

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, August 15, 2007.

MEMBERS PRESENT:

Legislator Lou D'Amaro - Chairman
Legislator Elie Mystal - 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
Janet DeMarzo - Commissioner of DSS
Justin Littell - Aide to Legislator D'Amaro
Linda Bay - Aide to Minority Caucus
DuWayne Gregory - Aide to Legislator Mystal
Debra Alloncius - AME
All other interested parties

MINUTES TAKEN BY:

Donna Catalano- Court Stenographer

(THE MEETING WAS CALLED TO ORDER AT 9:44 A.M.*)

CHAIRMAN D'AMARO:

Okay, Ladies and Gentlemen, good morning. Welcome to the Ways and Means Committee Meeting. Please rise and join the committee in the Pledge of Allegiance led by Legislator Mystal.

SALUTATION

CHAIRMAN D'AMARO:

Okay. If you would like to address the committee this morning, we ask that you fill out a yellow card like the one I'm holding here in my hand. Each speaker will be given three minutes to present what it is they would like to say to the committee. We'll start with -- Debra, you didn't give me the phonetic spelling of your name this time. You're making it difficult.

MS. ALLONCIUS:

Alloncius.

CHAIRMAN D'AMARO:

Alloncius, Debra Alloncius. Good morning.

MS. ALLONCIUS:

Good morning, Members of the Committee, Legislator D'Amaro. I'm here to speak in the absolute opposition to IR 2413. To me and to the union, to AME, it's not democratic. It's letting two -- just two candidates in on the system. It is too restrictive, and it's anti-union. It would not let us have any say or do in a County that we feel that we're very much a part of. And we take pride in being part of the whole process. Our members would like the Legislature to not vote 2413 -- to not approve it.

I also here in support of Janet DeMarzo who is valiantly trying to run the Social Services Department without the SCINs being released. She did get some CPS SCINs, but there's nothing for accounting. We need these people. Accounting and day care, they are killing you. You have to come to some sort of a solution. And the solution really is not paying a further fee. How can we afford to pay another fee on top of something that we can't even get out of there in the first place? She definitely needs help. She has worked very hard to keep that whole unit running. Thank you.

CHAIRMAN D'AMARO:

Okay. Thank you very much for your comments. That's the only card I have filled out this morning. Is there anyone else who would like to address the committee? Commissioner DeMarzo, if you would step up. Good morning.

COMMISSIONER DEMARZO:

Good morning. I would just like to update the Legislature Committee. Last I was here, the issue was IR 1666, relative to the establishment of a new DSS Center. At the last meeting, a number of community representatives spoke about their concerns about not having the DSS Center right in Wyandanch. I have met with some community leaders. We have put together with the assistance of Legislator Mystal a community tonight at six o'clock right at the Wyandanch Community Center next to Wyandanch DSS Center. With the assistance of Legislator Mystal, we have had it posted in community bulletin boards, in churches, in newspapers, we've handed it out to the clients that come through the center in the last week. So we have tried diligently to do a good community outreach.

And we ask that you table the resolution tonight -- today to see the outcome of committee meeting -- the community meeting tonight. And should the community meeting resolve things, we would ask that you consider it on Tuesday's meeting. But we want to give the community an opportunity to be fully heard before there's any action by the Legislature. Thank you.

CHAIRMAN D'AMARO:

Okay. Thank you, Commissioner DeMarzo. We appreciate your comments. Is there anyone else present who would like to address the committee this morning? Okay. If not, I would like to now turn to our agenda, the second part of our agenda, which is Tabled Resolutions. All right.

2413-2006, 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. (Co. Exec.)

LEG. MYSTAL:

Motion to table.

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Motion by our Vice-Chair Legislator Mystal to table, seconded by Legislator Browning. All in favor? Opposed? Abstentions? And the resolution is tabled. **(VOTE 4-0-0-1 - Not present - Legis. Romaine).**

****SEE CHANGE IN VOTE ON PAGE 12****

Next is **1350, Establishing a Taxpayer Friendly Health Care Benefits Policy for Suffolk County Water Authority. (Lindsay).**

At the request of the sponsor, I will again offer a motion to table this resolution.

LEG. BARRAGA:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Barraga. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

1407, Amending Resolution No. 2-2007, Rules of the Suffolk County Legislature. (Montano)

I will offer a motion to table.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

1510, Adopting Local Law No. 2007, A Local Law to establish a prompt payment policy. (Viloria-Fisher)

The public hearing was recessed at the last General Meeting of the Legislature, so I'll offer a motion to table, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

1558, Sale of County-owned real estate pursuant to Local Law 13-1976 Emanuel Arturi and Marie Clarke Arturi, tenants by the entirety (SCTM No. 1000-126.00-11.00-014.000). (Co. Exec.)

This was a resolution considered previously. It involves a right-of-way access to the water. And there was some different ideas floating around on this. Mr. Zwirn, good morning.

MR. ZWIRN:

We're going to ask for it to be tabled at this time. The Arturis, I think, at this time are going to ask for their money back, and we'll probably ultimately withdraw this. But we are working on looking at these kinds of properties across the County to see if there are any in your districts or where they are, where there are right-of-ways that go down to the water -- have waterfront access, which may wind up, you know, being sold to the adjacent property owner and then there would be -- even though there would be no question that the people have the right-of-way, still the perception might be that they might be closed out.

So we're now -- the Director wants to come up -- Mr. Kent wants to come up and say -- but the Real Estate Department has been doing -- undergoing some research now. We couple in Southold. What we're planning to do is bundle them. We're working with the Town of Southold Councilman Dan Ross who will put a resolution in to the Town of Southold to take -- we'll do a 72-H to the Town of Southold for those properties so that the County at least will not have any more liability if somebody should get hurt on these -- on these properties that are isolated in different communities. And then they can -- at that point, we will put in the language that will allow them to turn them over to not-for-profits, which are homeowner associations so that they'll at least -- to help them establish homeowners associations to maintain these in their own neighborhoods so that they can continue to have access to the -- to the waterfront that they have. And also, Chris will tell you, we have asked them to look at other properties, whether it's in -- wherever there's waterfront access if those properties are available so that perhaps we can do the same thing in other towns as well.

CHAIRMAN D'AMARO:

So at that point you don't have to worry about whether or not there are legal rights created by deed or easement. If you create some kind of program where you can give these properties to the town and have them protected, it gives everyone a higher comfort level. Mr. Kent, did you want to add to that?

MR. KENT:

Well, we just -- the Division of Real Property has just undertaken to research all properties that the County holds or has taken for tax deed -- taken by tax deed that have access to the waterfront. So we just started that. We'll put together a comprehensive list of all those properties, and then we'll make some kind of policy decision with the Legislature as to how to convey those properties.

MR. ZWIRN:

And as we put them together, we'll ask the Legislator in each district where these properties lie. You know, if they approve them, then we'll put in a bill, cosponsor with the local Legislator to get these turned over to the towns. And we'll go through it. It's probably a good idea. We don't know how many they are. There are probably a couple in Southampton, maybe in East Hampton or Brookhaven.

Wherever they are, we'll find out and then we'll be able to get this squared away. It will probably be a nice thing for the people in the community to have, you know, give them something to do in their neighborhood, civic associations to clean them up and to maintain them on a regular basis, a source of community pride. I know where I live, anecdotally, we have one in my area that was dedicated. We have a path that goes down to Gardiners Bay, which, you know, is just fabulous. And the community comes out every year, and we come out and we make sure it's clean and the trail is cut. So it's a nice thing.

CHAIRMAN D'AMARO:

Of course, we'll exempt the one by your house, Ben.

MR. ZWIRN:

What's that?

CHAIRMAN D'AMARO:

We'll exempt the one by your house.

MR. ZWIRN:

I'd be the least of you problems.

MR. KENT:

It should be in the town's hands, and then if the town wants to put it into a local --

CHAIRMAN D'AMARO:

How soon until you expect that -- the review to be complete?

MR. KENT:

Well, today we're having the brownfield auction, so it's the same unit. The same inventory unit that's handling auctions is also -- would be the ones to compile a list. So probably next week or the week after we'll probably have a complete list.

MR. ZWIRN:

Southold is done. So we're putting that together now in resolution form, then we'll notify Legislator Romaine so he can cosponsor it. And then, as I say, we've talked with the Town Councilman in Southold who will do a companion resolution so that they accept it.

CHAIRMAN D'AMARO:

Very good. Thank you, gentlemen. I'll offer a motion to table 1558 of 2007, seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

****SEE CHANGE IN VOTE ON PAGE 12****

1598, Authorizing the conveyance of County-owned real estate pursuant to Section 215, New York State County Law to Thomas J. Haynia. (Schneiderman)

There was just a correction -- we tabled this now, I think, two cycles -- that had to be made. Counsel has advised me that the correction has been made, so I'll offer a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Browning.

MR. KENT:

Do you all have the amend copy before you, the amended resolution? There should be a copy amended as of August 6th, 2007.

CHAIRMAN D'AMARO:

1598?

MR. KENT:

Yes. The amendment was necessitated by the fact that the property was owned by an individual and a corporation. Under 215, you cannot redeem -- a corporation cannot redeem property. So there was a deed dated July 23rd, where the corporation quit its interest in the property back to the individual, and now the resolution can go forward redeeming it in the individual's name alone.

CHAIRMAN D'AMARO:

Right I do have a copy of that resolution. Thank you, Mr. Kent. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

Next is **1640, Authorizing certain technical correction to Adopted Resolution No. 357-2007. (Co. Exec.)**

MR. NOLAN:

Ben, there's a technical problem with this resolution that needs to be -- so it needs to be amended before we can approve it.

MR. ZWIRN:

We ask for it to be tabled.

CHAIRMAN D'AMARO:

I'll offer a motion to table.

LEG. BARRAGA:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Barraga. All in favor? Opposed? Abstentions? Motion carries. **Tabled (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

1649, Authorizing certain technical correction to Adopted Resolution No. 482-2007. (Co. Exec.)

CHAIRMAN D'AMARO:

Same explanation. I will offer a motion to table, seconded by Legislator Barraga. All in favor? Opposed? Abstentions? Motion carries. Resolution is **TABLED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

1666, Authorizing the lease of premises located at South Second Street, Bay Shore, NY for use by the Department of Social Services. (Co. Exec.)

This was the resolution addressed by Commissioner DeMarzo during the public portion of our meeting. There is a community meeting that is occurring this evening. And we're going to table this resolution pending the outcome or at least the holding of that meeting. So I'll offer a motion to table 1666 of 2007.

LEG. BARRAGA:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Barraga. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

1674, Adopting Local Law No. 2007, A Local Law correcting technical error contained in Suffolk County Code Section A42-4. (Co. Exec.)

I believe this was technical in nature to correct a reference to the -- from an improper code section, if I'm not mistaken.

MR. NOLAN:

It really is almost a typographical correction.

CHAIRMAN D'AMARO:

Okay. I'll offer motion to approve.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

Next on the Tabled Resolutions agenda is **MR-25, Memorializing resolution in support of New York State Legislation to provide statewide voting system using paper ballots and precinct-based optical scanners. (Viloria-Fisher)**

I'll offer motion to table.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

That completes the Tabled Resolutions. The next part of the agenda Section VI, Introductory Resolutions.

The first is **1700, Amending Resolution No. 2-2007, to bar the introduction of Memorializing Resolutions. (Cooper)**

LEG. MYSTAL:

Motion to table.

CHAIRMAN D'AMARO:

There's a motion to table by Legislator Mystal, is there a second? I'll offer a motion to approve.

LEG. BARRAGA:

Second.

LEG. BROWNING:

I'll second.

CHAIRMAN D'AMARO:

Seconded by Legislator Barraga. Any discussion? I've made my position known on the Sense Resolutions as well as the Memorializing Resolutions. I've spoken out publically on it. And i just -- it's my feeling that it's really not something the Legislature should be spending a lot of time focusing on, coming up to speed on State legislation. If you want to do that, you can do it on your own time, as far as I'm concerned. And if you want to make your position known, you can do that on your own time as well; you can hold a press conference, you can write to the sponsor of the resolution, there's lots of things you can do. I think we have more than enough business to keep us busy here in the Legislature without focusing too much on matters that really are not going to have much of an impact anyway. But that's my opinion.

LEG. BARRAGA:

I concur with the Chairman.

LEG. BROWNING:

Me too.

CHAIRMAN D'AMARO:

There is motion pending to approve. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE 4-0-0-1 - Not present - Legis. Romaine).**

1721, Authorizing certain technical corrections to the 2007 Adopted Operating Budget for certain contract agencies. (Co. Exec.)

MR. NOLAN:

This is just a name change on the Omnibus funding resolution to correct the name of the group that's getting the funding.

CHAIRMAN D'AMARO:

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

1727, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act New African Methodist Episcopal Zion Church of West Babylon (SCTM No. 0100-102.00-01.00-051.000). (Co. Exec.)

CHAIRMAN D'AMARO:

This is a 16, as we say, a matter-of-right. I'll offer a motion to approve and place on the Consent Calendar, is there a second?

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

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

1728, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Brigitta A. Tooker, as surviving tenant by the entirety (SCTM No. 0102-018.00-02.00-004.000). (Co. Exec.)

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

1729, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Luigi Russo and Jeannie Russa a/k/a Jeanine Russo (SCTM No. 0200-980.30-03.00-021.000). (Co. Exec.)

CHAIRMAN D'AMARO:

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

1730, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jeffrey O'Brien and Aimee O'Brien, his wife (SCTM No. 0300-175.00-04.00-001.000). (Co. Exec.)

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

1731, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired

under Section 46 of the Suffolk County Tax Act Steven Natalello (SCTM No. 0400-069.00-05.00-043.000). (Co. Exec.)

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

1732, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Craig Lichte and Colleen Lichte, his wife (SCTM No. 0500-152.00-03.00-011.000). (Co. Exec.)

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

(*Legislator Romaine entered*)
(*CHANGE VOTE FOR ROMAINE*)

1737, Amending the schedule of fees in connection with the purchase of the Suffolk County Tax Map and other items pertaining thereto. (Co. Exec.)

Ms. LaValle, did you want to please come up and quickly address this for us? Good morning.

MS. LAVALLE:

Good morning, Mr. Chairman. Good morning, Legislators. This is simply a response to our market, response to what our public would like to have in terms of printing some albums, making -- if we make a composite map, it takes us a certain amount of time to prepare one. And we could easily sell two or three more if we charge less fee. They don't want to pay the \$35 for the first composite map. So they're more likely to pay \$35 for the first map and another \$5 for a second map. So it's simply an adjustment in our market.

CHAIRMAN D'AMARO:

Some of the fees are actually going down; is that correct? Did I read that correctly?

MS. LAVALLE:

Yeah, because people have expressed, "Oh, I would buy that if only it was a less amount." And we have fielded the question to the market and got a relatively good feeling for those prices now. So I think we'll be able to sell more aerial photography and some of our other products if we reduce prices. Right now it's not selling.

CHAIRMAN D'AMARO:

Okay. And with that, is there anyone else who would like to speak on this resolution? If not, I'll offer a motion to approve. Is there a second?

LEG. ROMAINE:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Romaine. Good morning. All in favor? Opposed? Abstentions? And the motion carries **APPROVED (VOTE: 5-0-0-0)**.

LEG. ROMAINE:

Mr. Chairman.

CHAIRMAN D'AMARO:

Yes.

LEG. ROMAINE:

Forgive my tardiness today. I would like to reconsider so I could be reflected with the majority on all the resolutions that are before us. We'd have to go through them all. Are there any in particular that you would like to single out?

LEG. ROMAINE:

I'd like to do two, 2413 of '06.

CHAIRMAN D'AMARO:

Legislator Romaine, forgive me. What did you say?

LEG. ROMAINE:

Resolution 2413 -- 06.

CHAIRMAN D'AMARO:

Was that a tabled or an introductory?

LEG. ROMAINE:

That was a tabled resolution, the first one.

CHAIRMAN D'AMARO:

2413 of 2006.

LEG. ROMAINE:

Could I make a motion to reconsider?

CHAIRMAN D'AMARO:

Yes.

LEG. MYSTAL:

I second the motion to reconsider.

CHAIRMAN D'AMARO:

Motion by Legislator Romaine, seconded by Legislator Mystal to reconsider **Resolution 2413-2006, 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.** I'll call the vote. All in favor? Opposed? Abstentions? The resolution is now once again before the committee. I will again offer a motion to table.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. Are there any other motions? Okay. I'll call the vote. All in favor? Opposed?

LEG. ROMAINE:

Opposed to tabling.

CHAIRMAN D'AMARO:

Abstentions? Motion carries. The resolution is **TABLED. (Amended vote for 2413: VOTE 4-1-0-0 - Opposed - Legis. Romaine) .**

LEG. ROMAINE:

I just want to be reflected with the majority on 1558 of '07. I make a motion to reconsider 1558 of '07.

CHAIRMAN D'AMARO:

Okay. So moved. Seconded by Legislator Mystal. All in favor? Opposed? Abstentions? That motion carries. **Resolution 1558 of 2007, Sale of County-owned real estate pursuant to Local Law 13-1976 Emanuel Arturi and Marie Clarke Arturi, tenants by the entirety (SCTM No. 1000-126.00-11.00-014.000). (Co. Exec.)** is now before the committee. I'll offer a motion to table, seconded by Legislator Mystal. I'll call the vote? All in favor? Opposed? Abstentions? Motion carries. **TABLED (Amended vote for 1558: VOTE: 5-0-0-0).**

LEG. ROMAINE:

Thank you.

CHAIRMAN D'AMARO:

You're welcome.

LEG. ROMAINE:

Thank you for your courtesy, Mr. Chairman.

CHAIRMAN D'AMARO:

No problem.

1738, Adopting Local Law No. 2007, A Charter Law to strengthen and streamline the process for adopting local legislation. (Lindsay)

The public hearing is still required on this resolution. I'll offer a motion to table, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0-0-0).**

1739, Authorizing certain technical corrections to the 2007 Adopted Operating Budget for the Clubhouse of Suffolk. (Kennedy)

Budget Review, very quickly.

MS. VIZZINI:

Yes. It's the same agency, same department, it's just in a difference unit. 4330 is changed to 4320. This is where we do the County-funded programs. It was inadvertently put in with the State-funded programs.

CHAIRMAN D'AMARO:

Truly a technical correction. I'll offer a motion to approve and place on the Consent Calendar, seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

1741, Authorizing certain technical corrections to Resolution No. 708-2007. (Romaine)

LEG. ROMAINE:

Motion.

CHAIRMAN D'AMARO:

Motion to approve by Legislator Romaine, I'll second. Any questions? George.

MR. NOLAN:

Again, this is a technical correction to an earlier resolution that amended the Capital Budget and Program and appropriated monies. It just changes monies from furniture and equipment to planning, and it's a point change in a Capital Project. This is for the tick study.

CHAIRMAN D'AMARO:

Okay. Motion. I'll call the vote. All in favor? Opposed? Abstentions. And place on Consent Calendar. Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0)**.

1742, Authorizing certain technical corrections to the 2007 Adopted Operating Budget for the contracted agency John T. Mather Memorial Hospital. (Pres. Off.)

Brief explanation.

MS. VIZZINI:

Very similar. It clarifies the unit within the Health Department and expands the legal name.

MR. ZWIRN:

Mr. Chairman, I thought this had been withdrawn.

MS. ALLONCIUS:

I think you're thinking about another one.

CHAIRMAN D'AMARO:

Let's keep some order.

MR. ZWIRN:

We were concerned, because there was a bill that was going to the foundation, and we just weren't sure -- my understanding was that this had been withdrawn. We were curious about this bill. Could we ask that this bill be tabled one cycle so we can get an -- I mean, because we were a little concerned. There was one bill that was withdrawn by Legislator Losquadro on Monday that was passing to the John T. Mather Foundation, and then that --

CHAIRMAN D'AMARO:

This is --

MR. ZWIRN:

This came in after that, and we weren't sure if they were connected. We just couldn't get an explanation as to whether those bills were connected in some way.

CHAIRMAN D'AMARO:

Just so I understand, what do you believe was withdrawn?

MR. ZWIRN:

Well, we thought this particular, because when I had a chance to speak to Legislator Lindsay --

CHAIRMAN D'AMARO:

You mean the IR that this is correcting, is that what you mean?

MR. ZWIRN:

No. We that Legislator Losquadro's bill was withdrawn.

CHAIRMAN D'AMARO:

Okay.

MR. ZWIRN:

But we weren't sure if this bill was to try to correct it. We weren't sure what the purpose of this bill is, because it looks like it's being transferred to the same --

CHAIRMAN D'AMARO:

I'm going to ask our Budget Review Office to give us an explanation.

MS. VIZZINI:

The money was originally put in Mental Health. It's my understanding that the purposes for which Mather wants to spend the money, which will probably be clarified -- I think it has to do with some sort of equipment -- are more appropriately in the Health Department Patient Care Division, which oversees, you know, our contracted hospitals, and it's not a good match for the Mental Health. So it changes the -- it's the same amount of money, it goes from Mental Health to Patient Care.

CHAIRMAN D'AMARO:

So Mather has the funds that are being transferred already in a line item. And I'm looking at the resolution, Unit 4310 seems to be --

MS. VIZZINI:

Which is Mental Health.

CHAIRMAN D'AMARO:

Which is Mental Health. And that it changing this to Unit 4100.

MS. VIZZINI:

Which is Patient Care.

CHAIRMAN D'AMARO:

Okay. And it's your position that it's more appropriate to be under Patient Care for the purposes of what they want to spend the funds on.

MS. VIZZINI:

That is my understanding, yes.

MR. ZWIRN:

Mr. Chair, I have no problem -- we have no problems with this going forward. If there are any issues, we'll bring them up before the Legislature at the full meeting. But that's satisfactory certainly to me at this stage. If there's any other questions, I will notify members of the committee before the meeting of the Legislature.

CHAIRMAN D'AMARO:

Okay.

MR. ZWIRN:

We're saying we were against it, we just weren't sure we knew exactly where it was going.

MS. BIZZARRO:

If the committee wants me to clarify what the confusion was about.

CHAIRMAN D'AMARO:

Sure. Ms. Bizzarro.

MS. BIZZARRO:

What I think happened, there was a prior resolution that was filed, and it was taking \$40,000 from John T. Mather and giving it to a foundation. And we new a little bit of background on this. There was an \$80,000 contract, and we had learned that -- it was our understanding that Mather did not want to sign off on the union organizing forms that it would have to sign off for any contract over \$50,000. So it looked to be an attempt to split the \$80,000 grant into two contracts to avoid that.

Looking at this resolution on its face, it's confusing, but the question is is it trying to do the same thing. And I think Ben is saying, you know, nobody is really sure if it is. So before you go forward, you may want to find that out. And I don't know the answer to that question.

CHAIRMAN D'AMARO:

The difference here is that these funds are already in the budget and would be -- the spending of the funds would be limited by, you know, the controlling objective of this line would be my understanding of it. So I'm not sure that -- your questioning whether or not it's really technical in nature, in effect.

MR. ZWIRN:

Right. We weren't sure either. We just wanted to make sure it wasn't accidentally or an attempt to do something through the back door that you couldn't do through the front door. And that's all. We're not casting aspersions on anybody, but we just weren't sure. We just wanted to have an opportunity to get it clarified. I'm not saying stop it at the committee. Get it to the full floor. If there's -- if we can do an investigation between now and then and get it resolved, we'll come back before the full Legislature and let you know then, and then you can table it on the floor or pass it. So it's not really a --

CHAIRMAN D'AMARO:

Okay.

MR. ZWIRN:

Either way. We have no objection getting it to the floor, but we just want to make sure we're doing the right thing.

CHAIRMAN D'AMARO:

Based on that, I'll offer motion to discharge the bill without recommendation. Is there a second?

LEG. BROWNING:

I'll second.

CHAIRMAN D'AMARO:

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

DISCHARGED WITHOUT RECOMMENDATION (VOTE: 5-0-0-0).

1746, Authorizing certain technical correction to Adopted Resolution No. 670-2007. (Co. Exec.)

Counsel, one more time.

MR. NOLAN:

Again, this is a minor change to a Capital Budget appropriating resolution changing a point number in a Capital Project.

CHAIRMAN D'AMARO:

I'll offer a motion to approve, seconded by Legislator Mystal. All in favor? Opposed? Abstentions?

Motion carries. **APPROVED**

(VOTE: 5-0-0-0).

1762, Sale of County-owned real estate pursuant to Local Law 13-1976 Albert G. Mangels and Eleanor L. Mangels, his wife (SCTM No. 0500-372.00-04.00-016.000). (Co. Exec.)

This is a parcel that us being sold under Section 13-1976, which is to an adjoining neighbor for \$11,100. It looked to me, Mr. Kent, like the property was the size of 54 by 150 in East Islip, is that accurate?

MR. KENT:

One second, I'll look.

CHAIRMAN D'AMARO:

Take your time.

MR. KENT:

Yes. It's 54 by 151. Appraised value is 11,000, and they're buying it for \$11,100.

CHAIRMAN D'AMARO:

Legislator Mystal.

LEG. MYSTAL:

Mr. Kent, in Islip, we can't build on it?

MR. KENT:

No. It's not wide enough. It doesn't have enough road frontage.

LEG. MYSTAL:

54 by 151, we can't build on something like that.

MR. KENT:

We offered for affordable housing to the town, and the town rejected it because it's too narrow.

LEG. BROWNING:

Where is it in Islip?

CHAIRMAN D'AMARO:

Well, you have a copy of the tax map as backup to the bill. It's in East Islip on William Avenue. Well, here's the thing. This is why it kind of caught my attention, is that if you look at the tax map, many of the lots that are on the block are -- well, not the same size -- larger, 72 feet of street frontage as opposed to 54 for this lot, but nonetheless, probably substandard under the Islip Code, although I don't know the zoning classification, I don't know what the Code section requires. Has that been investigated?

MR. KENT:

I believe Islip Town requires 70 feet minimum.

CHAIRMAN D'AMARO:

Seventy?

MR. KENT:

I believe it's 70, yes.

CHAIRMAN D'AMARO:

Okay. Well, that would explain the 72s then.

MR. KENT:

When we convey these, we do put a condition, a restriction on it that it cannot be built upon separately. So it must be merged into their lot. So they're adding -- they're adding land to their lot, but...

CHAIRMAN D'AMARO:

And this parcel was brought to the attention of the Town of Islip, and the Town of Islip said this lot would not fit into any of their programs.

MR. KENT:

That's correct.

CHAIRMAN D'AMARO:

And it's not buildable as a matter of right under the Islip Town Code?

MR. KENT:

That's correct.

MR. ZWIRN:

They went to the Islip DCA, they said it was -- the Department of Affordable Housing went to the Islip CDA, asked them to consider it, and they said it was too narrow for them to try to get a variance and build on it.

CHAIRMAN D'AMARO:

And as Mr. Kent points out, even though this might create one large lot, which is already developed, about 144 feet of street frontage, the covenant that would be placed on this property would prevent any further subdivision, is that accurate, Mr. Kent?

MR. KENT:

That's correct.

CHAIRMAN D'AMARO:

Legislator Barraga.

LEG. BARRAGA:

Well, the only thought that I have, there are many other places in the Town of Islip where homes are currently built and there's 50 foot frontage. And then we talk about this whole concept of affordable housing, workforce housing, how municipalities have to show some flexibility. I mean, it is 54 frontage by what, the depth is 150 feet?

MR. KENT:

The depth is consistent with all the other lots in the neighborhood. The problem with your -- with questioning whether they can build it or not is really not for us, it's for the town.

LEG. BARRAGA:

I understand that. I certainly understand that. But I just -- I'm concerned about this, because, you know, we read so much about the lack of land being available. I mean, it is 54 foot. I mean, it isn't as if we haven't done this -- I mean, have they gone before the Board of Appeals? Has anybody petitioned them? I'm not ready to vote for something like this. I can't support this.

MR. KENT:

Are you suggesting that we -- that the County go to the ZBA and try to get a variance?

LEG. BARRAGA:

I don't know I'm suggesting. All I'm saying is that it's 54 feet. It seems to me that isn't there anybody else interested in purchasing the lot that would want to build on it? Maybe they can go before the Board of Appeals in the Town of Islip, get some sort of a determination? I know it's local, it's not us.

MR. KENT:

Generally, the ZBA -- I used to be Counsel to a ZBA -- they'll look at the character of the community. And since no lots are less than 72 feet, they may not consider a lot that's only 54 feet wide.

LEG. BARRAGA:

Who owns this now, you -- the County owns it?

MR. KENT:

I don't.

LEG. BARRAGA:

The County owns it, right? So why do we have to do anything? It's been sitting there for all these months? Why don't we just have it sit there for a few more months and see how the whole thing plays out in November?

MR. KENT:

What I'll do is I'll make an inquiry directly to the Zoning Board of Appeals of the Town of Islip to see if they'll provide us some type of a letter that they won't even consider the application. Would you like that?

LEG. BARRAGA:

Yes.

MR. KENT:

Okay. We will draft a letter.

CHAIRMAN D'AMARO:

Legislator Barraga like to vote only in the fall on resolutions.

LEG. BARRAGA:

I'm being pragmatic, you know, why things happen the way they do, you know?

CHAIRMAN D'AMARO:

You know, to support what Mr. Kent has said, it is true that -- having chaired a Zoning Board and been a member for ten years myself -- that the character of the neighborhood would come into play certainly in the consideration of whether or not to grant a street frontage variance on a parcel such as this. However, you know, what's interesting here is not so much the nuance of the Zoning Board, but the policy statement being made by the Town of Islip.

And although Islip does, from my understanding, have a pretty decent track record, you know, relative to other towns with affordable or workforce housing, but we don't get an explanation as to whether or not -- we get an explanation that the lot was presented to the town and rejected, but we're never told why or what the thought the process was or how it doesn't fit into their programs. You know, we don't get anything further. And it makes it very difficult for us to -- you know, maybe -- maybe this should be passed today. But it makes it very difficult for us to know whether or not it was vetted to our satisfaction with the town.

MR. KENT:

I don't have it on letterhead from the town, but I only have it from Jill {Rosennickeloff}, the Director of Affordable Housing, that the town determined that the lot was too narrow. So if you would prefer to have that on letterhead from the town expressing that, I'll try to secure that within the next cycle for the committee.

LEG. BARRAGA:

I'd like to make a motion to table.

CHAIRMAN D'AMARO:

Okay. Motion to table, seconded by Legislator Browning. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries **TABLED (VOTE: 5-0-0-0)**.

LEG. MYSTAL:

Mr. Kent, I know that motion already carried, and that's good. The lot next to -- not lot -- the person who's trying to buy it has 90 feet. And we need about 16 feet to bring this lot up to code to 70. All right. Would it be better for the County to offer them to buy 60 feet from them? That would

be 70.

MR. KENT:

I'm just trying to clarify. You want me to try to purchase property from the Mangels, who are trying to make their lot bigger, we want to make their lot smaller?

LEG. MYSTAL:

Yes.

MR. KENT:

Okay.

LEG. MYSTAL:

And then we can sell that big piece of lot.

CHAIRMAN D'AMARO:

Well, maybe not the County, maybe the town.

LEG. MYSTAL:

And that would be worth \$250,000 for that piece of land, \$200,000 in East Islip at least if it was up to code.

MR. KENT:

Well, the Mangels are going to -- the Mangels are going to understand that if we're trying to buy land from them, we're going to be trying to put an affordable house next door to them on a lot that's 72 feet wide.

LEG. MYSTAL:

Not even an affordable home.

MR. KENT:

Well, whatever the decision is. We're going to be trying to put --

LEG. MYSTAL:

I always thought, you know, somehow we could offer to buy a piece of land from them --

MR. ZWIRN:

In other words, he wants you to make that phone call.

MR. KENT:

I'll make the phone call. I have no problem -- I have no problem making phone calls of that nature. But I just want to tell you the price -- if I were the Mangels, I would probably be asking a very ridiculously high price to make you go away. I mean, that's what I would be doing.

LEG. BROWNING:

Lou.

CHAIRMAN D'AMARO:

Legislator Browning, do you have something you want to add?

LEG. BROWNING:

It just amazes me. It depends on what town it is as to whether you can build or not build. And I know we're looking at all these properties. In the Town of Brookhaven, this would probably be 72-h'd for affordable housing. So that's why I'm opposed and I'm supporting the table.

I would like maybe that you could bring to us each individual town and what their zoning is for

building. You know, in Brookhaven, it's 50 feet -- well, actually, I don't think it's quite 50 feet, but what is the zoning in the various ten towns, because we do have an issue with affordable housing. And I have a problem with the nimby attitude where, "not next to me." So that's why I support the tabling.

CHAIRMAN D'AMARO:

Legislator Browning, if I could just clarify that. It would be helpful when we have a resolution pending before us to have the section of the applicable town zoning code that would apply to that parcel. Is that what you're requesting?

LEG. BROWNING:

Well, town by town, what does each town require, you know, when they are zoning for affordable housing.

CHAIRMAN D'AMARO:

Okay.

LEG. BROWNING:

Is it zoned for building at all?

MR. KENT:

I think it's a good idea. I'll include in the backup of the resolutions whether -- I don't know if they get circulated to you, but in my backup, I get quite a lot of information. I will make sure that I have in my supporting documents the zoning code for -- the applicable zoning code for each parcel. And if you would like it, I would distribute it as part of the discussion rather than give it to you on each one, because some of them just go right through.

CHAIRMAN D'AMARO:

And I think what also Legislator Browning is asking is just an overview question of do the workforce housing programs in the towns have their own requirements that overlay the zoning code, or do they just go by the zoning code.

MR. KENT:

I would imagine, coming out of the town system, again, there are certain instances when the town has a large piece of property, they can create their own zoning so to speak. You can kind of overlay a workforce housing zoning on a large piece of property. But when you have single lots within an existing community, you would generally -- the towns would generally not go into an existing community that has certain character and try to create substandard lots within an existing community. That is within the towns' purview, this is not a County issue.

LEG. MYSTAL:

The question I wanted to ask you, if this lot was in CI, you think it would be built on?

LEG. BROWNING:

Yep.

MR. KENT:

It would be the zoning. It's not us. We're not building on it.

LEG. MYSTAL:

I know. I'm not trying to ask you about Suffolk County. I said if this lot was in CI, do you think the Town of Islip would have taken it and say, okay, we can build an affordable home there?

MR. KENT:

I would leave the decision to the town. We would seek the letter the same as --

LEG. MYSTAL:

Because you said -- and I think it's a very key word -- the character of the community. And I'm not saying -- Mr. Kent.

MR. KENT:

I don't mean that -- let me explain. Can I explain character of the community, because you're misinterpreting character of the community. Character of the community is the consistency of the community as far as widths of lots, depths of lots, amount of development -- amount of coverage on a lot. So for instance, if a lot in any community is 60 feet wide by 100, and you have a lot that's 60 by 100, you're generally going to be able to build on a 60 by 100 lot. And if you're allowed 30% lot coverage or 20% lot coverage, a house of a certain number of square feet will fit on a 60 by 100 lot. So that's what character of the community means.

I don't mean that -- towns don't mean that in any other way other than the customary size of a lot within a given community. They generally don't like you to -- like to -- the Zoning Board of Appeals will generally not approve a lot that is smaller than all the other lots in the neighborhood, especially if it's less than what zoning allows. That's why you go to the Zoning Board of Appeals to begin with. If you're going there with a lot that doesn't meet zoning, but none of the lots in the neighborhood meet zoning --

LEG. MYSTAL:

Mr. Kent, you're giving me a very long dissertation of something that I have been dealing with forever. What I'm trying to say to you is that when the word -- when the statement -- not by you -- by the town is said that the character of the area, as a minority, it usually says "those people." That's how we translate it.

MR. KENT:

Well, that's why I was trying to tell you beforehand, it has nothing to do with the "those people," it has to do with the land.

LEG. MYSTAL:

Mr. Kent, please let me finish. Mr. Kent, please let me finish, because I know you have a long dissertation and you like to interrupt in the middle of a sentence. What I'm trying to get to you is if this lot was located in a different section of the town, I don't think the town would object to its size as much as -- the Zoning Board of Appeals would not object to its size as much as they would object to it because of the way it is right now. And the reason being, yes, it's character enters with a lot certain size, and that's how they do it. How did the lot in this part of the town wind up being a certain size, but other lots in other parts of the town wind up being a smaller size?

MR. KENT:

It goes back sometimes to the 1950s, '40s, '30s --

LEG. MYSTAL:

I know. I know.

MR. KENT:

-- when they created the lots in subdivision maps.

LEG. MYSTAL:

I'm going to stop.

CHAIRMAN D'AMARO:

Legislator Barraga, please.

LEG. BARRAGA:

I guess the point, you know, I'm trying to make here is that I think there are certain towns,

especially in the Western End of Suffolk County, that have to take a real hard look in terms of what their past policies have been with reference to approving homes on certain parcels of land. I mean, the land, in reality, there's so little left, I mean, I don't think you can take the approach any longer that because every house is on -- has 100 foot frontage, you know, anything less than that you can't build on. I mean, maybe that comes about -- that change comes about when you got the beginning of a term of office for board members or supervisors that's fresh and they're willing to take some risk.

But I just can't see, you know, with all the publicity we're seeing and all the media coverage in terms of how difficult it is to build homes this attitude of well, you know, just because we don't have adequate frontage, even though it's better than 50 feet, you can't build on it. I think that's an old approach and an approach that's been taken for years and years by many communities. And maybe it still works in certain towns -- you know, I hate to say where -- but on the West End with land available, you know, even though it's not conforming to existing town code, a brand new approach has to take place.

I mean, on my own block, for example, right across from me, there's a 50 foot lot by -- I guess 50 foot by 100. And, you know, you can build a home on that. It doesn't have to be affordable housing, it could be a regular home. But, you know, I think town boards should be a lot more flexible based on real need, especially in the Western End, the five western towns.

CHAIRMAN D'AMARO:

Okay. We could go on for a long time on this one, but at this point, it's tabled.

1763, Sale of County-owned real estate pursuant to Local Law 13-1976 Luciano J. Valla and Alisa M. Valla, his wife (SCTM No. 0400-275.00-03.00-057.000). (Co. Exec.)

This is a parcel that is triangular, if you take a look at the tax map. It's been offered to be sold for \$1500 to a contiguous neighbor. It's an interesting parcel. It kind of backs up to just about every parcel on {Claradon} Street. Okay. I'll offer a motion to approve. Is there a second?

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0-0-0).**

1773, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joan Stuart as to 50% interest and the estate of Anna M. Kunz, a/k/a Anna Kunz as to 50% interest by Walter Kunz, as Administrator (SCTM No. 0900-306.00-03.00-038.000). (Co. Exec.)

I'll offer a motion as a 16, as a matter of right, to approve this resolution and place on the Consent Calendar. Is there a second?

LEG. BARRAGA:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Barraga. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

1776, Authorizing a certain technical correction to Adopted Resolution No. 1341-2006. (Co. Exec.)

This has to do with, I believe, the Resolved Clause. Counsel, a brief explanation.

MR. NOLAN:

This is correcting a 72-H resolution to Riverhead. I think the change is that the town will not have to pay a pro rata share of the back taxes as was in the original --

MR. KENT:

Right. As policy of the County. This property is being used for affordable housing in the Town of Riverhead, and we are waiving the back taxes. The town will not have to pay the back taxes since it's being conveyed with a restriction to be used for affordable housing.

CHAIRMAN D'AMARO:

And that's within the County's policy --

MR. KENT:

Yes.

CHAIRMAN D'AMARO:

These programs? I'll offer a motion to approve, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Place on the Consent Calendar. Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0)**

1779, Sale of County-owned real estate pursuant to Local Law 13-1976 John J. Amicucci, Lois Amicucci, Nicole Amicucci, Kathryn Amicucci and John Joseph Amicucci, Jr. (SCTM No. 0300-120.00-03.00-017.001). (Co. Exec.)

CHAIRMAN D'AMARO:

This is a small -- it looks like a 20 by 10 parcel that's being sold to an adjoining owner. Mr. Kent, is that accurate?

MR. KENT:

This is a 20 by 10 parcel. I don't think it's buildable. And it's being sold for a thousand-two.

CHAIRMAN D'AMARO:

Very good. I'll offer a motion to approve. Is there a second?

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All those in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0-0-0).**

1781, Accepting and appropriating a grant in the amount of \$153,770 from the New York State Division of Criminal Justice Services and a 10% local match, to provide enhanced defense representation for cases referred to the Legal Aid Society of Suffolk County by the Sex Offender Court with 90% support. (Co. Exec.)

Just, Ms. Vizzini, the County portion is being done by offset in our budget or taken from another line in the budget, is that what's happening here?

MS. VIZZINI:

The last Whereas Clause indicates that 17,086, which would be tantamount to the County share, is already included in the '07 Operating Budget.

CHAIRMAN D'AMARO:

Very good. I'll offer a motion to approve.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All in favor?

LEG. ROMAINE:

On the motion.

CHAIRMAN D'AMARO:

On the motion, yes, please.

LEG. ROMAINE:

Very quickly on the motion. This money is already in the budget, they're just reallocating it; is that correct?

MS. VIZZINI:

No. Just the County share. This accepts a grant of 153,770, which has not been included. But it's only a 90% grant. We already have 10% that we will meet our match requirements, yes.

LEG. ROMAINE:

And this grant will allow defense attorneys to provide better representation of sex offenders in the court in hopes that they can avoid -- well, in the hopes that they can achieve justice in their case. I'll put it that way. Is that correct?

MR. ZWIRN:

My understanding is that under our Federal laws and in the Constitution everybody is entitled to a defense.

LEG. ROMAINE:

Absolutely.

MR. ZWIRN:

So I don't know how to answer your question. This is money for people who are indigent. The Legal Aid Society provides services for them. This is a grant that's coming in, and the County matches it, otherwise the County would have to provide counsel to these people at full County taxpayer expense.

CHAIRMAN D'AMARO:

When you create an additional court, there's going to be additional cases, which require additional funding. And it's nice that the State has stepped up to the plate here to the tune of 90% of some of the resources required. Is there a motion? I'll call the vote. All in favor? Opposed? Motion carries.

APPROVED (VOTE: 5-0-0-0).

1798, Authorizing use of Deer Park Train Station property by the Salvadoran Alliance of New York, Inc., for their Central American Festival. (Montano)

CHAIRMAN D'AMARO:

Pretty self explanatory.

LEG. BARRAGA:

Motion to approve.

LEG. ROMAINE:

Second.

CHAIRMAN D'AMARO:

Motion by Legislator Barraga to approve, seconded by Legislator Romaine. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0-0-0).**

1799, Adopting Local Law No. 2007, A Local Law to establish a notification requirement for consultant contracts. (Montano)

Requires a public hearing, it's a Local Law. I'll offer a motion to table, seconded by Legislator Mystal
All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0-0-0)**.

1826, Authorizing the issuance of a certificate of abandonment of the interest of the County of Suffolk as to a one-half interest; and the sale of the remaining one-half interest in County-owned real estate, Peter Carter (SCTM No. 0900-139.00-01.00-022.000). (Schneiderman)

LEG. MYSTAL:

Explanation, please.

CHAIRMAN D'AMARO:

Mr. Kent, would you like to explain this resolution or Mr. Zwirn?

MR. KENT:

I'm not really familiar with this bill.

MR. ZWIRN:

It's Legislator Schneiderman's bill.

CHAIRMAN D'AMARO:

It seems that at one point Mr. Carter -- my understanding Mr. Carter was a 50% co-owner. The property was taken by the County. Mr. Carter is claiming that there was insufficient notice, and in order to get the property back, we would be abandoning his 50% interest back to him, and then he would be buying the other 50% interest, because he's not making any claim that notice was improper to the remainder 50% owner.

MR. KENT:

That's what I'm getting from reading the bill, but I'm not sure whether the County Attorney's Office agrees.

CHAIRMAN D'AMARO:

Ms. Bizzarro, any familiarity with the resolution or the background to it?

MS. BIZZARRO:

I think you accurately depicted what went on. It's taken Mr. Carter some time. We've been trying to work with him in terms of, you know, getting this off the ground. And I believe my office helped to prepare the resolution, so we're fine with it.

LEG. ROMAINE:

Motion.

CHAIRMAN D'AMARO:

Motion by Legislator Romaine to approve the resolution, I'll second. All in favor? Opposed? Abstentions? Motion carries.

APPROVED (VOTE: 5-0-0-0).

1827, Authorizing use of Old Toll Building at Smith Point Bridge. (Browning)

LEG. BROWNING:

I'll make a motion.

CHAIRMAN D'AMARO:

Motion by Legislator Browning, I'll second. All in favor? Opposed? Abstentions? Motion carries.
APPROVED (VOTE: 5-0-0-0).

That completes our agenda for today. Thank you, everyone. There's no Executive Session, so motion to adjourn.

(*THE MEETING WAS ADJOURNED AT 10:35 A.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY