

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, November 14, 2007.

MEMBERS PRESENT:

Legislator Lou D'Amaro - Chairman
Legislator Elie Mystal - Vice-Chairman
Legislator Kate Browning

MEMBERS NOT PRESENT:

Legislator Edward Romaine
Legislator Tom Barraga

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
Jacqueline Caputi - County Attorney
Debra Alloncius - AME
Len Beekman
All other interested parties

MINUTES TAKEN BY:

Donna Catalano- Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 10:28 A.M.*)

CHAIRMAN D'AMARO:

Ladies and gentlemen, I apologize for the delay. Unfortunately, we don't have a quorum here this morning. We're going to postpone the Ways and Means Committee until three o'clock this afternoon. Is there anyone present who wanted to address the committee this morning? Okay. Just for the record, there is no one indicating a desire to speak with the committee or to address the committee. With that said, we will reconvene or convene at three o'clock this afternoon. I apologize for the inconvenience. Thank you.

(*THE MEETING WAS RECESSED AT 10:28 A.M.*)

(THE MEETING WAS RECONVENED AT 3:08 P.M. *)

CHAIRMAN D'AMARO:

Well, good afternoon, everyone and welcome back to the Ways and Means Committee of the Suffolk County Legislature. Again, my apologies for delaying this committee meeting this morning. And I'm going to ask for everyone to please rise and join the Committee in the Pledge of Allegiance led by our Vice-Chair Elie Mystal.

SALUTATION

CHAIRMAN D'AMARO:

There are no cards that have been submitted. Is there anyone present who would like to address the committee? For the record, there's no response. And I will turn now to the agenda. First, to the section of the agenda labeled Tabled Resolutions. Calling the first.

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

LEG. BROWNING:

Motion to table.

CHAIRMAN D'AMARO:

Motion by Legislator Browning to table, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? The motion carries. **TABLED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

Next is resolution on the Tabled agenda is **1833-2007. Adopting Local Law No. 2007, A Local Law to establish a prompt contracting policy for not-for-profit organizations. (Montano)**

LEG. MYSTAL:

Motion to table.

CHAIRMAN D'AMARO:

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

1871-2007. Amending Resolution No. 162-2006, authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act [Marcello Cajamarca and Rodolfo Bonilla] FCMC, Inc. (SCTM No. 0200-975.40-02.00-035.000). (Co. Exec.)

On advice of Counsel -- sir.

MR. DUJMIC:

Yes. The County Executive's Office would like to see this resolution tabled.

CHAIRMAN D'AMARO:

Okay. I'll offer a motion to table.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. Resolution is **TABLED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

1910-2007. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law (SCTM No. 1000-126.00-11.00-014.000). (Romaine)

This was a resolution that's been before us now several times. It involved a parcel permitting access, I believe, to the shore. Okay. I'll offer a motion to table, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

1931-2007. Amending Resolution No. 728-2007, authorizing the sale of Brownfield property tax liens at public auction. (Horsley)

I'll 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. **TABLED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

1946-2007. Adopting Local Law No. 2007, A Charter Law amending the requirements for appraisers who perform services in connection with the acquisition or disposition of real property. (Co. Exec.)

This is a bill submitted by the County Executive which had been previously tabled. It involves amending the appraiser list to include appraisers of trade fixtures, I believe, and professional engineers. I'll offer a motion to approve. Is there a second?

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

Next section of the agenda is Introductory Resolutions.

1968-2007. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Estate of John Ian Hornak a/k/a Ian Hornak, by Eric Ian Spoutz as Administrator (SCTM No. 0300-159.00-02.00-013.001). (Co. Exec.)

This is a Local Law 16. I'll offer a motion to approve and place on the Consent Calendar, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine)**

1971-2007. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael A. Perez and Grace Ann Perez, his wife (SCTM No. 0500-166.00-01.00-115.000). (Co. Exec.)

Once again, I'll offer a motion to approve and place on the Consent Calendar.

LEG. BROWNING:

Second.

CHAIRMAN D'AMARO:

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

APPROVED and placed on the **CONSENT CALENDAR (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

1972-2007. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Conquest Equities and Investments Corp. (SCTM No. 0200-168.00-04.00-008.000). (Co. Exec.)

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

1975-2007. Authorizing certain technical correction to Adopted Resolution No. 948-2007). (Co. Exec.)

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

1976-2007. Authorizing certain technical correction to Adopted Resolution No. 293-2006. (Co. Exec.)

Once again, same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

1979-2007. Adopting Local Law No. 2007, A Local Law to authorize conveyance of real property to St. Joseph's College. (Eddington)

It requires a public hearing. I'll offer a motion to table, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

1997-2007. Adopting Local Law No. 2007, A Local Law to establish a prompt payment policy. (Viloria-Fisher)

It requires a public hearing. I'll offer a motion to table, seconded by Legislator Browning. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

2022-2007. Authorizing certain technical corrections to Adopted Resolution No. 923-2007. (Co. Exec.)

I will offer a motion to approve and place on the Consent Calendar.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine)**.

2023-2007. Authorizing certain technical corrections to Adopted Resolution No. 896-2007. (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine)**.

2024-2007. Authorizing certain technical corrections to Adopted Resolution No. 901-2007. (Co. Exec.)

Once again, same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine)**.

Resolution 2065-2007. Adopting Local Law No. 2007, A Local Law in relation to disposition of auction properties. (Browning)

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

2067-2007. Adopting Local Law No. 2007, A Local Law to offset the cost of maintaining surplus County property. (Browning)

Same motion, same second, same vote. It requires a public hearing. **TABLED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine)**.

2069-2007. Adopting Local Law No. 2007, A Charter Law to streamline the process by which Resolutions and Local Laws are introduced. (Alden)

Requires a public hearing. I'll offer a motion to table, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine)**.

2070-2007. To implement transparency and full access to the proceedings of County Governance. (Kennedy)

At the request of the sponsor who has communicated with the committee, I'll offer motion to table, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. Resolution is **TABLED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine)**.

2076-2007. Sale of County-owned Real Estate pursuant to Local Law 13-1976 Denise Martinez (SCTM No. 0100-133.00-04.00-111.000). (Co. Exec.)

This is an adjoining property owner auction. Successful bidder, \$2500. It's a small irregular shaped triangle -- triangular piece of property. I'll offer a motion to approve.

LEG. MYSTAL:

Second.

CHAIRMAN D'AMARO:

Second by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

2077-2007. Authorizing a lease for temporary use of County facilities at Police Headquarters in Yaphank by New York State Division of Criminal Justice Services. (Co. Exec.)

This is, in effect, a resolution that would give some space to coordinate law enforcement efforts with the State -- between the State and the County. 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:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

2120-2007. Approving the appointment of a relative of a County Legislator in the Suffolk County Legislature. (Kennedy)

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:3-0-0-2 - Not Present - Legis. Barraga and Romaine).**

That concludes the public portion. Are we doing Executive Session? The committee is now going to adjourn to Executive Session. We will be back. Motion to go into Executive Session, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Thank you.

(*AN EXECUTIVE SESSION WAS HELD FROM 3:19 P.M UNTIL 3:31 P.M.*)

CHAIRMAN D'AMARO:

Okay. We're back on the record from Executive Session. I'll offer a motion to adjourn, seconded by our Vice-Chair Legislator Mystal. All in favor? Opposed? Abstentions? We are adjourned. Thank you.

(*THE MEETING WAS ADJOURNED AT 3:32 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY