

**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, December 12, 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  
Gail Lolis - County Attorney  
Tom Vaughn - County Exec's Office  
Debra Alloncius - AME  
Chris Kent - Director of Real Property and Acquisition Management  
Sharon Cates-Williams - Director of SC IT  
DuWayne Gregory - Aide to Legislator Mystal  
Justin Littell - Aide to Legislator D'Amaro  
Vanessa Astrop - State Coordinator - We the People Congress of NY  
Debra McKernan - SPBPOA  
All other interested parties

**MINUTES TAKEN BY:**

Donna Catalano- Court Stenographer

(\*THE MEETING WAS CALLED TO ORDER AT 9:38 A.M.\*)

**CHAIRMAN D'AMARO:**

Good morning. Welcome to the Ways and Means Committee. Please rise and join the committee in the Pledge.

### **SALUTATION**

**CHAIRMAN D'AMARO:**

Okay. Once again, good morning and welcome. We're going to start on our agenda with the public portion. This morning, I have two cards. If you'd like to address the committee, please fill out a yellow card and give it to our Clerk. Each person will come up to the podium, please, and present your name and address for the record. And you'll have three minutes to address the Ways and Means Committee. The first person is Zabby, the Executive Director -- Executive Director of PEGLTM. I'm not sure you can actually pronounce that. Good morning and welcome. You will have three minutes. Please go ahead.

**MS. ZABBY:**

Good morning. I'd like to establish myself as an expert in this area. I don't see the sponsor of the bill, John Kennedy. He spoke to us last night and said that he was going to pitch to get this discharged with recommendation.

**CHAIRMAN D'AMARO:**

Zabby, just for the record, why don't you tell us what bill number you're speaking to.

**MS. ZABBY:**

2070.

**CHAIRMAN D'AMARO:**

Okay. Go ahead, please.

**MS. ZABBY:**

Okay. And also, I noticed Mr. Romaine is absent. Is he on his way? Can I just ask that without taking from my time?

**CHAIRMAN D'AMARO:**

I don't know whether or not he is on his way.

**MS. ZABBY:**

I see. Well, that's a good set up. I expected five people to be here. He is always here. I know he supports Resolution 2070, but he won't be here to discharge it, it looks like. That will make this a 3-2 so that this will fail here. If we have the two Democrats, we can't change their minds, Mr. D'Amaro and Mr. Mystal. And I hope we can change their minds, because we have everything we need to discharge this bill -- this resolution.

And number one, this, you will find, these tapes -- we want to televise, of course, the Suffolk County Legislature. These tapes that will be made will be official records. And therefore, they must be done in-house, because they are official records. You cannot put this out. So the idea of doing taping, outsourcing, is absolutely unacceptable. You can check with the Public Service Commission. And so as {Yvonne Lefrig} so aptly in the Town of Smithtown -- so it has to be done in-house, and it can be done here very easily, as it is done in-house in some of the towns.

The other thing is that the budget that they're looking at -- I, by the way, was -- I've been utilized by all of the towns for my expertise in this area. And I am also an accountant and can read budgets. And the budget was so well prepared by the Budget Review here on the basis the

information they collected from Tim Laube. And, by the way, Tim Laube's report that I know you're all waiting on, he told me no one had asked him to do it as of yesterday at 4:20 p.m. But if he had to do it, he would write one sentence, that all the towns are for doing this. And you see, I have letters from all the towns, In fact, that for years now, they've wanted the Suffolk County Legislature on TV, including the Town of Huntington. Mr. Petrone is on tape saying he wanted to see the County on TV. So he's for, in fact, televising every level of government except the Town of Huntington.

**CHAIRMAN D'AMARO:**

Okay. Please sum up. Your time has expired. I'm going to ask that you sum your comments.

**MS. ZABBY:**

Okay. All right. Well, it turns out that when I read the budget for both -- first of all, it's padded and it's inflated, because it's based on the Romaine resolution and -- that was done on June 12th. And it actually -- for both places, in Hauppauge and Riverhead, if you take out padding and inflation, you can save taxpayers' money and do this with a bare-bones essential -- I come down to \$42,388.70, because you do not need the live cable cast streamer equipment. And this is what happened, you see. They decided that with lack of forethought that they would do the internet streaming and put that on.

**CHAIRMAN D'AMARO:**

Okay. Thank you very much for your comments. I appreciate it.

**MS. ZABBY:**

Thank you.

**CHAIRMAN D'AMARO:**

Thank you.

**MS. ZABBY:**

Thank you so much. I hope that -- Mr. D'Amaro, Mr. Mystal, this has to be done --

**CHAIRMAN D'AMARO:**

All right. Thank you. All right. Thank you. I'm going to call the next speaker.

**MS. ZABBY:**

All right. Thank you.

**CHAIRMAN D'AMARO:**

The next speaker is Vanessa Astrup.

**MS. ZABBY:**

Vanessa, may I just have a couple of seconds of your time?

**CHAIRMAN D'AMARO:**

No. We can't do that, ma'am. The rules don't permit that.

**MS. ZABBY:**

Okay. I just want to say --

**CHAIRMAN D'AMARO:**

The rules do not permit that. I called the next speaker. Thank you.

**MS. ZABBY:**

All right. Thank you.

**MS. ASTRUP:**

Good morning. My name is Vanessa Astrup, and I am the We the People Congress Coordinator for New York. And I'm speaking in support of Resolution 2070, which is being proposed by Legislator Kennedy. I do work with Zabby on public access. I also was on the Citizens Cable Advisory Committee for Southampton for three years back in 1999. And since then, I've been going from town to town as well speaking to the Supervisors in the towns there to try and get a government access or town programming on television.

What I want to know what's going on here is what is taking so long. Any time I talk to someone from the public, when I say, "Do you want to see your Suffolk County on television?" And they say, "Yes." And I say -- they say, "What's the hold up?" And I say, "Well, they always come up with excuses, there's always some reason, there's always somebody from some party who's not in agreement with this." Why? Because they don't want to be on television? Why? Because they don't want to watch them eating breakfast while they're at a Ways and Means Committee? What's the deal?

There's three things here. When you look at the resolution -- I'm giving you the details that you need, so I hope you're listening. The questions that you have about the budget, about the feasibility study about the budget, one from the Romaine resolution is padded. It doesn't need all the internet streaming. A bare-bones operation would be \$50,000 for Riverhead and Hauppauge. Fifty thousand dollars, that's it.

About the feasibility study, we went over this with Romaine back in June when Romaine had his resolution. I have a letter here that I wrote him as to why we don't need to do a feasibility study. And it says here that New York State Law already says that we, as Suffolk County, are a third party beneficiary to the channel. We do not need to go from town to town and ask them if we can use their channel. We already have the right. The State Law already says that we have access to the channel. So there's no holdup there for a feasibility study, because there's no one to ask. The law is already there. Cablevision wants you to do a feasibility study, because they don't want to do the work. They're sending you on a wild goose chase, they're asking you to do things that you don't need to do, because it's easier for them and it's better for their policy. Okay?

So I know this because I've done this from town to town. They just try and tell you, "Oh, well, you know, you've got to go to each town." No. That would be ridiculous. You would have to get 5000 tapes out every time. Do you think Tim Laube wants to make 5000 tapes? No. So why would he have to if the law doesn't say he needs to? So that's the second thing.

And the third thing is -- is that's the only two reasons that you guys could have as questions for why we can't go along with this. The resolution says that Tim Laube would have them taped and they would go on the air. All you have to do is fill out the paperwork and request that it be there. So I'm asking you to pass this resolution today so that it can go to the full committee. And let the people decide whether or not they want the Suffolk County Legislature on television, not you guys. It's not fair.

And not only that, the only reason I can see that you don't want to be on television is because something is going on here. I left it over there, but I do have an article from -- from Newsday from the 9th. And it basically says that nobody is paying attention. The first line of this article was that nobody is paying attention. There's money being spent. There's 20 people that work in the Water Authority, but they've got 30 vehicles. Come on. I mean, we would know that if we had a chance to watch this. I work during the day. I had to take off work to come here and do this. Do you think that these people have time to take off from work to come to your meetings? No. So it's important for open government, as Public Service Law states, for people to be able to be involved in their government. That's what open government is about, and that's what you should be supporting. So a vote for Resolution 2070 is a vote open government. And a vote against it is a vote for corruption and tyranny. Thank you.

**CHAIRMAN D'AMARO:**

Thank you. Next speaker is Barbara Scalafani. Okay. Good morning and welcome.

**MS. SCALAFANI:**

Good morning, Legislators. I'm also in favor Resolution 2070. Seeing our council members on TV keeps the public informed. I'm a political activist in my area, the tri-hamlet community, which makes up Mastic, Mastic Beach and Shirley. And we come to a lot of these things. And, you know, our constituents out there go, "What are you guys doing for us?" We tell them that we attend these meetings, and we would like these meetings filmed and have an open form of government.

Why -- like the young lady said before me, there are a lot of people who work on our community who don't realize all the things that maybe our Legislator is doing for us and our members, our activists, our civic leaders are coming out and speaking for. So we should have that opportunity. There should be open government just like our council members have. There's a lot of people who come up to us, go, "Oh, wow, that's what you do. I saw you on TV." That shows that we're working hard for our community. And let you -- let the public see how -- what you guys -- how you are working hard for our community. It's important to push this through and not let this sit anymore. Thank you.

**CHAIRMAN D'AMARO:**

Okay. Thank you very much. I have no other cards. Is there anyone else here who would like to address the committee this morning? Okay. If there's no one else, I will turn to the next portion of the agenda. And just note for the record that Legislator Kennedy has joined the committee. Next, our Tabled Resolutions. I'll call the first.

**1833. Adopting a Local Law to establish a prompt contracting policy for not-for-profit organizations (MONTANO).**

Is there a motion?

**LEG. BROWNING:**

Motion to table.

**CHAIRMAN D'AMARO:**

Motion to table. Is there a second? All right. I'll second the motion. Any other motions? All in favor? Opposed? Abstentions? Motion carries. Next is 1871 of 2006, amending Resolution No. 162-2006 --

**LEG. BARRAGA:**

Mr. Chairman, record me in the negative on 1833, please.

**CHAIRMAN D'AMARO:**

Okay. I'll offer a motion to reconsider Resolution 1833 of 2007, is there a second? Seconded by Legislator Mystal. All in favor? Opposed? Abstentions? That motion carries. And now we'll once again call 1833 of 2007. Legislator Browning, would you like to reoffer your motion to table?

**LEG. BROWNING:**

Motion.

**CHAIRMAN D'AMARO:**

I'll second. All in favor? Opposed?

**LEG. BARRAGA:**

Opposed.

**CHAIRMAN D'AMARO:**

Legislator Barraga is opposed. Abstentions? And the motion carries. **TABLED (VOTE: 3-1-0-1 -**

**Opposed - Legis. Barraga; Not Present - Legis. Romaine).**

**1871. 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. (COUNTY EXEC).**

**MR. KENT:**

I have an amended copy of this proposed resolution I'd like to distribute.

**CHAIRMAN D'AMARO:**

Okay. Please, go ahead. All right. Mr. Kent, maybe just explain to the committee the amendment you just handed out to us, and we'll go ahead.

**MR. KENT:**

The application for redemption had come from the mortgagee. So we are going to -- and the prior owner has conveyed his interest out to the mortgagee. So this -- this amended resolution redeems the property in the name of the mortgagee.

**CHAIRMAN D'AMARO:**

So it indicates the proper party.

**MR. KENT:**

That's correct.

**CHAIRMAN D'AMARO:**

Okay. Thank you. I'll offer a motion to approve and place on the Consent Calendar, is there a second? Seconded by Legislator Barraga. All in favor? Opposed? Abstentions? Motion carries.

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

**1910. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law (ROMAINE).**

This is a parcel that we've been carrying on the agenda for several cycles. Mr. Zwirn.

**MR. ZWIRN:**

Mr. Chairman, on this one, we're all in agreement on this. We're just waiting for a resolution from the town board accepting the property, and then we're ready -- we're good to go. You know, I don't know when the town board is meeting in Southold, but if you want to discharge without recommendation, get it to the floor, maybe between today and, you know, Tuesday they'll have a resolution so we could move forward so it's -- or you can discharge it from the floor on that day. We're not opposed to the bill, we just need to have the companion resolution on the town side.

**MR. KENT:**

Without the resolution from the town, I'm not sure they're willing to accept our transfer via 72-h. I generally don't transfer properties to the town unless there's a resolution from the town that they're accepting the property that we're transferring to them.

**MR. ZWIRN:**

And we have every indication that they're going to do that, but we just -- we just haven't received it yet. In fact, there's another parcel that they also would like that we're willing to give them as well as soon as -- as soon as they just say okay. This all came out of -- well, this came out of that parcel that has waterfront access. And we're ready to convey it to the town. And all we need -- I think -- I think Legislator Romaine said he was going to try to get the resolution by today's meeting.

**CHAIRMAN D'AMARO:**

Good morning, Legislator Romaine.

**LEG. ROMAINE:**

Sorry I'm late. I apologize.

**CHAIRMAN D'AMARO:**

That's okay. We were just discussing one of your IRs.

**LEG. ROMAINE:**

Yes. IR 1910, I'd like to move it, Mr. Chairman.

**CHAIRMAN D'AMARO:**

We were discussing whether or not there was a resolution from the town indicating that they would be willing to accept the property or what the status of that request might be.

**LEG. ROMAINE:**

The town has requested -- I don't know if there's a resolution. And as Counsel can you, a resolution is not necessary for this body to act. If we do the 72-h, the town can always refute and refuse it. So a resolution is not necessary. The town has indicated it several times that they are interested in transferring this property. It's been reported widely in the Suffolk Times that the town is interested in accepting this property. And then what they would do is work with the property owners to set up a non-for-profit association or homeowners association that would manage this.

This piece of property is about a 10 foot piece of property that stretches from Peconic Bay Boulevard to the Peconic Bay. This County was going to sell it, despite the fact there were deeded rights to 63 -- 63, 65 homes that have deeded rights to this. This is -- and the County had indicated, well, they would still remain the underlying rights if it went into private ownership. That's why this was --

**MR. ZWIRN:**

That's correct.

**LEG. ROMAINE:**

That's why this was stopped, because essentially, they'd have to go to court to make sure those deeded rights and that access was guaranteed, because the property owner that we were going to sell it to who thought he had possession of it put up a fence and blocked their access to it. The town has reported that they are more than willing to accept this. And what they're going to do is work with the property owners there to create a form of a homeowners association that would be responsible for the property. And they would then transfer it to them.

**CHAIRMAN D'AMARO:**

Legislator Mystal.

**LEG. MYSTAL:**

Thank you for the background. We all know the history of that piece of land. The question that is at hand is that you keep saying that the town wants it and the town has agreed to take it, but where is the resolution? Because every time you come here and that comes up, you say the same thing, "The town wants it, the town wants to get it," but where is the resolution? Why can't the town pass a resolution, because I know we probably don't need the resolution to act? But why is it that you keep saying that the town wants to -- and they don't pass a simple resolution to accept the piece of land? What is the problem? It's like -- you know, I don't know want to vote on something -- technically this County, from what I know technically, we cannot transfer a piece of property to an entity unless they want to take it. That's the way -- I know it. Technically, that's the way -- am I wrong, Mr. Kent?

**MR. KENT:**

I wouldn't disagree with you. I can explain what's going on with the town if --

**MR. ZWIRN:**

Maybe Legislator Romaine would like to explain first, and then we have contact with the town and we can explain their -- what their problem is.

**CHAIRMAN D'AMARO:**

Well, this is -- my thought on it was I'm interested in -- I've consistently heard the County Exec's Office say you're not opposed to the conveyance, but I know that Legislator Mystal makes a valid point that in my short tenure here, usually we do look for an official indication that the town is willing to accept the property. And I guess my question to Legislator Romaine is similar to what Legislator Mystal is saying, is if the town is communicating through newspapers, that's all well and good, but why are they not passing the resolution? Do you have any -- any information on that?

**LEG. ROMAINE:**

I have no information on that except that it's -- I think Ben Zwirn or Chris Kent wanted to respond to that.

**MR. ZWIRN:**

Well, we knew that you -- you said you were going to call the town. Chris Kent did call the town, and this is -- he'll explain to you what the problem is and why the town hasn't acted yet.

**MR. KENT:**

They just want to make sure that at the other end, when they accept the property, that they have something in place with the homeowners association to allow them to transfer this property to the homeowners association. They don't want to transfer retain this in town ownership. They want to get this into the hands of the homeowners association. That homeowners association hasn't been officially formed yet, so the town is reluctant to pass the resolution until they know at the other end that they're going to have some party to transfer the property to. So, I mean, we -- you could approve the 72-h subject to receiving the resolution from the town. At least that would prevent this from being stricken at the end of the year and starting over. And I would wait until I received the resolution and a commitment that the town would receive it and then pass it along to the homeowners association.

**CHAIRMAN D'AMARO:**

Well, let's just talk about that. If we pass the bill and it's signed, you would then be under -- you would be compelled at that point to try and convey to the town, but you're saying in your discussions with the town, they're not ready to accept the property.

**MR. KENT:**

Well, what the resolution does, it authorizes me -- it doesn't direct me to transfer it, it authorizes me to transfer it. I would use my discretion and wait until the town is ready to receive it. I wouldn't put together a deed -- I wouldn't tender a deed if they're not going to accept it.

**CHAIRMAN D'AMARO:**

Yes. Of course. That's fine. All right. Legislator Browning.

**LEG. BROWNING:**

You asked my question.

**LEG. ROMAINE:**

The alternative is that we can simply table it, let it die, and it will stay in County ownership, and we will be responsible for the maintenance and the liability associated with that property.

**MR. KENT:**

I would accept the decision either way.

**CHAIRMAN D'AMARO:**

Well, Mr. Romaine -- Legislator Romaine, what Mr. Kent is saying, even if we pass the resolution, it's not moving anyway. So, you know, what I would recommend is if we can continue -- once we get the resolution from the town, we reintroduce the legislation if the sponsor is willing, and, you know, at that time we can consider it again.

**LEG. ROMAINE:**

Well, if the resolution is so critical -- and I understand the town is waiting, because they've explained this to me multiple times, that they're trying to get all the property owners together because there's 65 of them or 63 of them on -- that have deeded rights that if they're waiting -- I'm happy to table this and wait and leave it in County ownership.

**MR. KENT:**

The property has been in our ownership for a while. I don't think a couple of more months would be a major problem.

**LEG. MYSTAL:**

Ed, you keep saying, like, you know, the property is still with us. Even if we pass this bill, we still can't transfer it, because they're not ready for it. So it might take them six months to get all those homeowners together.

**LEG. ROMAINE:**

Well, if you pass this bill, obviously the town is going to have to -- there will be, I would assume, some --

**LEG. MYSTAL:**

No. They don't have to do anything, Ed. Sorry.

**MR. ZWIRN:**

We're not going to sell -- the property's not -- the property's under no pressure for sale or development. So it's not going to go anywhere. We're not going to -- it's going to stay there until the town is ready to take it.

**MR. KENT:**

The only concern I have is that the end of this property, where it meets the Bay, it's a drop off, and there is potential liability if somebody should fall off this -- there's a small dock at the end -- not a dock, a pier. They could fall off. There's about a ten foot drop from the landing to the water. We've had it for a while. Again, I don't think it's a major thing, but I'd like to get it resolved before the summer months anyway.

**CHAIRMAN D'AMARO:**

All right. I'll offer a motion to table. Is there a second?

**LEG. MYSTAL:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Vice-Chair Mystal. All in favor? Any opposed? Abstentions? The motion carries. The resolution is

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

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

The sponsor of this resolution has communicated his desire to have it tabled. I'll offer a motion to table, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries.

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

**2065. Adopting a Local Law in relation to disposition of auction properties (BROWNING).**

**LEG. BROWNING:**

I'm going to make a motion to table. There's still some changes.

**CHAIRMAN D'AMARO:**

All right. I'll second.

**LEG. BROWNING:**

I'll reintroduce it in January.

**CHAIRMAN D'AMARO:**

Okay. Very good. Under revision, I'll second the motion to table. All in favor? Opposed? Abstentions? Motion carries.

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

Next is **2067. Adopting a Local Law to offset the cost of maintaining surplus County property (BROWNING).**

Legislator Browning, once again.

**LEG. BROWNING:**

Motion to approve.

**CHAIRMAN D'AMARO:**

Okay. Legislator Browning is offering a motion to approve, I'll second the motion. And I just want to note for the record that it had undergone some revisions. The bill now contains a sliding scale, and I believe there's a \$2500 cap as well. And, Gail, did you want to speak on this?

**MS. LOLIS:**

Yes, if we may. Gail Lolis, Deputy County Attorney. Through the Chair, we'd -- first of all, we'd like to thank the sponsor for incorporating most of the recommendations that we had made. There was just one remaining matter that we think can be legally problematic that we just wanted to bring to the committee's attention. The surcharge money is not going to the General Fund, it's going to the SLAP, and we think that may be legally problematic to the extent that the revenues coming in from a particular property are not going to that -- to maintenance of that property, they're going to maintenance of other properties.

**CHAIRMAN D'AMARO:**

Well, legally problematic meaning, yes we can do it or no we cannot?

**MS. LOLIS:**

Because it's -- it's a fine line here. It's an indirect -- there needs to be some type of correlation between the revenues coming in and the program that it's going to. This is an indirect correlation, and I can't say for certain one way or the other whether or not it's a strong enough correlation that it can -- that the monies can be diverted to SLAP versus going into the General Fund.

**CHAIRMAN D'AMARO:**

Does budget -- Legislator Browning, did you want to say something?

**LEG. BROWNING:**

Yeah. You know, when the money does go to SLAP, any money they don't use at the end of the year goes under the General Fund.

**MR. REINHEIMER:**

I'd like to speak on how the budget is constructed. The Sheriff is in the General Fund, all revenues, the way the Suffolk County budget is, go into the General Fund. They are not specifically put into a pot that says SLAP. They go into the General Fund, the General Fund has expenses. At the end of the year, the difference between the revenues and expenses, you either have a surplus or a deficit. So the funds are not directly deposited in a particular program. They're pooled in the General Fund. Conversely, if the SLAP Program costs more than the revenues we receive, the General Fund subsidizes them through other revenues and other means.

**CHAIRMAN D'AMARO:**

Lance, do you have a problem with the language in the bill that says that, "which surcharge shall be deposited with the Suffolk County Sheriff for the sole purpose of funding the Sheriff's Labor Assistance Program"?

**MR. REINHEIMER:**

Part of that is a legal question, but, no, because from a budgetary perspective, it shows the intent of the resolution is to subsidize and provide for this program. So from a budgetary perspective, it's not a problem. You know, legally, that's -- I can't answer is that.

**CHAIRMAN D'AMARO:**

And I'll ask our Counsel to weigh in on that if he chooses. But just to follow the money, when the auction takes place, the surcharge is imposed, it's accounted for, that would then be carried into the General Fund anyway.

**MR. REINHEIMER:**

Correct. And you can -- you can have a separate revenue code for that revenue. So at the end of the year, you could see what was the revenue from SLAP, and you could, if you set up a separate appropriation within the Sheriff's Office for SLAP expenses, you could see what the actual expenses were for the program and do a reconciliation. So it would require a separate revenue code, a brand new revenue code, and a brand new appropriation within the Sheriff's Department, which are not budgetary problems. That can be done.

**CHAIRMAN D'AMARO:**

I'm going to ask Counsel, Mr. Nolan, if he would like to comment and then Legislator Romaine.

**MR. NOLAN:**

Well, I think it's correct that pursuant to our Charter that the monies have to go to the General Fund. I think the intent is that the monies that are generated by this program will be credited to SLAP and really needs to be, because the idea is to generate monies from the auction to take care of these properties to main them through SLAP. So I think legally, we can move ahead with this -- with this bill.

**CHAIRMAN D'AMARO:**

Legislator Romaine.

**LEG. ROMAINE:**

Yes. Number of questions about this. First of all, I want to commend the sponsor for trying to resolve a problem that's out there. The County owns a great number of properties that is not -- that it has liability for and responsibility for that it is not meeting that responsibility for. I am constantly made aware of County-owned properties that are neglected, not maintained properly, improperly. And in the future, I'm asking people who bring me this information to put it in writing so I can put Real Estate on notice, because I think written notice helps get these properties addressed. We really do need some County workers to maintain these properties.

But above and beyond that, while the intent is good, I think it is problematic in the way this was

drafted, and I'll be specific with my questions. My understanding -- and correct me if I'm wrong, because I haven't seen the revised copy -- is that at the auction, those who bid and win the property are assessed a certain percentage, one or 2% or something of that nature, towards the cleanup. Was that the original intent? Maybe I'm asking this of the sponsor, through the Chair.

**LEG. BROWNING:**

No. The intent is -- and it's actually not one or 2% -- it's .5%, anything up to 100,000 -- 100,000 to 250,000 is .75. It's capped at I believe 500,000. I'm not looking at it right now.

**MR. NOLAN:**

No. It's capped at \$250,000.

**LEG. BROWNING:**

I'm sorry. However, you know, I think you know the district that I represent. And we do have a number of properties. Thank God we're finally getting the auctions back up and running and we have the 72-h Program. But as far as the surcharge, the surcharge is not required to be paid until closing.

**LEG. ROMAINE:**

Here's my problem with the bill. As I said, I commend you for trying to resolve this problem, because I'm familiar with the district having represented most of it about 20 years ago. The problem is that you are charging at the auction for a service that is not being rendered to them. This is a service that is being rendered to the property before they take ownership. I don't know how you legally do that. You can change the terms and conditions of the auction and indicate that there's going to be a surcharge, and that was for the County maintaining the property.

But right now, the way it looks, the way the law is drafted -- and again, I haven't examined the revised version, but the original version, you are charging people for a service that you are not -- that the County is not providing them. Simply because they won the auction, they're being -- I don't want to use the word penalized -- but being charged because the County maintained that property when it was in County ownership. I don't know how you charge people for a service that you don't render. I have -- I believe that's legal -- legally problematic, and that's a concern of mine.

I don't believe in charging people for a service that we're not rendering to them. And I also have great concern that the County is not fulfilling its responsibility. What I'm going to ask the Department of Real Estate -- and I understand that, you know, staffing with being short through the County that you may not have the ability to promptly respond -- but if you could get me a list of all County-owned property in the 1st Legislative District, what I'm probably going to do, if you could do that by the 1st of the Year, is I'm going to spend some time driving around and taking photos of these properties, because I think it's -- it should be noted that once we take possession of a property, we have a legal obligation to maintain that -- that property and to make sure it's secured and to prevent it from becoming an eyesore. So -- not to be a target for graffiti, not to be a target for drug users to use, not to be a target to be a detriment to the community, to be boarded up and to be secured and make sure the grass is mowed in the summer and things of that nature. And I know that there's some County properties where that just isn't taking place.

**LEG. BROWNING:**

Let me respond. I think you know that there hasn't been an auction in a number of years, and I think that's why we have accumulated so many properties, correct?

**MR. KENT:**

That's correct. We had our first auction this year in three years.

**LEG. BROWNING:**

Exactly. So, you know, now we are having the auctions. I don't expect that we're going to have so many, however, this is why we're doing what we're doing. And you're talking about -- we have the

Sheriff's Program, it's already out there taking care of the properties. So anyone who buys an auction, any of these properties that they're currently taking care of, the properties are being taken care of, which kind of helps improve the value of the property that they're going to buy at the auction.

**LEG. ROMAINE:**

I think it's a very good idea, and I commend the sponsor. And I don't want you to get it wrong, I just don't think that -- I don't know if legally we can charge people for services we don't render. Let me ask Counsel about that.

**MR. NOLAN:**

Well, these are County-owned properties that are being auctioned, mostly taken for taxes. The Tax Act says that we can dispose of those properties under terms and conditions that we develop.

**LEG. ROMAINE:**

Are these currently -- would this resolution amend the terms and conditions of our auction offerings in the future, yes or no?

**MR. NOLAN:**

I think the terms and conditions would have to be amended to reflect that this surcharge is going to be there.

**LEG. ROMAINE:**

Does this resolution amend that?

**MR. NOLAN:**

No.

**LEG. ROMAINE:**

Thank you.

**MR. KENT:**

No. The terms and conditions would be drafted in 2008 to be approved by this Legislature again, before the auction in 2008. Just a couple of things that if I could respond, not that I'm looking to disagree with you, but I'm trying to clarify. I believe the amended version of the bill has this additional fee collected at closing, not at the auction.

**LEG. ROMAINE:**

Okay.

**MR. KENT:**

Secondly, currently, we don't use County personnel to mow the lawn or to clean up properties.

**LEG. ROMAINE:**

How do you maintain these properties?

**MR. KENT:**

We don't have County personnel to do that. What we do is we contract for that. We have a few companies --

**LEG. ROMAINE:**

You contract out for that.

**MR. KENT:**

Yes. We have a few companies that do the work, and it's done on an as-needed basis.

**LEG. ROMAINE:**

And these companies are hired after a bidding situation?

**MR. KENT:**

We do a three-bid process where we go to the low bidder in-house. We don't put it out by an RFP. These are all small ticket items that are less --

**LEG. ROMAINE:**

Sure. I understand. Right. It's under whatever it is.

**MR. KENT:**

Generally, just for an example, the property in Riverhead on Harrison, I believe it was -- not Harrison, excuse me, Woodcrest -- that we cleaned up --

**LEG. ROMAINE:**

Yes.

**MR. KENT:**

You sent us a letter, I sent inventory out there, they looked at it, they said, yes, we need to get rid of the garbage, we need to mow the lawn, the total bill for that was a few hundred dollars. We had a company go out, put stuff in a dumpster, mow the lawn, and it was a few hundred dollars. We have a budget for that.

**LEG. ROMAINE:**

Right. I understand. If you could --

**MR. KENT:**

This program, we would collect money at closing on the sale of properties sold at auction. The breakdown is as listed in the resolution; one half of 1% up to \$50,000, point seven five of 1% up to \$100,000 -- between 50 and 100, and then from a 100 to 250 it's 1%. That fee is being collected -- the proposal is to collect it at closing, so.

**LEG. ROMAINE:**

Okay.

**MR. KENT:**

There would be a 1% auction fee collected at the auction, which is nonrefundable. If that close upon the transaction, this fee would be collected at closing.

**LEG. ROMAINE:**

I still have a problem with charging someone for a service we're not rendering, but that's -- I understand what the sponsor is trying to do.

**LEG. MYSTAL:**

Give it up, man. Come on. You are going on and on.

**MR. KENT:**

It's to create an account. It's to create an account that would allow us to expend the monies. But you are also directing that it be done by the Sheriff's Program rather than us contracting out private companies. So the decision has to be made, is it feasible to have the Sheriff's people do it, the inmates being supervised by the Sheriff, or whether we continue to contract out with an agency. That's really the decision in my mind.

**CHAIRMAN D'AMARO:**

Okay. Thank you. And just -- Legislator Romaine, I'm not sure we're charging for a service. You

know, it's really more about the County can sell properties at -- you know, on whatever terms and conditions we choose to sell. And, you know, certainly, I agree with the sponsor and the intent of this resolution. If we could supplement the efforts of the Real Estate Department in trying to maintain the inventory of County properties, this is probably a good way to do it. So with that said, was there a motion?

**LEG. BROWNING:**

Yes, I made the motion.

**CHAIRMAN D'AMARO:**

Did I second it, I believe?

**LEG. BROWNING:**

I think you did.

**CHAIRMAN D'AMARO:**

Okay. I'm going to call the vote on this resolution. All in favor? Any opposed? Abstentions?

**LEG. ROMAINE:**

I'd like to abstain.

**CHAIRMAN D'AMARO:**

Legislator Romaine abstains. The motion carries, and the resolution is **APPROVED (VOTE: 4-0-1-0 - Abstentions - Legis. Romaine)**.

**2069. Adopting a Local Law, a Charter Law to streamline the process by which resolutions and Local Laws are introduced (ALDEN).**

**CHAIRMAN D'AMARO:**

I'm going to ask our Counsel to give us a very brief explanation on this resolution.

**MR. NOLAN:**

This proposed law would amend the Charter to allow for the introduction and filing of resolutions and Local Laws with the Clerk to be done either in writing with a hard copy or by an electronic version.

**LEG. ROMAINE:**

Motion to approve.

**CHAIRMAN D'AMARO:**

Second. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0-0-0)**.

**2070. To implement transparency and full access to the proceedings of County Governance (KENNEDY).**

**LEG. MYSTAL:**

Motion to table.

**LEG. ROMAINE:**

Motion to approve.

**CHAIRMAN D'AMARO:**

This is a bill that we heard some commentary on. Legislator Mystal has made a motion to table, I'll second. Legislator Romaine has made motion to approve. Is there a second on that motion?

**LEG. BARRAGA:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Barraga.

**LEG. KENNEDY:**

On the motion to approve.

**CHAIRMAN D'AMARO:**

Yes. Legislator Kennedy, please go ahead.

**LEG. KENNEDY:**

Thank you very much, Mr. Chair. I'm here today in order to go ahead and request that the committee move this bill. It has been something that we have had introduced now for about two months. Previously, we have had a study bill that's been introduced by my colleague, and there's been much discussion amongst us about the mechanics associated with being able to go ahead and televise.

We see many of our sister levels of government that have a benefit at this point of televising the proceedings. I think the benefits are self-evident. It gives our constituency the opportunity to go ahead and see us at our best and maybe at less than our best. But nevertheless, everybody says sunshine is a good anecdote.

There are some items associated with the actual mechanics of undertaking this. Nevertheless, in my hometown, which is much touted for many of its progressive things, we have had full videotaping of all meetings and done at a relatively -- I don't want to say nominal cost, but less than what some of the projection has been. As a matter of fact, I was in contact again yesterday with John Valentine, our Director of Public Safety, he reaffirmed that for the sum of 80,000, we have two facilities that are currently taped. And I'm not going to belabor the matter, because actually, I'm 15 minutes late for being up there in Town Hall right now with the supervisor. But I believe that the time is here, and that it's incumbent on us to go ahead and move forward with the matter. Thank you, Mr. Chair.

**CHAIRMAN D'AMARO:**

All right. Thank you, Legislator Kennedy. Before I get to Legislator Mystal and Romaine and anyone else who want to speak on the bill, I had a couple of questions. And I'm looking at a copy of the bill. I want to state first that I agree with the concept of trying to get -- trying to get these proceedings on to the airways and televised. I think that's a positive thing. I've watched proceedings on television myself. And I'm all for, you know, opening up these proceedings, especially to folks who have to work or, you know, don't have the luxury and convenience of coming here when we happen to meet. So conceptually, I'm on board with that.

But looking at the resolution itself -- bear with me one moment -- it does a couple of things. It asks the Clerk of the Legislature -- and Mr. Laube, you are here, and I appreciate that, this would be your office -- to acquire the equipment necessary. It then goes on in the Second Resolved Clause to ask the Clerk's staff to be trained. The Third Resolved Clause talks about budgeting, which obviously goes to expense, which is something we should be mindful of and make sure we know what we're getting into. And then the fourth is that it asks that it commence in 60 days after the effective date of the resolution that the taping begin.

And my question -- I guess, Mr. Laube, if you could respond, because this bill affects you and your office, you know, whether or not you are prepared to do it, how you would do it, what you think the cost would be, do you have experience in doing this. You know, if you could speak to that.

**MR. LAUBE:**

The Clerk's Office would have to hire several people to take care of this. Right now, we're -- I feel

we're perfectly staffed to handle the task at hand. First off, we're one of the few counties in New York State that has complete verbatim coverage minute-wise of everything that happens at this horseshoe.

When Renee and I -- Ms. Ortiz and I became Clerk and Deputy Clerk almost two years ago, the minutes -- the online minutes were about six months behind. We've worked hard to catch that up. Right now, we're at a point where a committee meeting happens like this, it will be up online within a month, just about, maybe a few days after that. But we've worked hard to bring that up-to-date.

The videotaping of the meetings, we would have to more than likely hire staff to take -- to take care of this. And as for my experience with the process of videotaping and the equipment involved, I have no experience in that whatsoever, besides just owning a camcorder myself.

**CHAIRMAN D'AMARO:**

All right. So in order to implement this bill, this is something that you haven't done in the past yourself. So you would have to probably go out and get some guidance or expertise in helping you to do this; is that correct?

**MR. LAUBE:**

Me personally, yes.

**CHAIRMAN D'AMARO:**

Yeah. All right. And as far as purchasing the equipment, I mean, I wouldn't know what equipment to buy, I wouldn't know how to direct these proceedings; if I had to run one camera or two cameras or three cameras or where to put them, then how are they controlled, how are you going to take the product produced and store it, transport it, where does it go. I mean, there are a lot of questions to implementing this. So how would you approach that? Would need to go to a consultant to do that? Would you do it in-house? And further to that, does your budget permit doing that?

**MR. LAUBE:**

Well, that budget is controlled by the Legislature. It would be up to them whether they want to hire staff to do this. My opinion and understanding of this would be that we would hire staff that would be trained or be experts in this, they would come in, they would actually be the videographers, they would do the editing and take care -- and maintain the storage of this, much like we have stenographers to take care of the court reporting for these meetings.

**CHAIRMAN D'AMARO:**

So you don't -- so the staff could be hired and trained and be Clerk staff is what you are saying?

**MR. LAUBE:**

That would be my understanding. That's how we would do it.

**CHAIRMAN D'AMARO:**

So we would, in effect, have to have our own internal audio-visual kind of staffing.

**MR. LAUBE:**

That would be one way to attack it.

**CHAIRMAN D'AMARO:**

I mean, what if a camera breaks in the middle of a legislative session, who has the expertise to replace it?

**MR. LAUBE:**

That wouldn't be me.

**CHAIRMAN D'AMARO:**

And by the way, these are not insurmountable problems. I mean, there are many other bodies that are televised and these things happen. My concern on it, though, is one -- I think we're putting the cart before the horse, Legislator Kennedy. I think what we really need is a detailed proposal where these questions are thought out and answered and presented to the Legislature to see whether or not this is feasible and whether or not it would work in this particular room for this particular body with the staffing and the training and the cost associated with doing that. So, you know, that's why I'm seconding the tabling motion today. I just think we need to explore this a lot more than we have so far.

**MR. LAUBE:**

If I can make a recommendation. We can also look into possibly analyzing the ability to hire a consultant to come in and do the job, like contract it out. I'm from the Village of Westhampton Beach, and I was a Trustee there for several years, and that's -- it's a lot less to do there; they have two hour meetings once a month, and the cost is minimal; it's about \$150 a meeting. It would be more to do that here. But in that case, I think we could analyze the cost, what that would cost on an annual basis versus hiring staff with benefits.

**CHAIRMAN D'AMARO:**

Let me ask you one more question and then I'll defer to my colleagues. Let's say we get past all that, let's say we hire the staff or a company and we're taping and it's going fine, it's fair, it's done fairly and it's -- our proceedings are now recorded. What do you do with that?

**MR. LAUBE:**

We would take, in all likelihood, it would be a CD or a DVD, and we would store that, which would be available for -- for people to come to FOIL. I know in Brookhaven, they produce DVD copies of the meetings for, I think, \$25 a piece. So it would be another record that we would keep of the Legislature, much like we keep the minutes and all the resolutions and everything that happens here.

**CHAIRMAN D'AMARO:**

What about airing?

**MR. LAUBE:**

Airing? When I first looked into this, I contacted seven of the ten towns that currently broadcast their meetings on cable television. All of them were willing to work with us to help put our meetings on the air. Huntington, Islip and Babylon, I believe, aren't currently utilizing this. Now, as I understand it, I would be able to work with Cablevision and they would -- they would have to put on our meetings.

**CHAIRMAN D'AMARO:**

Okay. I appreciate your responses. I'm going -- I have a list here. I'll go to Legislator Mystal first and then Legislator Romaine and then Browning.

**LEG. MYSTAL:**

I don't have any objections to the bill, but I think, again, Mr. Kennedy, and Mr. Romaine who was around at that time, it's the same thing that happened to us when we started talking about computerizing this Legislature. There was nothing -- I don't have any problem with the bill, although I want the bill, I want to see something like this, but I don't think we've thought it out in terms of the technical side of it. You know, we started with the example of the computerizing of this Legislature, we started by trying to get some computers, then we had to hire staff, the person had to be on staff, it became -- and then how many people do we have now working just on the computer side of this Legislature? There's, you know, four or five people working just on that side, which is, you know, under BRO, they work for BRO. But it was something that was thought out and budgeted for.

We are going into this thing -- if we are going to make it work, first of all, we need more than 60 days, you know, that's number one. Number two, I don't think anybody objects to us being on TV, it's how they implement that bill in terms of money, you know? And everybody is always talking how tight money is. If we're going to do it, we're going to have to either give Mr. Laube a lot more staff. Okay. And we heard today from Zabby that this is something we have to do in-house, we can't outsource it, according to you. That's what Zabby said, you can't outsource it. We have to do it in-house, which means, I can guarantee you, you're going to have to have at least four people, you know, to do this in the Legislature. This is -- you know, this is something you are going to have to do.

You have vacations, people get sick, you have to have backup, somebody who just knows the repair side, somebody who knows how to -- the cameras. You know, this is actually what happened on the computer side in this Legislature. We started with, you know, one guy, then it became that we needed a network guy, then we needed a repair guy, then we needed this guy. And before you knew it, we had a full staff working the computer side. My thing is, like, you know, if you're going to do this, let's think it out, let's see where we're going to find the money, how much it's going to cost. And, you know, it's going to take more than 60 days.

**MS. ZABBY:**

It's the thinking of --

**LEG. MYSTAL:**

Zabby, quiet. Quiet, Zabby.

**CHAIRMAN D'AMARO:**

I'm going to ask that you not speak out from the audience, please. Okay. I'm going to ask that you not speak out again from the audience. Thank you. Okay. Next is Legislator Romaine. Please, go ahead.

**LEG. ROMAINE:**

Thank you. First of all, I'm going to give a little history lesson, and there's some people in this room that still might remember; Mr. Kent, who was an aide to Legislator Blass, George Nolan who served in the Legislature, and Elie Mystal who was an aide to Maxine Postal. The Clerk -- when I served in this Legislature 22 years ago, you went to a committee meeting -- and by the way, we met twice a month. So every meeting -- every week you were either at a Legislative meeting or a committee meeting. When you went to a committee meeting, at the next committee meeting, the minutes, verbatim, were there, hard copy, we voted on the minutes. We went through them, we made any corrections to the minutes, and we approved them. I think you gentlemen will all concur with that.

We've obviously gone backwards since them. And this is no fault to our Clerk, who I know is hardworking and an industrious person, and I have great respect for the Clerk's Office. But obviously, there's been a change and we're not as up to date as we should be. And that's when we didn't have computers and everything else.

So now let's talk about TVs. I represent four towns; Brookhaven, Riverhead, Southold and even small little Shelter Island. Every one of them televise. They don't have experts or geniuses running the cameras. They have someone from the Parks Department. Unless you are out in Shelter Island -- they have one camera mounted in the back of the room, and when the meeting starts, the Supervisor hits the remote control and starts the camera. When the meeting ends, he stops the camera. If they take a break, he stops the camera and then starts it again when the meeting begins. This isn't rocket science.

And to claim -- to claim that we need more research, more time -- I almost feel like people don't want to see themselves on TV because some of the issues that are debated might -- might not carry public opinion with them like the majority thinks it may. I think if we open this up -- I watch -- you know, occasionally when I'm flipping the channels, I like to watch my town board, the Brookhaven

Town Board. They have one camera. It's on the side of the room. If your District One, if you're Steve Fiore Rosenfeld, you get on TV. If you're all the way where Carolyn Bissonette sits or soon to be Keith Romaine, you're not going to get that much, because you're at the end.

They have a Parks Department guy run that camera. I mean, they don't have -- maybe the guy has some expertise or had a little bit of training, but this is not rocket science. This is -- we all have DVD cameras where we film and we can put them in TVs and watch our family. I mean, what's you're talking about, you may not even need anyone to operate these cameras. They may be remote controlled. And you may have three cameras, and they may be remote controlled. If you want a little bit more sophisticated system, maybe you do need someone. But the training level is not extensive, it's not demanding.

And if small little towns, a town of 2500 people like Shelter Island can do this, because they know their citizens actually watch these TV things, I have a lot of seniors there, and they like to see what their town government does, because it makes it closer to the people. This Legislature is not close to the people. Years ago, we had a newspaper that would report a great deal of our activities. It doesn't report as much. Things have changed in the newspaper business. Someone said, "Well, we have a verbatim, you know, streaming video on computer," people aren't tuning in. But if we're on TV, we'd get the insomniacs probably and we'd get the channel switchers.

But slowly but surely, people would realize there were things that they could watch about their local government. And some people -- and granted, it's a small minority, but nevertheless, it would be available to all. You could see what people were talking about, you could hear the passion or lack of passion, you could hear the commitment or the ability to try to foot drag in debates in the Legislature. I think it's a very healthy thing. I think it absolutely can be done. And if other towns can do it, why not us?

It begs the question, it begs the question, and no one is answering it, what they are putting up is road blocks, concerns, regrets. But for so long, no one has heard our voice. I'd like our constituents to hear some of the issues we debate. I'd like our constituents to hear that many of the Legislators; considerate, careful, intelligent in the debates that they have about some of the issues of the day. And I think it would be an eye-opening experience for them. And it would help us communicate with our constituents. I'm sure we'd get a lot more constituent interaction if we were televised. And they would talk to us about their concerns and what they see at the Legislature. So I'm fully in favor of this. And I fully intend to support this and oppose tabling.

**CHAIRMAN D'AMARO:**

All right. Thank you, Legislator Romaine. Legislator Browning.

**LEG. BROWNING:**

Yeah. Maybe BRO can respond. Do we have a cost? What would it cost us? Do we have this currently in our budget? And if not, where would we find the offset?

**MR. REINHEIMER:**

Okay. Budget Review has done an extensive analysis of this, Allen Fung in the technical area has done this. The financial impact is based on his study. His estimate of equipment that would be required is \$134,387. From recollection, that's two or three cameras with a remote so that somebody outside this room could do the taping and following the proceedings with more than one camera.

In addition to that, if -- and based on what the Clerk said; additional staff -- he costs -- we costed out two positions; Grade 17, which is a midlevel, entry level run position. And two positions starting in 2008, including fringe benefits and salaries, \$115,000 and change. As far as finding the funds for funding these positions in the 2008 Budget, we would have to look in the Legislature to see if we have surplus appropriations based on current staffing levels and future planning staffing levels.

If there were no funds within the Legislature, you know, the Legislature does have the option to look at the budget, General Fund, and see if there are any surplus appropriations. If it's their desire to amend the Operating Budget and transfer appropriations into the Legislature, that's a policy decision.

**LEG. BROWNING:**

Okay. You know, because if we're going to look for offsets, where are we going to do offsets? Are we going to lose our newsletters? And, you know, one of the things is not everybody has cable. A lot of people have satellite. Satellite TV users do not get to see the Channel 18 in the Town of Brookhaven. And my concern is if we have to take away maybe something else in the Legislature, like maybe our newsletters, that now we're not going to be able to get the message out to all of our constituents.

I don't know how many residents in my district have cable versus satellite. So we're not going to reach all. How do we get it -- I'm saying we should be doing televised like the Town of Brookhaven. However, I'm just curious how many people are using cable, how many people using satellite. Are we truly reaching out to everybody? Also, we have Sharon Cates-Williams from IT. Maybe we could get some of her expertise. Would she be able to respond?

**CHAIRMAN D'AMARO:**

Yeah. Absolutely. Legislator Browning, are you requesting that the Commissioner -- do you have a question for her?

**LEG. BROWNING:**

Well, I know she's looking at me, but maybe -- I don't know if she is the expertise to respond on that.

**CHAIRMAN D'AMARO:**

Ms. Cates-Williams, welcome and good morning.

**MS. CATES-WILLIAMS:**

Good morning. I've been listening, and you know, if I had been prepared -- I'd rather come back to you with my thoughts about this instead of just talking off the top of my head.

**CHAIRMAN D'AMARO:**

That's fine.

**MS. CATES-WILLIAMS:**

I'd like to give an intelligent answer.

**CHAIRMAN D'AMARO:**

Okay. We appreciate that. Legislator Barraga, please go ahead.

**LEG. BARRAGA:**

Thank you, Mr. Chairman. On a personal note, I certainly agree with the Chairman in terms of the concept associated with the transparency of having TV cameras in here to record the proceedings. I've seen it done at other levels of government, and it works pretty well. A lot of it has to do with the way -- the methodology used when you're doing the recording.

I mean, obviously when you're sitting at a local township and you've got four or five members on a town board, you pan the entire board. When you're sitting here and there are 18 members of a County Legislature, it should be done a little bit differently once it's implemented. I mean, you should key in -- for example, if the Chairman is speaking, you key in on him. And if there's a respondent at the podium, that camera keys in on that person. It shouldn't be doing the whole group, panning everybody, because people get up and they do leave, and people get up and they do get a cup of coffee and people do bring their breakfast in. But they're here, and they're listening to

the people that they represent. That's just the way it is.

What concerns me about this, I'll be very frank with you, I will vote to support moving this out of committee to the General Session. But after listening to several people with reference to the fiscal ramifications associated with this, I'm not -- I'm not big in transferring funds. I come from a philosophy that says basically once we do a budget, it's up to the administration to deal with that budget. If they have a problem, they come back to us. Transferring funds and surpluses and all this business we do, I don't like it.

And you're talking right now, if I understand you correctly, you estimate the cost to be about a quarter of a million dollars to implement this. I want some fine tuning of this I'd say between now -- if we move it out of committee -- and the General Session to give me a better more specific idea as to what the real cost is, because frankly, we don't have a quarter of a million dollars.

**MS. ASTRUP:**

Mr. Chairman, can I speak to that?

**LEG. BARRAGA:**

No.

**CHAIRMAN D'AMARO:**

No. Please sit down. Thank you.

**MS. ASTRUP:**

Eighty thousand dollars.

**CHAIRMAN D'AMARO:**

Okay. One more time, if there is one more person who wants to speak from the audience out of line, and I'm including you, Miss, and if anyone else approaches this horseshoe during this committee meeting, you're going to be asked to leave. All right? It is my job to maintain the order of this proceeding, and I intend to do it. Okay. You would not want someone interrupting you while you are speaking, and we expect the same.

**LEG. BARRAGA:**

So the only thing I'd ask, if it does move along, if it's voted out of committee, that between now and the 18th, if it's possible for Budget Review to take a second look and see if that figure is true. If it's a quarter of a million dollars, then I want to reserve the right to vote in the negative, because we don't have a quarter of a million. All right. If it's a lot less, maybe we can do something, maybe we can work something out here. All right. Thank you.

**LEG. ROMAINE:**

Mr. Chairman, a short comment.

**CHAIRMAN D'AMARO:**

Yes, of course. Legislator Romaine, please go ahead.

**LEG. ROMAINE:**

Thank you very much. A very short comment. First of all, I concur with Legislator Barraga. And I would expect that the Budget Review would do a complete absolute report, because this has been a pressing issue. So I don't expect a response, but I do expect a report on our desk on Tuesday morning as to the effect of this if this is voted out. My next question to Budget Review is how many fully funded vacancies are there in the Clerk's Office currently?

**MR. REINHEIMER:**

We would have to look into that. I'm not really sure.

**LEG. ROMAINE:**

Are there fully funded vacancies in the Clerk's Office. Can I direct that question to the Clerk, if I may?

**MR. LAUBE:**

Off the top of my head, I know there's at least one; the Deputy Clerk that would serve out in Riverhead.

**LEG. ROMAINE:**

Is there any other vacancies in the Clerk's Office at this time that were in the budget?

**MR. LAUBE:**

I would have to look at the budget itself to see exact -- I know we have a couple of part-time positions that we haven't filled. But my estimate -- in my estimate, the Clerk's Office is perfectly staffed right now to do the task at hand.

**LEG. ROMAINE:**

No, I'm not saying that. But if there's money that has been appropriated that's in the budget where there are vacancies, in essence, that money could be used without adding one penny to this budget. Without adding one penny to this budget, those monies could be used for staffing to operate this machinery, and we would not add one penny to this budget. We've appropriated that money for your office. It's not being used now. It could be for this purpose. And I just make that available, because I know Tom's concerned about fiscal restraint. If we voted to put this money in for the Clerk's Office and it's not being used, it could be used for this purpose without adding one penny to the budget. Thank you.

**CHAIRMAN D'AMARO:**

Yes. Legislator Kennedy, please go ahead.

**LEG. KENNEDY:**

Mr. Chair, I've listened to the debate, and this committee always vets its issues comprehensively, and I respect all of the concerns of my colleagues. My intention with this bill -- let me clarify -- certainly is not to go ahead and incur an additional quarter million dollars worth of expense. I will today get the specifics associated with the Smithtown filming process, including the price tag in the bill. I will make it available for BRO.

Secondly, absolutely, positively, unequivocally, I do not support contracting out. And if I have to put language in this bill that bars or precludes that, I'll do that. If it's the intention and the will of this committee to not pass this bill today and it sunsets due to the calendar, I'm going to reintroduce in January. And I will clarify that in no way, shape or form do I support this function being contracted out. It is a function that's done in our Community College, it's a function that civil servants do throughout municipalities, throughout the State and throughout the nation. And I do not support contracting out civil servant positions. Thank you, Mr. Chair.

**CHAIRMAN D'AMARO:**

All right. Not for the record our Presiding Officer, Legislator Lindsay, has joined us. Legislator Lindsay, good morning. Please go ahead.

**P.O. LINDSAY:**

Good morning. I am a little tardy this morning, I got help up at my District Office. But coming down the corridor, I heard Legislator Romaine's statements about this. Earlier in the year, Legislator Romaine passed a resolution to do a study as far as this is concerned. We have been moving forward with that resolution to complete it. It is pretty much complete, we just have to tie the pieces together.

And I intend on having a full presentation before the whole Legislature at our first regular meeting in

the new year. And I would ask before moving forward with any resolution to appropriate money, to do anything, that you hear the results of the study that's been going on all year long. I think that's a much more reasonable way to proceed. And I said this to Legislator Kennedy last week; there is no effort here to stymie this legislation. I just think it's appropriate that we hear what the results of our staff have been researching before move forward with any appropriation.

**CHAIRMAN D'AMARO:**

Okay. Thank you, Legislator Lindsay. We are now at a point where we have a motion to table pending as well as a motion to approve. And the motion to table takes precedence. I'll call that vote. All in favor? Any opposed?

**LEG. BARRAGA:**

Opposed.

**LEG. ROMAINE:**

Opposed.

**CHAIRMAN D'AMARO:**

Two opposed; Legislator Barraga, Legislator Romaine. Any abstentions? The motion to tabled carries. **TABLED (VOTE: 4-2-0-0 - Presiding Officer Lindsay voted; Opposed - Legis. Romaine and Barraga)**

**LEG. KENNEDY:**

Thank you, Mr. Chair, for entertaining the dialog.

**CHAIRMAN D'AMARO:**

Thank you, Legislator Kennedy, for joining us. Okay. That was 2069 -- I'm sorry, that was 2070. And we are now going forward with the resolutions that have been tabled on the calendar.

**2148. Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Pei-Wen Liao (ROMAINE).**

Legislator Romaine?

**LEG. ROMAINE:**

Motion to approve.

**CHAIRMAN D'AMARO:**

There's a motion to approve by Legislator Romaine, seconded by Legislator Mystal. I'll call the vote, All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0-0-0).**

**2153. Sale of County-owned real estate pursuant to Local Law 13-1976 Budget Estates, Inc. (COUNTY EXEC).**

I've previously filed a recusal notice with the Presiding Officer as well as the Clerk. I'm going to turn the proceedings over to Legislator Mystal, our Vice-Chair.

**LEG. MYSTAL:**

I make a motion to approve.

**MR. KENT:**

Legislator Mystal, I'd like to ask that we table this. There is still some conflicting information regarding possible affordable housing on this property, so I would like to clarify that.

**LEG. MYSTAL:**

I make a motion to table, seconded by Legislator Barraga. All in favor? Opposed? Abstentions?

Motion is **TABLED (VOTE: 4-0-0-0-1 - Recusal; Legis. D'Amaro)**.

**CHAIRMAN D'AMARO:**

Thank you, Legislator Mystal. Now, turning to Introductory Resolutions on the agenda.

**2235. Authorizing the sale, pursuant to Local Law 16 -1976, of real property acquired under Section 46 of the Suffolk County Tax Act- estate of James H. Bedell (COUNTY EXEC).**

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

**2236. Authorizing the sale, pursuant to Local Law 16 -1976, of real property acquired under Section 46 of the Suffolk County Tax Act - Colin J. Glinsman a/k/a Colin Glinsman (COUNTY EXEC).**

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

**2237. Authorizing the sale, pursuant to Local Law 16 -1976, of real property acquired under Section 46 of the Suffolk County Tax Act - Richard Pelliccia and Santo Pelliccia, Jr. (COUNTY EXEC).**

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

**2238. Authorizing the sale, pursuant to Local Law 16 -1976, of real property acquired under Section 46 of the Suffolk County Tax Act - Scott C. McGuire and Stacy D. McGuire, his wife (COUNTY EXEC).**

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

**2252. Consenting to the acquisition of additional land at Mt. Pleasant Road, Town of Smithtown, County of Suffolk, State of New York, by the Roman Catholic Church of St. Patrick at Smithtown for cemetery purposes (KENNEDY).**

I'll offer 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. Mystal)**

**2267. Amending the 2007 Capital Budget and Program and appropriating funds in connection with the acquisition of a Disaster Recovery Project (COUNTY EXEC).**

And Commissioner Cates-Williams is with us this morning. Thank you, Commissioner, for coming down. Would you like to comment on this resolution?

**MS. CATES-WILLIAMS:**

Yes. I have some handouts.

**CHAIRMAN D'AMARO:**

Please go ahead.

**MS. CATES-WILLIAMS:**

Good morning. I'm here to discuss Resolution Number 2267-2007, which is the appropriation authorizing -- I'm sorry -- amending the 2007 Capital Budget and Program and appropriating funds in the amount of 400,000 in connection with the acquisition of a Disaster Recovery Project. I've just handed you a handout that explains exactly what we're trying to accomplish here.

This is Phase I of the County-wide Disaster Recovery Project, and the purpose is to buy necessary hardware, software and storage equipment to support this project. In particular, it covers the critical applications, services and data supported by my department, the Department of Information Technology. It covers the purchase of software and equipment to facilitate data replication and serve a consolidation between the Hauppauge and the Yaphank data centers as well as microwave relay equipment to transfer data amongst the Hauppauge and Yaphank facilities.

Now, what does all of that mean? If you look at the back, the very last page of your handout, you will see the breakdown of the four items that we would like to purchase with these funds. And as you'll notice, there's a savings of \$450. So what we're trying to do -- and I refer you to your first slide -- is we're trying to replicate data from the Hauppauge data center and from the Yaphank data center going back and forth. Now, at the Hauppauge data center, which is where my department is located, we currently back up data on what we call a SAN storage device. And the acronym is SAN, and that stands for a server storage device (sic). And that's a big device where, you know, all of this data is sent. Just to break it down in layman's terms.

We're currently backing up data from the Health Department, but only their Patient Care data only, the Exec's Office, DPW, Real Property, Planning, Real Estate, Civil Service and Economic Development. That's what we're currently backing up. But one of the things that we want to do is expand this device so that we could offer backup to other departments that are not currently backing up into the data center, and that would be departments such as the Department of Social Services, the DA's Office, the Labor Department, the Leg and also the Clerk's Office. Those particular departments currently back up their data to tape, and they have their own solution for storing these tapes. But a better solution would be for their data to be replicated into the Hauppauge data center, and that data would be sent to the Yaphank data center. So there would be two different locations where this data is sitting.

So essentially, if the Hauppauge data center is down, I can rely on the Yaphank data center for all of my data and vice versa. Yaphank currently backs up only the Public Safety data. That's the data that's coming out of the PD Department. So a part of this would be to expand the two SAN storage devices; the one that currently sits in Hauppauge and the other one in Yaphank. And that's what your first slide is essentially showing you.

In order to do this, one of things that I'm trying to accomplish here in the County is called VM, which is Virtual Server Consolidation (sic). And the way that that works is in the past, we always put an application per server. No matter what you purchased, the application sat on a dedicated server. And that's the way technology worked for many, many years. If you talked to a vendor, they would always tell you that you needed a dedicated server. But technology has advanced now, and we don't need all of these servers sitting around. For example, the Health Department has about 60 servers just sitting there, each with dedicated applications on it. So what that means is if I'm not using that application, that server is just sitting idle, and there's space available that could be used for something else.

But with VMware what you do is you take -- you can take three applications and store them all on one server, and they're partitioned, if you think of it as three separate rooms. They're put in three separate rooms, they don't touch each other. So the concerns that we have had in the past about a business critical application sitting on the same server with something else is -- no longer applies.

When you move to a Virtual Server environment, what you're essentially doing is you're increasing your hardware utilization, you're reducing costs, because you have fewer systems, you're using less power, less cooling, you're lowering your IT resources, meaning your licenses, your need for multiple licenses because you're not carrying all of this extra hardware. And also, for the infrastructure itself, I don't need all of these racks, and I don't need all of these switches, I'm reducing everything.

Now, it takes time to move towards a complete VM environment, but with this project, we're going to start it in the Hauppauge data center and start reducing the amount of equipment that we have there. Now the question may be what are we going to do with all of this equipment as we reduce it? Well, we're going to use this for DR in other facilities. The Police Department is looking at the 3rd Precinct, and instead of having them purchase hardware to put in that precinct, they will be able to recover some of this hardware that we will have coming out of the Hauppauge data center after we do the virtualization. Are there any questions? I know I'm going through this kind of quickly. And this is just the first part. Yes.

**LEG. ROMAINE:**

This is going to be between Yaphank and Hauppauge, so if something happens with Hauppauge, the data won't be lost, the computers will still be utilized in Yaphank.

**MS. CATES-WILLIAMS:**

Yes.

**LEG. ROMAINE:**

When do you anticipate that reaching Riverhead, between Hauppauge and Riverhead?

**MS. CATES-WILLIAMS:**

Okay. Riverhead will be the next phase. And the capital project has, I think, another \$1.2 million in it. That will be Phase II. After we do the renovation of the Riverhead data center and we get all of the equipment that's located in that building in one central room, we're going to have to put a SAN storage device out there and start replicating all their data on that device, and then we will replicate it across the other three campuses. Now currently, each one of the departments in Riverhead, they're backing up their data to tape. They've been doing this, it works.

**LEG. ROMAINE:**

The Clerk's Office is backing their data up to tape?

**MS. CATES-WILLIAMS:**

Yes.

**LEG. ROMAINE:**

Okay. What type of tape is that?

**MS. CATES-WILLIAMS:**

I'm not exactly sure of what Pete is doing. Pete has got that covered.

**LEG. ROMAINE:**

Because I don't think we're backing it up to tape. I think that we're replicating it over in the other Sheriff's Office.

**MS. CATES-WILLIAMS:**

Okay. That may well be.

**LEG. ROMAINE:**

So we're not backing it up to tape. So that's incorrect.

**MS. CATES-WILLIAMS:**

Okay.

**LEG. ROMAINE:**

Let's talk about Yaphank.

**MS. CATES-WILLIAMS:**

I really don't know what the Clerk is doing to tell you the truth.

**LEG. ROMAINE:**

Okay. Let's talk about Hauppauge and Riverhead. How much down time is there when someone is searching, let's say, land records, deeds, mortgages, liens, judgments, court records?

**MS. CATES-WILLIAMS:**

From Hauppauge and Yaphank?

**LEG. ROMAINE:**

From Hauppauge. Because we have, what? What do you have there that connects Hauppauge with Riverhead; a T-1 line, a T-2 line, what do you have?

**MS. CATES-WILLIAMS:**

It's a T-1.

**LEG. ROMAINE:**

A T-1 line. Okay. And how much down time --

**MS. CATES-WILLIAMS:**

And we also have fiber.

**LEG. ROMAINE:**

Right. I know you have fiber. How much down time do you have? How much -- how many times do you get a call from the Clerk's Office or Real Property Tax Service Agency or the Treasurer to say, "Guess what? Computers are down, no one can use it, no one can access information"?

**MS. CATES-WILLIAMS:**

The Clerk's Office has had problems with their internet connection being down. Is that what you're referring to?

**LEG. ROMAINE:**

No, not the internet connection. I'm talking about the T-1 line, the connections from Hauppauge to Riverhead.

**MS. CATES-WILLIAMS:**

I'm not aware of what you are referring to. If you -- you know, if you have any specifics, I'm not aware of that.

**LEG. ROMAINE:**

I'll be happy to forward you the specifics.

**MS. CATES-WILLIAMS:**

Okay. That would be good. I am aware of them --

**LEG. ROMAINE:**

When I was Clerk --

**MS. CATES-WILLIAMS:**

-- having problems with the internet connection --

**LEG. ROMAINE:**

-- we had numerous down times --

**MS. CATES-WILLIAMS:**

-- being down, but I'm not aware of what you're talking about.

**LEG. ROMAINE:**

-- and we had to call Hauppauge all the time. And we had nothing but complaints from down time.

**MS. CATES-WILLIAMS:**

Mr. Romaine, are these current complaints, or are you talking about in the past?

**LEG. ROMAINE:**

In the past. I haven't been Clerk for the last two years.

**MS. CATES-WILLIAMS:**

In the past. Okay. Okay. He's talking about in the past.

**CHAIRMAN D'AMARO:**

All right. I'm going to ask -- you know, let's stay on topic. We're discussing authorizing the purchase of, I believe, hardware for disaster recovery equipment or part of -- this is an ongoing capital project, is it not, Commissioner?

**MS. CATES-WILLIAMS:**

Yes, it is. And this is Phase I.

**CHAIRMAN D'AMARO:**

And this is Phase I, and the planning steps have already been taken. This is now to implement to begin the purchasing?

**MS. CATES-WILLIAMS:**

Yes.

**CHAIRMAN D'AMARO:**

Okay. Is there anything else you would like to add?

**MS. CATES-WILLIAMS:**

The only other thing that I wanted to point out was the Microsoft Operations Manager. What that is going to do, it will give us 24 by 7 centralized system management and monitoring from the Police Department. The police are there -- they have an IT staff that's there 24 by 7, whereas we don't have that. So what we're trying to do is have the police -- we want to install this MOM Software so the police can monitor our systems when we're not there and notify us by BlackBerry if a system is down.

What happens right now is if something goes down overnight, unless I get a call from someone who -- you know, who may know about the outage, we don't know until the morning. This will allow the police -- they will know overnight, and they can notify the vendor. For example, if it's Verizon related, they can get Verizon on the phone and get Verizon working on the problem before we come in at 7:00 and have Verizon working on the problem. So that's what that's going to accomplish.

**CHAIRMAN D'AMARO:**

Okay. Very good. Is there a motion pending on this? All right. I'm going to offer a motion to approve.

**LEG. BARRAGA:**

Second.

**CHAIRMAN D'AMARO:**

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

Commissioner Williams, thank you very much.

**MS. CATES-WILLIAMS:**

Thank you.

**CHAIRMAN D'AMARO:**

**2270. Authorizing the sale, pursuant to Local Law 16 -1976, of real property acquired under Section 46 of the Suffolk County Tax Act - Robert M. Lockel and Tamara Lockel (COUNTY EXEC).**

I'll offer 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: 5-0-0-0).**

**2271. Authorizing the sale, pursuant to Local Law 16 -1976, of real property acquired under Section 46 of the Suffolk County Tax Act - Gregory M. Thomas and Kristine J. Thomas, his wife (COUNTY EXEC).**

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

**2279. Authorizing the issuance of a certificate of abandonment of the interest of the County of Suffolk in property designated as Town of Islip pursuant to Section 40-D of the Suffolk County Tax Act (COUNTY EXEC).**

This resolution, it's my understanding, that the property should not have been taken in the first place. There was a misapplication of taxes.

**MR. KENT:**

Yeah. I believe the town misapplied the receipt of taxes. So it's been corrected now, and we're abandoning any interest we may have had in the property.

**CHAIRMAN D'AMARO:**

Okay. I'll offer a motion to approve, second by Legislator Mystal. All those in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0-0-0).**

**2287. Authorizing certain technical corrections to Adopted Resolution No. 979-2007 for Pronto of Long Island, Inc (ALDEN).**

This resolution changes the unit number. It was just an error in the bill. I'll offer a motion to approve and place on the Consent Calendar, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

**2290. Authorizing a license for use of County property in Southampton by the United States Coast Guard (COUNTY EXEC).**

**CHAIRMAN D'AMARO:**

Legislator Browning.

**LEG. BROWNING:**

I'm looking, it says Yaphank on the bill.

**CHAIRMAN D'AMARO:**

Oh, I'm sorry. The bill has been amended to say Southampton. That was done yesterday, I believe. This is to permit license of small parcels for the Coast Guard use along the Shinnecock Canal. Motion by Legislator Mystal to approve, seconded by Legislator Barraga. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0-0-0).**

**2292. Authorizing certain technical corrections to Adopted Resolution No. 1118-2007 (COUNTY EXEC).**

I'll offer a motion to approve and place on the Consent Calendar, seconded by Legislator Mystal. All in favor?

**MR. KENT:**

Excuse me. I'm sorry. I'm not sure if this is necessary. When I went back and looked at IR 2042 that was -- that was laid on the table October 16th of 2007, I have a corrected copy, and I think that was the one that was approved by the Legislature.

**CHAIRMAN D'AMARO:**

Right now we're on Resolution 2292.

**MR. KENT:**

I know.

**CHAIRMAN D'AMARO:**

All right. And that's correcting --

**MR. KENT:**

This is correcting Resolution 1118.

**CHAIRMAN D'AMARO:**

1118. Right.

**MR. KENT:**

But when I went back to pull that, because this is a Real Estate resolution --

**CHAIRMAN D'AMARO:**

Okay.

**MR. KENT:**

-- the IR number on that resolution was 2042. And I have the correct acreage and lot number on my copy, so I was confused.

**MR. NOLAN:**

What is the correct acreage?

**MR. KENT:**

.20, instead of .09.

**MR. NOLAN:**

Okay. Because the correcting resolution changes it to .09.

**MR. KENT:**

Hold on a second.

**CHAIRMAN D'AMARO:**

We're correcting the corrected resolution.

**MR. NOLAN:**

And there's also a change in the tax map number.

**MR. KENT:**

Okay. I take that back. I was looking at the incorrect one. The corrected resolution I have in the back of my packet here. It does have the right acreage and the right lot number. We have the right one, and it just didn't get adopted correctly.

**MR. NOLAN:**

Resolution 1118, which is backup to this resolution, says .20 acres.

**CHAIRMAN D'AMARO:**

And we're changing that to .09.

**MR. KENT:**

Okay. I mean, I had it, so probably it was my mistake back in October. Sorry about that.

**CHAIRMAN D'AMARO:**

Okay. I just want to make sure, though, that the corrected resolution we're passing today has the accurate information. Do we both agree on that?

**MR. KENT:**

It should be .09, and it should be lot four.

**CHAIRMAN D'AMARO:**

Okay. Very good. All right. Motion to approve -- I'll offer a motion to approve and place on the Consent Calendar, seconded by Legislator Mystal. Once again, all in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0)**.

**2295. Authorizing certain technical corrections to Adopted Resolution No. 1292-2005 (COUNTY EXEC).**

I'll offer same motion, same second.

**MR. VAUGHN:**

Pardon me, sir. We've been advised by the County Attorney's Office to ask that this resolution be tabled, 2295.

**CHAIRMAN D'AMARO:**

Do we know why? It just needs further revision?

**MS. LOLIS:**

Unfortunately, I don't know the specifics. I just know that they are working on it, and there's something wrong with this particular one before you that needs to be revised.

**CHAIRMAN D'AMARO:**

All right. This is a technical correction. I'll offer a motion to table, seconded by Legislator Mystal. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0-0-0)**.

We are now going to go into Executive Session. We will be back. I'll offer a motion to go into Executive Session, seconded by Legislator Mystal. All those in favor? Opposed?

(\*AN EXECUTIVE SESSION WAS HELD FROM 11:06 A.M. UNTIL 11:26 A.M.\*)

**CHAIRMAN D'AMARO:**

Okay. We're back from Executive Session. Motion to adjourn, seconded by Legislator Barraga. All in favor? Opposed? Abstentions? Motion carries. Thank you. Have a nice day.

(\*THE MEETING WAS ADJOURNED AT 11:26 A.M.\*)

{ } DENOTES BEING SPELLED PHONETICALLY