing at this point. But I am looking to get some reform done with campaign finance. So I am open to working with the County Executive on this.

If it's going to be tabled, that's fine, but I would strongly recommend that perhaps yourself, Mr. Chairman, myself, a few others, would meet informally with either the County Executive or his representatives to hammer out what might be an acceptable compromise on these issues so we can have a campaign finance reform bill to at least debate.

CHAIRMAN D'AMARO:

Okay. I appreciate those comments. I have similar feelings about the legislation myself. I think there is a room for a compromise on financing of the campaigns. How we fund it and what we actually decide is something we need to discuss. But I think we can be ultimately be successful in doing that, working with the County Executive as well. So with that said, there is a motion to table pending. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning)**.

2593-2006, Naming the new Supreme Court Building in Riverhead the "Distinguished

Military Veterans Supreme Court Building".

LEG. MYSTAL:

Motion to table.

CHAIRMAN D'AMARO:

Motion to table by Legislator Mystal, I'll second. Just for the record, the 90 days on this bill has not elapsed where it has to go through what we call the Siting or Naming Committee. And I believe it is on the agenda for our meeting coming up on Monday. Motion is pending to table. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning).**

2599-2006, Adopting Local Law No. 2007, A Charter Law to ensure a non-partisan, fair and objective process by which Legislative Districts are reapportioned.

This resolution was -- the public hearing was recessed at the last full session of the Legislature, I believe, so I will offer a motion to table pending the outcome of the public hearing, seconded by Legislator Mystal. Go ahead.

LEG. ROMAINE:

Brief discussion on this. It was recessed on a divided vote. And I would simply say that this has been before the Legislature for some months now. No one is speaking on the public hearing. At some point the purpose of recessing becomes a purpose of delaying the vote. I'm a great believer that -- you know, we all have different opinions around this at horseshoe, but at some point, you cannot postpone making a decision on issues such as this. I would strongly recommend and will on Tuesday that we close the public hearing so that we can vote. People can vote yes, people can vote no, people can abstain, but lets bring it to a vote.

CHAIRMAN D'AMARO:

Okay. Thank you, Legislator Romaine. Also, on the motion in the full Legislature to close the hearing, I joined you in voting to close, which did not succeed. And I agree that this bill is ripe now for a decision of the full Legislature. And I'll join you on Tuesday also in trying to urge the Legislature to move it forward. There's a motion pending now to table. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning).**

1168, Authorizing certain technical correction to Adopted Resolution No. 1518-2006.

CHAIRMAN D'AMARO:

Motion to approve and place on the Consent Calender.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **Consent Calender (VOTE:3-0-0-2 - Not present - Legis. Browning and Barraga)**

1169, Authorizing certain technical correction to Adopted Resolution No. 1521-2006.

CHAIRMAN D'AMARO:

Same motion, same second, same vote. **APPROVED** and placed on the **Consent Calender (VOTE:3-0-0-2 - Not present - Legis. Browning and Barraga)**

1176, Review of auction rules for the disposition of surplus property acquired under the

Suffolk County Tax Act.

I believe the rules have been distributed. And I know we're not having auctions, but I think we do look at -- we do pass the rules every year. You never know. Ms. Zielenski, would you like to give the committee a quick update on where we are at? Are the rules the same this year as they were last year, or have there been any substantive changes?

MS. ZIELENSKI:

There are the same as they were last year.

CHAIRMAN D'AMARO:

Okay.

LEG. MYSTAL:

Motion to approve.

CHAIRMAN D'AMARO:

Motion to approve by Legislator Mystal, I'll second. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning).**

1192, Authorizing certain technical corrections to the 2007 Adopted Operating Budget for certain contract agencies.

LEG. MYSTAL:

I'll make a motion to table.

CHAIRMAN D'AMARO:

Motion by the sponsor to table, I'll second. All in favor? Opposed? Abstentions? Motion carries.

TABLED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning).

1200, Authorizing certain technical corrections to the 2007 Adopted Operating Budget (Child Care Council of Suffolk, Inc.).

This is a technical correction. Ms. Vizzini, maybe you just want to inform us -- there's a few of these coming up -- what this one does in particular and what we're looking at coming up on the agenda.

MS. VIZZINI:

This is a County Executive resolution, but the simple change goes from a one section of DSS to another. It goes from 6015 to 6135. Usually it's more compatible with the objective of the contract agency.

CHAIRMAN D'AMARO:

Okay. Thank you. I'll offer a motion to approve, seconded by --

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

-- Legislator Mystal. All in favor? Opposed? Abstentions? And place on the Consent Calender. The motion carries. **APPROVED** and placed on the **Consent Calender (VOTE:3-0-0-2 - Not present - Legis. Browning and Barraga)**

1201, Authorizing certain technical corrections to the 2007 Adopted Operating Budget (Hope for Youth, Inc.).

CHAIRMAN D'AMARO:

Same motion. Before we get into the vote, Ms. Vizzini, if you don't mind explaining this one as well.

MS. VIZZINI:

The is also a County Executive resolution. And it's my understanding that there's a million-three budgeted in Hope for Youth for the secured detention beds necessary in Probation through the PINS Program. What this resolution does is it takes a portion of those monies, approximately \$265,000, and removes it from the line item for Hope for Youth.

A specific contract agency is not identified in terms of who would be the recipient of those monies. However, based on discussions with the department, in the event that the secured beds are fully occupied at Hope for Youth, the department would need to secure other beds from other agencies.

LEG. MYSTAL:

Through the Chair. Ms. Vizzini, is this money removing money from Hope for Youth? It's taking from them and transferring it to what and to whom?

MS. VIZZINI:

Well, at this point I would have to defer to Mr. Zwirn. It's basically from the line item specific to Hope for Youth. You know, in the Operating Budget when you have a specific contract agency identified, you know that you could enter into a contract basically for at least that amount. They're reducing the money for Hope for Youth in the event that they need to do other beds from other agencies.

LEG. MYSTAL:

Mr. Zwirn.

MR. ZWIRN:

I don't have any additional information. But we can do one of two things; we can either table it or --

LEG. MYSTAL:

Could we table it for one cycle? Because this is a program that's very prominent in my district. And since I wasn't on this committee, I wasn't aware of the transfer.

MR. ZWIRN:

Not a problem.

LEG. MYSTAL:

I'd like to talk to the Chief Deputy County Executive Paul Sabatino about this. Can I have a motion to table?

CHAIRMAN D'AMARO:

Motion to table by Legislator Mystal, I'll second. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning).**

1207, Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Francisco Cruz (SCTM No. 0500-229.00-02.00-078.001).

CHAIRMAN D'AMARO:

This is a redemption based on payment of back taxes and penalty as a meter of right. Any questions? I'll offer a motion to approve.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal and place it on the Consent Calender. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **Consent Calender (VOTE:3-0-0-2 - Not present - Legis. Browning and Barraga)**

1211, Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Paul Joell and Ernestine Joell, his wife (SCTM No. 0500-367.00-01.00-003.000).

CHAIRMAN D'AMARO:

Once again, a 16. Same motion, same second, same vote. **APPROVED** and placed on the **Consent Calender (VOTE:3-0-0-2 - Not present - Legis. Browning and Barraga)**

1217, Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Florence Luriea (SCTM No. 0200-909.00-01.00-026.001).

CHAIRMAN D'AMARO:

Same motion, same second, same vote. **(VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning).**

1218, Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Grace M. Cahan and Anthony C. Cahan, as executors of the estate of William G. Cahan (SCTM No. 0200-983.50-02.00-044.000).

CHAIRMAN D'AMARO:

Same motion, same second, same vote. **APPROVED** and placed on the **Consent Calender (VOTE:3-0-0-2 - Not present - Legis. Browning and Barraga).**

1219, Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Guillermo Garcia and Ana Garcia (SCTM No. 0500-158.00-03.00-085.002).

CHAIRMAN D'AMARO:

Once again, same motion, same second, same vote. **APPROVED** and placed on the **Consent Calender (VOTE:3-0-0-2 - Not present - Legis. Browning and Barraga).**

1224, Authorizing certain technical corrections to Resolution No. 30-2007.

CHAIRMAN D'AMARO:

Just a brief explanation on this, perhaps from BRO or Counsel.

MR. NOLAN:

This changes a revenue code, so it's a minor technical correction.

CHAIRMAN D'AMARO:

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

1244, Amending Adopted Resolution No. 377-2005.

CHAIRMAN D'AMARO:

Once again, asking Counsel for a brief explanation.

MR. NOLAN:

This corrects an earlier 72-H Resolution. However, we received a call from the Town of Brookhaven yesterday asking for an additional change to that earlier resolution. So this needs to be tabled.

CHAIRMAN D'AMARO:

I'll offer a motion to table.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

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

TABLED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning).

1246, Amending Resolution No. 2-2007, Rules of the Suffolk County Legislature.

CHAIRMAN D'AMARO:

This is a rule change. My understanding -- I've read the change -- it adds a provision that would prohibit a sitting Legislator from becoming a voting member of a non-for-profit agency that receives funding from the County. I'll offer a motion to approve.

LEG. MYSTAL:

I'll second the motion. On the motion. I thought that was already a rule.

LEG. ROMAINE:

That was informal. This formalizes the rule.

CHAIRMAN D'AMARO:

All right. Is there a second on the motion? Legislator Mystal. Call the vote. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning).**

LEG. ROMAINE:

Will the Clerk please list me as cosponsor on this resolution.

1258, Sale of County-owned real estate pursuant to Local Law 13-1976 Susan Boden as to a 1/2 interest and Janet Boden as to a 1/2 interest (SCTM No. 0900-258.00-03.00-014.000).

CHAIRMAN D'AMARO:

Ms. Zielenski, I believe this is a 20 by 100 lot; is that correct?

MS. ZIELENSKI:

No, it's larger.

CHAIRMAN D'AMARO:

Oh, is it?

MS. ZIELENSKI:

It's a 40 by 100 lot.

CHAIRMAN D'AMARO:

And the property under the present zoning is not buildable as a matter of right; is that correct?

MS. ZIELENSKI:

This is correct. The successful bidder on this property is the property behind the lot as opposed to

the property on either side. There is a 100 by 120 foot lot behind the subject property, which is a 40 by 100 foot lot. The successful bidder's 120 foot property is already developed. This property would merely be additional vacant nondevelopable parcel that would be attached to it.

LEG. ROMAINE:

He has the house and the pool, and the lot is directly behind the pool.

MS. ZIELENSKI:

Yeah.

LEG. ROMAINE:

Okay.

CHAIRMAN D'AMARO:

The only reason why I mention it might be a 20 foot lot is because the resolution says, "Tax Lot 41," and looking at the tax map, 41 --

MS. ZIELENSKI:

It's a 40 foot lot.

LEG. ROMAINE:

It's a 40 foot lot.

CHAIRMAN D'AMARO:

Well, the tax map I'm looking at, it's a 20 foot lot. Okay. I'll offer a motion to approve, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? And the motion carries. **APPROVED (VOTE:3-0-0-2 - Not present - Legis. Barraga and Browning).**

No further business on the agenda, that concludes the meeting. Mr. Zwirn.

MR. ZWIRN:

Mr. Chairman, I just want to say this is Pat's last meeting that she will be attending because she is retiring on Friday. And I just want to say that I will miss having Pat up here to go through all the committees and all the work that she's done. I just want to say thank you and good luck to you.

MS. ZIELENSKI:

Thank you.

LEG. MYSTAL:

Thank you, Pat.

LEG. ROMAINE:

We all wish you well and hope in the future that you enjoy the very success that you have had here.

MS. ZIELENSKI:

Thank you.

CHAIRMAN D'AMARO:

Well, I guess being the last to speak, I get to get the final word. But, Ms. Zielenski, thank you very much for helping us. Especially, you know, through my first 14 months here, you've been very, very helpful to me. I appreciate your expertise, and I wish you well.

MS. ZIELENSKI:

Thank you.

CHAIRMAN D'AMARO:

Thank you. Motion to adjourn.

LEG. MYSTAL:

Second.

(*THE MEETING WAS ADJOURNED AT 10:12 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY