

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 September 10, 2008.

MEMBERS PRESENT:

Legislator Lou D'Amaro - Chairman
Legislator Brian Beedenbender - Vice-Chairman
Legislator Cameron Alden
Legislator Lynne Nowick
Legislator Vivian Vilorio-Fisher

ALSO IN ATTENDANCE:

George Nolan - Counsel to the Legislature
Gail Vizzini - Director - Budget Review Office
Barbara LoMoriello - Deputy Clerk of the Legislature
Ben Zwirn - Deputy County Executive
Christine Malafi - County Attorney
Lynne Bizzarro - Deputy County Attorney
Linda Bay - Aide to Minority Leader
Paul Perillie - Aide to Majority Leader
Gary Quinn - Department of Information Technology
Doug Miller - Department of Information Technology
Chris Kent - Director - Department of Real Estate
Debra Alloncius - AME
All other interested parties

MINUTES TAKEN BY:

Donna Catalano- Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 10:07 A.M.*)

CHAIRMAN D'AMARO:

Okay. Ladies and gentlemen, good morning. I'd like to start as soon as possible this morning. Will you all rise and join the committee in the Pledge of Allegiance led by Legislator Vilorio-Fisher.

SALUTATION

CHAIRMAN D'AMARO:

There is a groundbreaking ceremony being held across the street at 10:30 today. The committee is going to recess at 10:30 to give members an opportunity to go over and participate in that important ceremony, and then we'll come back promptly -- hopefully around 11:15 to continue with the committee meeting this morning. So I'd like to go right to the public portion. We have one card this morning. And then after that, I would like ask Mr. Gary Quinn to come up so we can have a dialog with him. He's been proposed or nominated as the new Director for the IT Department here in Suffolk County. So the first speaker in the public portion this morning is Debra Alloncius. Good morning.

MS. ALLONCIUS:

Good morning, Members of the Committee and Chairman D'Amaro. I'm here before you today to stand in support of Resolution Number 1669. And I wish to say on behalf of AME and Cheryl Felice that the RFP process and the oversight, to me, the Legislature is missing out of this piece.

I have been listening to the dialog going back and forth where you do have copies, you don't have copies, it's on a drive, it's not on a drive. It's kind of confusing to follow. But the RFP process to me needs some close scrutiny. There are so many things happening; the Suffolk Health Plan coming out of the budget, the whole RFP process you were not involved in; JJ Foley. We could go on and on and on. I just -- we think that the Legislature is a very strong -- I mean, it's a two-branch -- two branches of government here, and one branch is sorely missing on some ideas and input into the RFP process.

I would also like to speak on 1633[.]. I think it's kind of moot now. I think the Legislature is very much involved in the JJ Foley -- in the possible sale of the JJ Foley, which we hope does not come to fruition. However, again, it's important for you to have the oversight. The Legislature is missing a tremendous amount of oversight and the ability to have some input into so many issues that are so important to you. I would really like to see 1669 moved out of committee and not keep being tabled. Thank you. Have a good morning.

CHAIRMAN D'AMARO:

Thank you, Ms. Alloncius. We appreciate your comments as always. I'm informed by Counsel that one of the bills refer to, 1669, which addresses the RFP process, was amend yesterday, therefore, is not eligible to be voted out of the committee today. All right?

MS. ALLONCIUS:

Okay. Thank you.

CHAIRMAN D'AMARO:

Next, I'd like to ask Mr. Gary Quinn. Mr. Quinn, good morning. If you'd like to have a seat at the table. Is there anyone else here who would like to address the committee this morning?

MR. P. QUINN:

Good morning. Peter Quinn. I simply wanted to add my comments to the Charter Law proposed change about RFPs. It's been my experience with RFPs as I've dealt with LIPA that all too often, the powers that be don't scrutinize the companies in terms of determining their eligibility to actually

participate in the RFP process. In that sense, I mean think don't disclose financial information or their past legal history as they seek to win a potential bid.

And I'm alarmed that the language "proprietary and confidential" is far too often used as a way of not disclosing financial information. I have no quarrel with companies claiming intellectual property rights, but when it comes financial disclosure, all too often neither Legislators or public officials or any State or County agency doesn't get the adequate disclosure to tell whether or not these companies have been involved in fraudulent activities or -- and I know and understand that they want to keep information from their competitors, but I think when an agency of government goes -- has an RFP from a company, then there are ought to be written on the RFP that there be financial disclosure. That's a simple proposal it seems to me that ought to be considered in your Charter revision changes. Thank you.

CHAIRMAN D'AMARO:

Okay. Thank you. Is there anyone else who would like to address the committee this morning? For the record, there's no further response. Mr. Quinn, welcome to you as well and good morning. You have been referred to this committee to have a dialog with us concerning your nomination as Commissioner of the Department of Information Technology here in Suffolk County. And I'd like to invite you to make an opening statement to the committee if you'd like to.

MR. G. QUINN:

Thank you very much for having me here this morning before your committee. I look forward to the opportunity to work with the Suffolk County -- or for Suffolk County in addressing the information technology needs of the County and its constituents.

I believe everyone has a copy of my background. And I would like to offer an opportunity to discuss that if need be or questions about my experience. Although my resume probably indicates more of a say sales or revenue generation aspect, a little further down, my career has kind of varied. I started out as a development person in the R&D Organization, Research and Development, actually writing products. As time went on, I moved through the ranks in different development centers, and the ultimately was asked to take on the Information Technology Department for the company in 1996.

During that time, and I'll focus on that specific area from 1996 to 2000, my responsibility included Information Technology Department worldwide. I had approximately 700 employees working for me with a budget of about \$150 million. As time went on through that period, other departments came under my directions, including Human Resources, and Facilities and Real Estate as well as some nice things like the Child Development Centers and corporate philanthropy.

As part of that information technology role, I was asked to transform the company from a primarily mainframe-based -- if you know what kind of that means, it's kind of, like, an old style computer, there's not a lot of movement around for employees to demonstrate products or to go outside of a facility without having a hardwire. So I was asked to go to out and look at the technology that we had in place and to adapt that technology for the company as it is evolving.

So we went now from 12 different mainframes worldwide to a single location here on Long Island over in Islandia. We had a backup center in Chicago. We originally had one in Princeton, New Jersey, but we felt that if a hurricane hit the East Coast that probably wouldn't work out too well, so we actually set up an additional backup center there. We additionally reviewed the entire network of the company, which was kind of old style and brought it into the forefront. Now, you've got remember this is 1995 and '96, not 2008. So there were a lot of changes going on.

So we inventoried that, inventoried the types of systems that we ran our applications, we inventoried our applications, and then we basically made appropriate changes reusing monies that we had without expanding the size of the budget. We did not invest heavily as a company in information technology, although we were a technology company. We invested most of our money

into research and development for new products for customers. So I believe that I have the ability to come and manage the County's Information Technology and its applications, its platforms and the people to serve you and the people of Suffolk County.

CHAIRMAN D'AMARO:

Very good. Thank you. Just one quick comment from me and I'll open it up to the other committee members. Information Technology is really charged -- the overall mission is to just ensure the adequate flow of information throughout Suffolk County and the within Suffolk County Government. That becomes particularly important during times of a crisis or an emergency. And what I would expect from this department is to continually be evaluating where we are at now, especially when the technology is always rapidly changing it seems, at least from a layman's position, where are we at now, and what's out there that can cost effectively be implemented in order to approve our ability to keep that flow of information going especially during emergency times. Do you have any thoughts on that?

MR. G. QUINN:

Your comments about information always be available to ensure that the County can continue to execute its services to the people of the County, I haven't had an opportunity to actually look at what currently is in place for, say -- most people talk about disaster recovery, which is primarily the replication of the actual environment that the information resides on.

So today, maybe we have that here in Hauppauge, and maybe it resides in another location in Suffolk County, and there's, like, kind of a constant replication or updating on a continual basis. So if one center went away, for a number of reasons, it could be electricity failures, it could be that somebody was out and, you know, digging in the ground and kind of cut a cable, it could be because a building had a flood, in addition to things like a hurricane or a 9/11 type disaster where you have significant impact to the environment.

You need to look at -- I would need to look at that. I would look at that right away and see what we currently have in place; is it adequate, and then you need to do ongoing testing of that environment to ensure that -- a lot of people think that although they do it on paper, they don't actually execute that. You typically do that on an off-hour situation, on a weekend, to ensure that really if we shut everything down, if we turned off the power to the building over here in Hauppauge, could everybody technically continue to work to a certain level?

And then the next part of that is, is business continuity, which is although we have the environment replicated, there's people who use the environment. And many times, those people are in a building that maybe was damaged or was unreachable, and now where do they go to actually serve the community? So in our case, when we originally had one in Islandia and in Princeton, New Jersey, people would, you know, drive -- theoretically drive down the Turnpike to Princeton, New Jersey.

Well, what happens if you weren't able to cross a bridge? Nobody thinks about that. So we eventually moved our facility out to Chicago, and then we had other people tasked locally there to execute that environment as well as people from a -- say, taking support calls from customers, answering questions about contracts or information. You know, you have to define what is ultimately necessary to ensure that the County remains running.

CHAIRMAN D'AMARO:

So is it fair to say that your experience is not only in the strategic planning in how to deal with, let's say, an emergency situation from a technology standpoint, but also, you have specific knowledge of the technology itself and you've had hands-on experience in choosing technology; what works best, making those decisions and that of experience?

MR. G. QUINN:

Yes. My experience in CA in serving that company was to not -- I was very hands-on, okay? I actually traveled the country and the globe for CA and actually would say I pride myself when I

knew the colors of the wires in the closets in the buildings. The reason why you need to do that is at the end of the day, if I have to come and report to you or to the Legislature or to the County Executive, you know, we had this catastrophe and why didn't it work. You know, I can't say, well, gee I was relying upon this individual here. I'd rather know it firsthand, not that I'm going to be out there plugging every wire in the future, but at least know how is it put together, what services are required by the County and then address be able to address those personally as opposed to ultimately relying upon somebody else to do, and then say, gee, I don't know why Bob didn't do it today.

CHAIRMAN D'AMARO:

Thank you. Are there any questions from the committee? Legislator Viloría-Fisher, please.

LEG. VILORIA-FISHER:

Hi. Good morning. Thank you for being here. One of the frustrations I have as a Legislator representing constituents occurs when there are constituents who have files let's say in Social Services because they're receiving TANF grant, okay, and they have files there and that same constituent applies for Medicaid or perhaps food stamps, and there seems to go to be a disconnect in accessing the data that that person has input in different areas of County services. And sometimes we look at the big picture and, you know, look at big flashy programs like WIFI and looking at preparedness, but when we look at the individual person for whom we're providing services, We sometimes lose sight of how we can best address the needs of individual constituents.

I'd like to know what kind of programs you were involved in, of course, not in great detail, but in at general sense at CA that might translate to providing better interfacing of data here in the County.

MR. G. QUINN:

Okay. To understand the question, it's primarily there's information in multiple agencies and why we can't we get a single view of a Suffolk County resident, you know, when I happen to walk into a health care service or a social service or maybe even into a tax office, why can't I see information about this resident from all the different agencies.

LEG. VILORIA-FISHER:

Well, I don't want to go as far as taxes, but in a general sense, yes.

MR. G. QUINN:

This is not a unique problem at the County. It was program also at Computer Associates. We had, for instance. A customer, you wanted to say, have that single view of the customer to know, you know, what products they are using, are their bills up-to-date, what kind of support calls do they have or technical assistance they require, and maybe are there any opportunities going on from a sales perspective.

So you have sales, you have tech support, you have customer billing and you have the actual products that they use. And those all resided in separate systems and in separate departments within the company. And many times, what you wanted to -- technology wise, it's not that it can't be done, all right? In technology with software, you know, like, grand plans or grand applications can be written that can store all the information or access all the information in the existing systems today.

What happens is it's working with the individuals who own the departments, or in this case, of working with the agencies, because those people have build their department or build their agency, you know, to serve their customers or their residents. And a lot of times they feel that when they're trying to work across department or agencies, one, they lose control of the environment, which you think about, if I am serving people coming into my agency every day, I want to make sure that I'm responsive, I can get the information I need to do my job, I'm not really worried about some other agency, because they're not in that agency at this time. But it might be nice to know some background information regarding with one agency is doing with them in another.

There's also rules and laws about keeping data separate. You know, obviously in the case of legal issues or in health issues, need to keep those separate. But I think if you work with the people who own the agencies and see if there's some way to reach some common ground without giving up control and without giving up sensitivity of information, you can get some single views of those particular residents. It takes time, it takes effort and it takes people to work together. But as I'm sure you know, getting people to agree and figure out all the details sometimes takes longer than to actually implement the actual program itself.

LEG. VILORIA-FISHER:

When you're on board, I would love to see you sit with our Department of Social Services and see how we can try to streamline access to the kind of data that would help our constituents not have to fill out -- I know that there are some forms -- as you say, there are restrictions that we have; State mandates, etcetera, privacy laws that prohibit it, but I would like to see how far we can go in streamlining the application process, the waiting process and the type of information that we need.

Sometime an individuals has to verify salary, etcetera, but if they've done in one area of the Department of Social Services it would seem that they wouldn't -- shouldn't have to do it -- replicate that same type of input over and over again for various needs that they have. So it's something I would just urge you to help out with.

MR. G. QUINN:

I would love to take a look at that and see how we could do it. As a customer of the County myself, you know, I know you move from agency to agency, you fill out the same thing; I live at this address or I have this phone number or I have -- you know, there's a common things that I'm sure are not sensitive that could be populated around, but it just takes people getting together.

LEG. VILORIA-FISHER:

Thank you. Thank you.

MR. G. QUINN:

Thank you.

CHAIRMAN D'AMARO:

Very good. Okay. We have about two or three minutes left before we break. Legislator Alden, you had a question.

LEG. ALDEN:

I have a bunch of questions. Do you want me to go now or do you want to wait until after?

CHAIRMAN D'AMARO:

I certainly don't want to rush you through your questions. Mr. Quinn, do you have the time to wait for the -- through the recess?

MR. G. QUINN:

Sure.

CHAIRMAN D'AMARO:

Are you sure?

MR. G. QUINN:

Yes. No, that's fine.

CHAIRMAN D'AMARO:

We should be back within -- within the hour.

MR. G. QUINN:

Okay.

CHAIRMAN D'AMARO:

Is that all right with you?

MR. G. QUINN:

That's fine.

CHAIRMAN D'AMARO:

All right. Then I'll offer motion to recess, seconded by Legislator Beedenbender. All in favor? Any opposed? We will reconvene hopefully within about 45 minutes, maybe a little more. Thank you, sir.

(*A RECESS WAS HELD FROM 10:29 A.M. UNTIL 11:08 A.M.*)

CHAIRMAN D'AMARO:

Okay. Ladies and gentlemen, we're going to reconvene the Ways and Means Committee at this time. Thank you, everyone, for your patience. We did attend the groundbreaking ceremony for the County 9/11 Memorial held across the street. And I appreciate everyone's indulgence in giving us an opportunity to attend that quick ceremony. Back on the record, we were having a dialog with Mr. Gary Quinn who's proposed the as Director of Department of Information Technology. And I believe, Legislator Alden, you had some questions. Please go ahead.

LEG. ALDEN:

Hi Mr. Quinn. Thanks for coming down. I have your resume in front of me. And you worked for CA until 2006?

MR. G. QUINN:

That's correct.

LEG. ALDEN:

And what have you been doing since?

MR. G. QUINN:

Enjoying life a little bit. I actually worked there for 21 years. I spent probably almost the last ten living internationally and traveling. My family lived here on Long Island. And I kind of -- after I left CA, I kind of turned around and saw I had a 15 year old son who, like, the last time I saw him, he was in a -- in a crib. You know, so I spent an enormous amount of time on the road for CA.

And I decided to take a year off. Actually, it didn't happen right away. I left in September. I then kind of thought I wanted to do something else. You know, I don't know if you've kind of like -- when you stop working and then you're kind of trying to find what am I doing to do again. It's kind of like a college kid. You know, what am I going to do with my life? And I thought it would be nice to be home, but that really hasn't worked out that well. You know, you're just like kind of -- you're like a fish out of water. You know, so I started looking to go back to work right away, and then I ran into somebody who was kind of a mentor to me and said you really should take a year off and sort out what you are thinking about doing, where you want to go and don't just jump back into the frying pan again.

So I did that for a year, and then I started actively looking for a job again in January of this calendar year. And I did that, and, you know, it takes a little bit of time. I mean, I had a lot of different opportunities to go -- I thought I wanted to work for a small company because when I went to CA there was only 300 people there, and I really liked that as opposed to a really large company. I thought I wanted to run a company, then I thought I wanted to open up my own business, not in

technology. So you go through a lot of these -- you know, you research things, you get involved and you do this, and then the summer kind of came.

So my son is -- he's in 12th Grade at Ward Melville. And we're on the college search circuit. He's also a lacrosse player, so we're also on the recruiting circuit. And I spent most of the summer traveling with him to schools and tournaments and putting him in front of people and trying to see if he -- what kind of school he would be interested in going to.

The toughest time was over the winter. There's not really much to do in the winter, you know? So you're kind of indoors a lot. So I said, I can't do that anymore. I need to -- I need to go out and interact with people again. I need to -- I want to apply what I learned over the years to something again. And I actually met a few different people, not -- the Suffolk County thing kind of came, I guess, kind of -- I don't want to say out of nowhere, but it kind of came out of nowhere, I guess. When Ms. Williams left and there was an opportunity to fill that role, I submitted my resume and said I would be interested in that. And natural reaction is why would you want to come here, why would you do that.

And, you know, after being fairly successful, I think, in the private sector, you want -- you want to, as a resident of Suffolk County -- and all the things that are going on today, you know, whether -- you know, you've got cost issues happening, people looking to consolidation, looking at new ways of -- whether it's government or living on Long Island, you feel that you have something to give to more than the people. It's not about, say, private, you know, enrichment and fulfillment, it's about how do I take what I learned and get it to a larger group of people. I mean, I thought about teaching. I'm from Hofstra University. I was offered an opportunity to teach. I thought that was really great, because whenever I had a professor that, you know, was from the real world, I really enjoyed that class a lot more.

So you've got a lot of things going on in your head, and it takes a while to kind of sort through those. And when this opportunity came up and I actually had a chance to meet with the County Executive and some of the folks there, I this would be a good fit for myself. And I'm looking forward to doing it. So you might say, well, for two years, you know, you've kind of been doing nothing, I have to say, well, I've been doing nothing. I don't know if that's good or bad in your eyes, but I really feel it's time to get back into, you know, being with real people, doing real things all day long, because you can only, you know, golf and ride around on your boat so much. You, know, so I kind of said --

LEG. ALDEN:

Those are the wrong two answers there. Prior to that, you were doing good things. And obviously, salary doesn't really matter to you, because the salary structure at CA was -- is a little bit different than the salary structure over here in the County.

MR. G. QUINN:

Yeah. And that same question gets asked of me even on the private side. You know, being at CA 20 years -- and I did fairly well. I'm sure somebody probably Googled me or something like that.

LEG. ALDEN:

It's all public knowledge.

MR. G. QUINN:

Yeah, you did very well, all right. But even on the private side, I could not expect to go back out and obtain that type of, you know, annual compensation. It's not realistic. You know, it's just not there. So to answer your question, you know -- you know, am I independently wealthy? No. Do I need to work? Yes, I do at some point in time. Does this work well for me? Yes, it does. And so, therefore, the salary that the County is offering is -- is fine for myself and for my needs.

LEG. ALDEN:

One final question, and this actually is a -- it's a little bit of a touchy area, because it's been in the papers recently, and CA -- I mean, this is no secret or anything like that. It's been reported all over the place. We're not in any way, shape or form going to have a liability where you're going to have problems in the future with what's going on at CA now, right?

MR. G. QUINN:

No. It's a good question, it's fair question, okay, because, you know, I was there for a long time, all right? And I actually went through, not as an involved employer as an individual, but as somebody who was asked and questioned by all the appropriate people from the government and from shareholder litigation suits, etcetera. And my name -- and I would be happy to offer up to you the people who conducted those investigations -- my name is clean with CA, okay? I was not involved with any of those activities, nor am I in an ongoing activity with them regarded to any criminal activity, civil litigation that's going on, etcetera.

LEG. ALDEN:

That's what I was hoping to hear. Thank you.

CHAIRMAN D'AMARO:

Any other questions from committee members of Mr. Quinn? Okay, Mr. Quinn, that concludes your appearance here before the committee this morning. I want to thank you on behalf of all the committee members for taking the time to come here today as well as to offer your services to Suffolk County.

There's no resolution for us to vote on to move your nomination to the full Legislature. It's my understanding that that resolution will come before the full Legislature on Tuesday by way of a Certificate of Necessity brought on by the County Executive, and a vote will be taken at that time.

It's not required that you appear at the full Legislative Meeting. Although, because there was no resolution, it may be in your best interest to be there that day. I would suggest that you -- we usually hear Certificates of Necessity towards the end of the meeting, but that's up to the Presiding Officer who runs the meeting. And you may want to touch base his office the day before if there's any special need for you to work out the logistics of that day. Okay. With that said, I again thank you for coming here today. Yes, Legislator Alden.

LEG. ALDEN:

I know that you contacted my office contact, but you might want to recontact the offices of those Legislators that are not on this committee and see if there's any specific questions that they might have, because if you decide not to go there, you know, we can -- we can fully say that, you know, we asked you a lot of questions and here's the answers to those question, and we were satisfied that had there been a resolution, you know, I think we can say unanimously that we would have passed it out of this committee. So -- but it might be a good idea just to touch base with any of the Legislators that aren't on this committee that might have a specific question to ask you.

MR. G. QUINN:

I will do that. And in addition, it's on Tuesday morning it starts, is that what it is?

LEG. ALDEN:

No. You would be Tuesday night.

CHAIRMAN D'AMARO:

Well, yeah. The meeting starts at 9:30 in the morning, but we usually go pretty long during the day. And we usually do take those Certificates of Necessities, CNs, towards the end of the meeting. But again, that would be up to the County Executive in working with the Presiding Officer's Office.

MR. G. QUINN:

I certainly will take your recommendation to follow up with the rest of the Legislature.

CHAIRMAN D'AMARO:

Yeah. I think that's great advice. Again, thank you very much for being here today.

MR. G. QUINN:

Thank you.

CHAIRMAN D'AMARO:

Thank you, sir.

CHAIRMAN D'AMARO:

Okay. We are going to go to Section Five of agenda this morning, Tabled Resolutions. I'll call the first.

1324, Creating the Asset Evaluation Review Board for the sole purpose of soliciting and reviewing proposal for the sale/lease back of the H. Lee Dennison Building. (Romaine)

LEG. BEEDENBENDER:

Motion to table.

CHAIRMAN D'AMARO:

Motion by Legislator Beedenbender to table, I'll second. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0)**

1483, Sale of County-owned real estate pursuant to Local Law 13-1976 James A. Smith Sr., (SCTM No. 0500-292.00-02.00-127.000). (Co. Exec. Levy)

This is one of the several resolutions coming up on the Tabled Resolutions Agenda that we had previously tabled after taking a look at the properties themselves with the eye towards perhaps somehow implementing a workforce housing initiative on each of these properties. And I will have a little bit more to say about that. But on this particular resolution, I believe Legislator Alden was going to communicate with the town.

LEG. ALDEN:

And I did. I communicated again with Paul Fink who's the Executive Director of the Town of Islip's Community Development Agency. He was going to bring it up at a board meeting. I don't know if they had an actual board meeting in the interim. So I would like to just be, if we could for one more cycle, remain tabled.

CHAIRMAN D'AMARO:

Yeah. I would support that. I also wanted just in anticipation of the other bills that are coming up before us, at least four out of the five, what I would like to do is -- and I'm exploring this a little bit further, and I do another cycle as well on the other bills -- is perhaps we can take these parcels that have been -- we've been told they've been reject through the town's programs, and perhaps we can covenant -- put the covenants on those properties ourselves and put them out to auction as workforce housing lots and vet them ourselves that way. And if they sell, then builders would have an opportunity to build some workforce housing and keep their folks at the same time. And if they don't, then they could come back here and be perhaps be subject to the adjoining auction sale.

LEG. ALDEN:

Mr. Chairman.

CHAIRMAN D'AMARO:

Yes.

LEG. ALDEN:

An interesting aspect as far as what you just made, that statement, the towns actually haven't formally rejected I don't think any of these parcels.

CHAIRMAN D'AMARO:

Well, there is some backup -- there are -- there is some correspondence on some of them from the towns indicating that they're not interested in taking them for workforce housing.

LEG. ALDEN:

Right. But it's never gone through that full process --

CHAIRMAN D'AMARO:

Correct. That's right.

LEG. ALDEN:

-- where somebody tried to establish they were single and separate and the neighborhood wouldn't be adversely affected by it. So a lot of these have never had formal reject. It's just -- we did have a few letters that stated that the town wasn't interested.

CHAIRMAN D'AMARO:

We are exactly on the same page with that, Legislator Alden. I believe that we can covenant these properties, I believe we can sell them at auction, I believe builders would be willing to purchase them. Obviously, with the covenants on the properties, the sale price would be lower because they would be mandated as workforce housing units -- lots. And I think that we can even go as far as putting a provision in the covenants that says if for some reason the workforce housing development does not go forward, it can revert back to the County. So we're not -- we would only lose control for purposes of getting the workforce housing built on these lots.

And just to go a little deeper into my thought process on this is that even if a builder buys a lot at auction that needs a variance, well, they can bring that application. If the character of the community is such that it would -- it would require or at least lean towards granting that variance, even if the Zoning Board in its wisdom decided to deny it, it would be subject to review by an Article 78 proceeding.

So there's a lot more to pursue here in my view on many of these lots that seem to be conducive to workforce housing. And we can, in effect, have our own framework or we can have our own vetting process to get a real answer and a final answer as to whether or not these particular lots -- and there's not a lot of them, but there are several that are tabled before us now -- would support workforce housing.

And as I mentioned at the last meeting, the reason why I'm really interested in doing this is then communities are all taking their fair share, and we're dispersing these units, I think, fairly as they come up on a piecemeal basis before this committee. So with that said, there is a motion to table -- or is there a motion?

LEG. ALDEN:

Motion to table.

CHAIRMAN D'AMARO:

Motion to table by Legislator Alden, I'll second on 1483 of 2008. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0).**

Next resolution is **1584, Establishing legislative oversight of County funds expended for advertising and marketing. (Kennedy)**

I'll offer motion to table.

LEG. BEEDENBENDER:

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

1614, Sale of County-owned real estate pursuant to Local Law 13-1976 Joseph J. Donlon and Simone M. Donlon f/k/a Simone M. Biegel, as joint tenants with rights of survivorship (SCTM No. 0200-798.00-02.00-040.000). (Co. Exec. Levy)

I believe this had been tabled at the request Real Estate Department. Is Mr. Kent here?

LEG. VILORIA-FISHER:

He was here earlier.

CHAIRMAN D'AMARO:

There was clarification needed on -- referencing the property, the lot number, I believe.

MR. ZWIRN:

Mr. Chairman, he was here, but I think when we broke -- he hasn't returned. So I would -- none of these are time sensitive. So we can -- we could table it.

CHAIRMAN D'AMARO:

Thank you. Motion to table by Legislator Alden, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0).**

1633, Requiring Legislative approval to consider the sale of John J. Foley Skilled Nursing Facility. (Kennedy)

LEG. BEEDENBENDER:

Motion to table.

CHAIRMAN D'AMARO:

There's a motion by Legislator Beedenbender to table, I'll second the motion. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Opposed.

CHAIRMAN D'AMARO:

Motion carries. Legislator Alden votes no on the motion. **TABLED (VOTE: 4-1-0-0 Opposed - Leg. Alden)**

1663, Sale of County-owned real estate pursuant to Local Law 13-1976 Mark Bakker (SCTM No. 0200-975.00-05.00-004.000). (Co. Exec. Levy)

This is one of those previously Tabled Resolutions for a 50 by 100 plot in Brookhaven. I'll offer motion to table for another cycle, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0)**

1669, Adopting Local Law No. -2008, A Charter Law to increase Legislative oversight of RFP process. (Romaine)

LEG. ALDEN:

Motion to table.

CHAIRMAN D'AMARO:

All right. Motion by Legislator Alden to table, I'll second. It had been amended, and it's not ripe, as they say, for a vote. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0)**

1682, Sale of County-owned Real Estate pursuant to Section 72-h of the General Municipal Law - Town of East Hampton (SCTM No. 0300-058.00-08.00-005.000 et al). (Co. Exec. Levy)

Again, three lots that may be conducive to workforce housing. I'll offer a motion to table, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0).**

LEG. VILORIA-FISHER:

Mr. Chair, if I may.

CHAIRMAN D'AMARO:

Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:

I just want to ask Mr. Zwirn something regarding the conversation --

CHAIRMAN D'AMARO:

Is your mike on?

LEG. VILORIA-FISHER:

Yes, it is. Maybe I'm not holding it close enough. Is that better? Okay. Thank you. We have been discussing this issue about parcels that might be appropriate for affordable housing. And I mentioned to the Chair at a side conversation that had we had that, perhaps it might be worth it to reconvene the Affordable Housing Commission where we have representatives from different towns. And when we have parcels -- you know the list of parcels that are going out to auction, these could be just quickly reviewed within that context. Because it seems to me that the towns get these listings or these listings are published or are public, but there's not really attention drawn to these parcels. So there's not a real hard look by the towns as to whether or not these would be appropriate.

I don't know if it's a rejection of the town -- you know, a direct rejection of the town to accepting these as affordable housing lots. So I'm just thinking that the Affordable Housing Commission that worked very well together and had a number of towns represented on it might be a good place to take a quick look at these as they come up.

MR. ZWIRN:

Anything, I think, that would be helpful so that we -- we don't wind up taking the time of the committee up, you know, going over these again. Generally, the Director of Affordable Housing when these lots come up goes to the town and gets a letter or something saying that they're not interested, they're substandard plots.

LEG. VILORIA-FISHER:

When you say goes to the town, are they just long lists that are sent to the town? I don't know if they're really discussed --

MR. ZWIRN:

I think they're discussed individually, but then what happens is, say, Legislator Alden will call the town and they'll -- they'll say well, you know, maybe we'll take another look at it. And that -- so your session may be -- may be really worthwhile to take at, because maybe the towns are just taking a cursory look the first time, and then when somebody asks them a second time, then they take a harder look. They may change that. I think that's happened once or twice where they've actually changed their position after it was brought to their attention.

LEG. VILORIA-FISHER:

I think that's what I'm suspecting in this, that's it's a very perfunctory look, and you're not really, you know, vetting the piece enough to see whether it's worthwhile.

MR. ZWIRN:

I'll make that recommendation.

LEG. VILORIA-FISHER:

You also don't want to be at the point where Real Estate has put a parcel out to auction, gotten a bidder, and then we're at this point where we're tabling it, because then that's not a good-faith way to proceed, you know.

MR. ZWIRN:

Absolutely. All we're trying to do is, as we stated earlier, was a policy that the Legislature set up to do the Local Law 13s was because there a lot of the small lots that are in neighborhoods and they become dumping grounds for people in the community or people passing through, they throw their garbage there. And the County has to send crews out to clean it up, and they're not on the tax rolls. So this was a way that the adjoining property owner generally could pick up the property, take care of it. Where they couldn't build on it directly, they have a bigger footprint on it now for their own homes. But that was the purpose of just trying to get them back on the tax rolls and get them cleaned up. If they can be used for affordable housing, the administration's position is the same as yours, we encourage it wherever possible.

LEG. VILORIA-FISHER:

By the way, when I said good faith, you know, the perception out there, people coming into auctions, you know, we don't want them to feel that we're putting something out to auction and then pulling it back away from them, not that we're not acting in good faith, which we are.

MR. ZWIRN:

You're doing your due diligence. We have no quarrel with the -- with the oversight that the Legislature has with these. We want to do them the right way. So of we can get it through with a better system where we don't have to hold them up beyond, you know, a normal course of business, that would be -- that would be great.

CHAIRMAN D'AMARO:

Legislator Nowick, just I want to make one comment and then, of course, recognize you. You know, when they go to the town, whether it's a cursory look, a superficial look or an in depth look, it's town criteria that is being applied. And the town criteria may very well be even though you're in a residential subdivision that has all 60 by 100 lots, because this is 60 by 100 and it doesn't meet the present code of 80 by 100, and there's been no single and separate search where it may actually be grandfathered in, they just reject them out of hand. And it's done in good faith. It's not -- they are not -- the towns are very interested in developing, you know, workforce housing units I'm sure, but we can also implement our criteria this way, and that's what I'm suggesting. Legislator Nowick.

LEG. NOWICK:

Actually, Legislator D'Amaro, you made a point that I was going to make. But I'm just curious, Ben, you may or may not know this answer, when you say you go to the town, is there a special department in these towns, or do you just send it to the Supervisor's Office? How does that work?

MR. ZWIRN:

It goes to the Planning Department, Community Development. Usually, those are the departments that they go to. Somebody who's involved with zoning or housing.

LEG. NOWICK:

You find they're not that responsive?

MR. ZWIRN:

No. Generally, they are responsive, but I think what the Chairman has suggested happens; they look at the zoning code and they say it doesn't meet the current zoning code. And they're not looking beyond whether -- if somebody could get a variance for it, or whether the nature of the community is such that historically it had been smaller lots, and it's just up-zoned. I mean, I think that's the case. I was not trying to disparage the towns. I think they do look at this.

LEG. NOWICK:

No. No. I understand that. But you made a very good point when you talk about these lots that become a dumping ground. And I would think that they would want to work harder to do something else with them. It just makes sense.

MR. ZWIRN:

We're just trying to -- there's no hidden agenda. I think everybody is trying to get -- doing the right thing. We just have to sort of see if we can find a better way so we don't take up the committee's time on a regular, because it happens, especially with the plots that are, you know, 50 by 100 or larger, we always have questions that the committee asks.

CHAIRMAN D'AMARO:

It's not something that will come up every time. For instance, I have reviewed, of course, all the new resolutions for today and all the parcels for today, and I think not one of them would be conducive to workforce housing. Maybe one out of that -- there's one resolution that has several lots.

MR. ZWIRN:

But they should be fully vetted so that we don't have to -- so we could give you an absolute explanation, then you could say approve or disapprove right off the bat.

CHAIRMAN D'AMARO:

And Legislator Vilorio-Fisher makes a great point that to vet them at this point in the adjoining-owner auction sale is probably not the best way to go, because you've now gone through that process and put resources into that process and have somebody ready, willing and able to purchase the lot. So we'll give some thought to that as well. That's a great point. Okay.

1684, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Patrick R. Dillon (SCTM No. 0200-206.00-02.00-015.000). (Co. Exec. Levy)

Once again, one of the lots we've been discussing. I'll offer a motion to table, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0)**

1685, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Edward S. Fusco and Patricia Fusco, husband and wife, (SCTM No. 0200-984.40-02.00-020.000). (Co. Exec. Levy)

This is a 50 by 125 lot in Brookhaven. The adjoining owner has reached out to one of our colleagues, Legislator Browning, to inform that they would like to purchase this lot as an adjoining owner, not to develop the lot, but to get the lot area so they can put an affordable unit onto their existing home for their children, which I think is a -- which is a pretty good consideration.

In addition to that, it was pointed out to me that this lot, although I don't want to make this a Litmus Test, this lot is only a few hundred feet away from the Great South Bay, and it's in a non-sewered area. So give the fact that this adjoining sale would result in the creation of an affordable unit, I would -- I would lean towards supporting this and offer a motion to approve.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

And that's seconded by Legislator Beedenbender.

LEG. ALDEN:

On the motion.

CHAIRMAN D'AMARO:

On the motion, Legislator Alden.

LEG. ALDEN:

Mr. Kent, was that the appraisal that you had, that ten-one?

MR. KENT:

No. The appraisal was \$8000. The offer was ten- one. I'm not sure if the woman who contacted Legislator Browning was the successful bidder, but I could find out.

CHAIRMAN D'AMARO:

Yes, it was. I'm sure.

MR. KENT:

All right. Fusco.

LEG. ALDEN:

Otherwise we're going to have a flip on the property.

CHAIRMAN D'AMARO:

No. No. You can't flip it anyway. It has the convenance on it, it can't be further subdivides and it can't be developed.

LEG. ALDEN:

But they can sell it.

CHAIRMAN D'AMARO:

You can't sell it, it's merged. Mr. Kent, it would be merged, wouldn't it?

MR. KENT:

It's supposed to be merged into the property that they own.

LEG. ALDEN:

Okay.

MR. KENT:

That doesn't prevent them from going back to the town at a later date and making application for a subdivision.

CHAIRMAN D'AMARO:

Well, I would think that the covenant would prevent that and would have to come back here. We'd need to lift the covenant.

MR. KENT:

That's correct.

CHAIRMAN D'AMARO:

All right.

LEG. ALDEN:

On the same vane then, if somebody wants to buy a strip that runs, you know, behind 20 houses and it's another ten or 15 feet, they would be willing to put up the money to buy that -- I think we had it happen -- and then each little piece, they would be prohibited from doing that?

MR. KENT:

I would think they'd be prohibited from doing that. No, I'm not sure. I take that back. As long as it's not being developed, I think they could -- our restriction is from it being independently developed, not from being sold off. So it could not be developed, but they could take a strip that you're saying is ten feet wide by 800 feet, and it's a strip that was leftover land in a subdivision and then they're going to sell it as backyard -- extension of backyards to all the lots, is that what you're referring to?

LEG. ALDEN:

Yeah.

MR. KENT:

I think they can do that.

LEG. ALDEN:

And the other scenario, when I said flip before, this parcel -- I'm just guessing -- it might be between two others. So you had one neighbor was the high bidder for the parcel, and now the other neighbor reconsiders the advantage of being able to put a swimming pool or something like that in there. They couldn't buy it from the neighbor that was the high bidder?

MR. KENT:

As long as it's not going to be developed independently.

CHAIRMAN D'AMARO:

Is that right? I don't think so. I respectfully disagree with you. I believe that the covenant language results in a merger of title. Maybe the County Attorney's Office -- is anyone here familiar with the covenant itself?

MR. KENT:

They would have to go to the town and ask for a lot line modification that, I guess, we would have to agree to. The County would have to come back and agree to that.

CHAIRMAN D'AMARO:

All right. There's a motion pending and a second. I'll call the vote. All in favor? Any opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0)**

1688, Adopting Local Law No. -2008, A Local Law to strengthen competitive procurement procedures and maximize savings for taxpayers. (Eddington)

This resolution is an amendment, in effect, to our existing Local Preference Law. I've been in contact with the sponsor of the resolution with some back and forth comments. I think that we ultimately can come to a resolution that we're both going to agree on. I don't know if the committee now wants to get into a dialog about, you know, what the specific comments are, but I would like to table this for a cycle to give me an opportunity to work with the sponsor.

LEG. ALDEN:

Second.

CHAIRMAN D'AMARO:

So that's a motion, seconded by Legislator Alden. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 5-0)**

1709, Adopting Local Law No. -2008 A Local Law to enhance personal privacy protection for recorded documents and authorizing the County Clerk to collect certain fees for recording, entering, indexing and endorsing a certificate on any instrument. (Co. Exec. Levy)

We already passed this resolution by CN, so we'll skip over it.

1733, Adopting Local Law No. -2008, A Charter Law to protect taxpayers' interests by requiring individual legislative override votes on each budget amendment that is vetoed by the County Executive. (D'Amaro)

This is a resolution that was put forward by myself. I'd like to just briefly explain to the committee that I would like to get this bill out of committee today. And I think the concept of what I'm trying to accomplish is very simple. What it simply says is during the budget override process where the County Executive has vetoed various sections of our budget amendment. When those vetoes come back here and there is a written explanation supporting the reason for the veto, it would give us an opportunity as individual Legislators to read those veto messages to contemplate whether or not we want to sustain or override the veto.

The way the system is set up right now is that the Legislature has the authority to bundle all of those vetoes into one vote. So what you have, in effect, is ten Legislators have the authority to tell other Legislators that you are not going to be given the opportunity to vote on individual overrides. Now, we vote on all our legislation throughout the year for 364 days a year, other days, individually. We don't go into a General Meeting and bundle our agenda. Well, but that's what we're doing with veto overrides on budget amendments, which is probably one of the most important things that we do here.

So this, in effect, is what I call an "anti-bundling" bill. What it says to me, as a coequal Legislator, that I will not be denied the right to vote on individual overrides. Why should I have to amend the budget on an all or nothing basis? I just don't think that's appropriate, and I think that's undemocratic. Legislator Alden, go ahead.

LEG. ALDEN:

I just wanted to explain my position on this. The budget ends up as an all or nothing type of vote, and that's why this -- in my 11 years as being a Legislator, it pretty much follows course with any budget that we do, which is -- it might be the College Budget, it might be the Capital Budget, or it might be the Operating Budget. It does end up as an all or nothing.

And the second point that I'd like to make is that we always have a first vote, and the first vote is whether the Legislature wants to take this as a whole, and that's actually during the initial debate and the initial adoption or disapproval of legislation, budget legislation. We take a vote whether we want to take it as a whole or whether we want to take it as individual votes. So we do have kind of two bites at the apple. And I do understand what the Committee Chairman is saying, that he would like to just automatically be able to vote on those on an individual basis. But my position is that we do have the opportunity to express our displeasure with taking as a whole. And if you convince nine other Legislators, if they want to take it as a whole, that's the way it works, then you take it as individuals. So that's why I'm not going to support this.

CHAIRMAN D'AMARO:

All right. Thank you, Legislator Alden. Just to respond to that, and then defer to my colleagues. A couple of points; this bill doesn't take away your ability to vote to override every veto. You're still -- if you pass this bill, you still have the right to vote individually to override all the vetoes. You can

have your all or nothing choice. What it does do though is prohibit ten Legislators from telling other Legislators that you know what, even though you may have read a veto message, even though you may have been convinced that this is a spending item where you need to sustain or override, whatever the case may be, you're going to be denied that opportunity to voice that vote on behalf of your constituents.

In the last Budget Meeting that we had on overrides, which was the Capital Budget process, I had spent great deal of time reviewing every veto message, and there were certain overrides that I would have voted against. I felt I wanted to sustain some of those overrides. My constituents sent me here to make those decisions, and yet, here I was sitting in an elective body with coequal members being told by ten out of 18 members that I do not have a right to vote yes or no on an override. So, you know, just by corollary, we can start bundling our regular agenda and take away the right there as long as ten Legislators agree that, you know what, you are not going to have a right to say yes or no, it's going to be all or nothing on these ten resolutions. That's exactly what we're doing in the override process.

So I'm not taking away your right to vote yes or no. You can for all of them, you can vote against all of them, but what I'm asking for is a bill that makes it clear that I am not going to be denied the right to review veto override messages and then cast my vote. Legislator Nowick.

LEG. NOWICK:

More a question for George. Am I correct, George, if we are overriding vetoes, can't a Legislator make a motion to take a single override and vote on it individually? I thought I remembered that the last time. And if he or she gets the vote to take it out it passes. Can that --

MR. NOLAN:

That has occurred.

LEG. NOWICK:

We do have that right to do that. In other words, if I have a veto not in the package and I say it's very important to me to bring it out, I make a motion to bring it out, we can still do that, right?

MR. NOLAN:

Correct.

LEG. NOWICK:

And if we get the ten votes to do that, fine. And if not, the Legislator that made the motion to take it out still gets the opportunity to put on the record for their constituents that I do disagree. So I just wanted to make sure. I thought I remembered we could still do that.

MR. NOLAN:

We have done that in the past where the Legislature has decided we're going to take all the vetoes in an omnibus resolution, we're going to take them at one time with the exception of these three lines. That has been done. The Legislature has the flexibility to do that.

CHAIRMAN D'AMARO:

You know, Legislator Nowick, that's -- I agree with Counsel and yes, we do -- that's the way we operate now. But I want to make the point that I wasn't sent here to put my objections on the record. I was sent here to make policy and to have a vote. You know, no other Legislator is going to listen to me while I'm putting it on the record knowing that there's no individual vote. That stifles the entire debate for that vote.

I don't -- I don't see how I'm asking for us to reform this process in a that makes it less transparent or less accountable. I think we're making it more transparent and more accountable. We vote, again, on every other bill that comes before this Legislature all the time individually. And you know what? We have a healthy intelligent debate on all of those bills. Yet, when we talk about spending,

and it's going to happen in the Operating Budget as well in a very soft economy, when we're trying to exercise our right to make these votes and these decisions on budget matters, the most important thing we do here, ten Legislators can say to me you know what, you don't have the right to cast that vote. And I just think that that's the wrong tact to take especially in a budget process. Legislator Vilorio-Fisher.

LEG. VILORIA-FISHER:

Actually, Legislator Alden and Legislator Nowick have stated my -- my points regarding this bill. I think that you can state on the record what a position on a particular bill. And this isn't voting on the -- the amendments that we're making to the budget. It's directed at overrides. So there has been an opportunity to vote yea or nay on the budget amendments that we as a Legislator -- a Legislature vote on. This bill refers just to overrides.

And I believe if there is an individual opinion, a strong opinion, on a particular line of that budget veto message, as Legislator Nowick pointed out and was verified by the -- by Counsel, it can be taken out of the Omnibus and addressed as an individual budget line. I understand your position and what you are saying, Legislator -- Legislator D'Amaro. You do have some good points. But I believe that the process as it stands gives us a great deal of flexibility. And I am opposed to making this change in the Charter Law.

CHAIRMAN D'AMARO:

Legislator Beedenbender.

LEG. BEEDENBENDER:

Well, I'm listed as a cosponsor on this bill and I'm going to support it. But I guess I'm kind of a little perplexed about the whole situation. And I know that, you know, it was said couple of times earlier and by some colleagues when we discussed this before this meeting that, you know, well, we have an opportunity to vote for it the first time on whether or not we pass it, but, you know, by the virtue of the way we have to do a budget and because it's so large and we have to have some sort of process, and currently our process is we have a working group and then we pass the large budget usually in one big vote.

So I think what we're trying to say here is that, you know, there are situations -- and it happened with the Capital Budget -- where there are things that some Legislators support and some things that they don't. And what I disagree with as having to look at something and say, well, I support 51% of this, but I oppose 49%, so I guess really I have no choice but to support this and suck up all the things that I think are poor ideas, poor policy or whatever else it may be.

And I have to strongly agree with Legislator D'Amaro in the sense that, you know, I believe, you know, I should cast a vote on each individual thing and say I support this, I don't support that. And if -- you know, and then my constituents should be able to hold me accountable for all of that. And I feel very a disadvantage if I have to explain to them, well, yeah, I didn't -- I don't like that thing you don't like either, but the reason I voted for it was because, you know, it was wrapped up with a whole bunch of other things.

And I think that's a poor excuse to a taxpayer as to why I supported some spending or opposed some spending, because it could go either way. And I just think it would be better. It would certainly take more time. And, you know, none of the Legislators here have made that argument to me, but there are other Legislators that have suggested, oh, this might take a lot more time. And, well, you know, we get paid very handsomely by the taxpayer to make important decisions for -- that have strong affects on their lives and their pocketbooks. So I just think it would be a prudent step forward to be able to vote yes or no on each individual one so we don't have to take them as a block.

CHAIRMAN D'AMARO:

Legislator Beedenbender, thank you for supporting this bill. And, Legislator Nowick, once again, I'm

going to refer to you in just one moment, if you don't mind. And I appreciate your patience.

I just want to make an important technical point to you on this committee. You know, when we do the Omnibus Budget, which I don't agree with that process at all either, I just don't think it's appropriate for a bipartisan group of Legislators to go behind a closed door and make decisions on your budget, but I understand that it makes the process a bit more easier. I understand the theory behind it. But if I had my choice, I wouldn't have an omnibus process. I just don't think it's appropriate. But, of course, any Legislator can attend, so there are arguments back and forth. And I'm learning to live within that.

But in that process, if you don't agree with that bill, you can put in stand-alones, you have a vote. You can say this is what I stand, and you know, what, we need to vote on those bills. They're introduced, and as long as they're introduced, you're going to get your vote. But on the override process, you don't even get that. You're simply told, look, ten of us say, you know what, we're voting this all or nothing, and that's the way you're going to take it, like it or not. I just don't think that's appropriate.

I want to refer real quick to the Budget Review Office's Policy Impact Statement -- - I mean Fiscal Impact Statement. And that says, "The benefit of this proposed legislation is that it allows each Legislator to voice his or her support or nonsupport for those veto policies; expenditures, revenue, personnel, what have you, without having policies bundled into an all or nothing decision." Is that how we want to run the budget process? Do we want an all or nothing decision? Is that what our constituents are expecting of us?

I just -- I strongly feel this way. It's really, in my mind, about giving all of us, not just me, but giving all of us the right and the opportunity to say, "You know what? I read that veto message, I did my job, I analyzed it, and this is where I stand, and here's my vote. I have a right to that vote. I don't care if 15 Legislators want to deny me that vote, I have a right to that vote? Legislator Nowick. With that said --

LEG. BEEDENBENDER:

I'll make a --

CHAIRMAN D'AMARO:

Are there any motions on the bill?

LEG. VILORIA-FISHER:

I'll make a motion to table.

CHAIRMAN D'AMARO:

All right. There's a motion by Legislator Viloría-Fisher to table. Seeing that I don't have the support, I will second the motion. All in favor? Opposed?

LEG. ALDEN:

Opposed.

LEG. NOWICK:

Opposed.

CHAIRMAN D'AMARO:

Two opposed. Abstentions? The motion to table carries. The resolution is **TABLED (VOTE: 3-2-0-0 Opposed: Leg. Alden and Leg. Nowick).**

All right. That was the last bill on the Tabled portion of the agenda. Now we'll go Section Six, Introductory Resolutions. And we have a series of technical correction resolutions coming up. We'll try to get through them quickly.

1751, Authorizing certain technical correction to Adopted Resolution No. 459-2008. (Co. Exec. Levy)

LEG. BEEDENBENDER:

Motion.

CHAIRMAN D'AMARO:

Changes the Capital project Number. Motion by Legislator Beedenbender, I'll second and put on the Consent Calendar. All in favor? Opposed? Abstentions? Motion carries. **APPROVED and placed on the CONSENT CALENDAR (VOTE: 5-0)**

1752, Authorizing certain technical correction to Adopted Resolution No. 559-2008. (Co. Exec. Levy).

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

1753, Authorizing certain technical corrections to Adopted Resolution No. 229-2008. (Co. Exec. Levy).

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

1754, Authorizing certain technical corrections to Adopted Resolution No. 456-2008. (Co. Exec. Levy).

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

1755, Authorizing certain technical correction to Adopted Resolution No. 457-2008. (Co. Exec. Levy).

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

1756, Authorizing certain technical correction to Adopted Resolution No. 458-2008. (Co. Exec. Levy).

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

1758, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Greenmeadow Holdings LLC (SCTM No. 0100-095.00-01.00-011.000). (Co. Exec. Levy).

This is a Local Law 16, matter of right. I'll offer a motion to approve and place on the Consent Calendar, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Motion carries. **APPROVED and placed on the CONSENT CALENDAR (VOTE: 5-0)**

1759, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Malik Yousaf and Farrukh Baig (SCTM No. 0500-272.00-02.00-030.000). (Co. Exec. Levy).

Motion by Legislator Beedenbender to approve and place on the Consent Calendar, I'll second. All in favor? Opposed? Abstentions? Motion carries. **APPROVED and placed on the CONSENT**

CALENDAR (VOTE: 5-0)

1761, Sale of County-owned real estate pursuant to Local Law 13-1976 Windsor Village Apartments Co., LLC (SCTM No. 0101-005.00-02.00-039.001). (Co. Exec. Levy).

This is a parcel located in Islip sold to the adjoining successful bidder for \$2000. It is a 50 by 42 parcel and landlocked. I'll offer a motion to approve.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

Second. Anyone need any more information on the motion? I'll call the vote. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0)**

1762, Sale of County-owned real estate pursuant to Local Law 13-1976 Michael Heagerty and Mary Heagerty, husband and wife (SCTM No. 0403-010.00-01.00-027.003). (Co. Exec. Levy).

Again, parcel located in Islip, 51 by 204, runs along several rear yards, or I think just a rear yard, and it's also landlocked. I'll offer a motion to approve.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

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

1763, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Antonio Ciatto and Domenica Maria Ciatto, his wife (SCTM No. 0200-978.80-01.00-054.000). (Co. Exec. Levy).

I'll offer motion to approve and place on the Consent Calendar.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

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

1764, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act James W. Mickert, Jane M. Gardiner and Susan E. Moylan, all as joint tenants with right of survivorship (SCTM No. 0200-787.00-05.00-017.000). (Co. Exec. Levy).

This is another Local Law 16, so I'll offer a motion to approve and place on Consent Calendar.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

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

1765, Sale of County-owned real estate pursuant to Local Law 13-1976 Michael and Kimberly Rosman (SCTM No. 0200-213.00-08.00-036.000). (Co. Exec. Levy).

Mr. Kent, I had a question on this before we look for a motion. I noticed that the district was 0200, but it was listed in the bill as Islip. Is there perhaps a --

MR. KENT:

It's actually in Miller Place, so -- where does it say, Islip? I'm sorry.

CHAIRMAN D'AMARO:

It says in the -- right after the first Whereas Clause right up at the top in the legal description, the meets -- the legal description, it says Town of Islip. Second line.

MR. KENT:

That's a mistake. Okay. We can correct that. It's Town of Brookhaven.

CHAIRMAN D'AMARO:

Are you satisfied with the rest of the bill?

MR. KENT:

Yes. The rest of the bill is correct.

CHAIRMAN D'AMARO:

Okay. So we could go ahead and vote on that today. Mr. Kent, also, before I take a motion on this bill -- and this happened on a few of these this cycle. I'm looking at the summary statement, Suffolk County, New York, Division of Real Property, Acquisition and Management, which shows us the direct sale results and the bids. And it lists \$6300 for the second listed bidder saying no show at mini auction. I'm just curious. Could you explain that to us?

MR. KENT:

What happens is we solicit these offers by mail, and people respond by mail making an offer. They both offered 6300 by mail. When that occurs, we have to invite them in. We give them Certified Mail, and they have to attend a mini auction in our offices. And one of the parties did not show up for the mini auction.

CHAIRMAN D'AMARO:

That's only in the case where you have more than one bidder and they have equal bids?

MR. KENT:

We actually will conduct a mini auction if there's more than one bidder and they don't have the same -- you know, they could have varied bids. We see an interest, so what we do is we try to have them come in and compete.

CHAIRMAN D'AMARO:

Very good. So if you bid 6300 and someone else bids 6300 and you both show up, the price could continue to climb, which is in the best interest of the County.

MR. KENT:

That's correct. We would go into one of them -- when there's a prevailing offer.

CHAIRMAN D'AMARO:

Okay. Why is it mini?

MR. KENT:

Because it's not open to the public. It's not a general public -- like, that's something I inherited. It's a closed auction really, it's closed to adjacent owners only.

CHAIRMAN D'AMARO:

Right. Okay. Because you could have like 200 bidders. It wouldn't be mini anymore.

MR. KENT:

Depending on how many people were adjacent to the parcel you're selling, yeah. And as long as the property is lower than the \$20,000 limit at this point.

CHAIRMAN D'AMARO:

All right. Well, this lot is a Brookhaven parcel, 44 by 327 feet. It's not part of a subdivision. Mr. Kent, did you want to add anything with respect to the particulars on this parcel?

MR. KENT:

It's not independently developed. It's only got 44 foot, it doesn't have any road frontage. So if you look at the tax map attached, it's the -- Lot 36, which is being conveyed to the parcel to the east, which is on Oakland Avenue.

CHAIRMAN D'AMARO:

Legislator Viloría-Fisher, please go ahead.

LEG. VILORIA-FISHER:

I'm looking at the tax map. The large parcel just to the north of the parcel that we're selling here, is that a school district piece?

MR. KENT:

I believe that might be a sod farm.

LEG. VILORIA-FISHER:

Okay. And to the south of it. So they're both privately owned, those two large parcels? The one to the north and the one to the south, numbers 39, 35 are both privately owned?

MR. KENT:

Let me see. We didn't offer it to the one to the north, because it's not directly adjacent, but let me look at the one to the south. Excuse me. The one to the north is -- it's the reverse. The problem is the aerial photo is taken from a different angle than the tax map, so it's a little --

LEG. VILORIA-FISHER:

I was just asking, Chris, because I was wondering if either one of them was municipally owned.

MR. KENT:

The parcel to the north is a sod farm. It's owned by Delea. If you look at the summary statement, it shows that the offer was made -- Delea did make an offer of \$6300, and then did not show up at the auction.

LEG. VILORIA-FISHER:

Did not show up. Okay. Thank you.

MR. KENT:

And I just want to express, you know, quite frequently, they might have bought this and then we would have bought the development rights back from it because it's a sod farm, so who knows. So I'm glad actually that the other party is buying it. If it had become part of the sod farm, and then Delea came in and sold their development rights to us, we might be buying their development rights back on a piece that we sold them for 6300, which I've noticed in other, not in direct sales, but sometimes we sell properties and then they try to sell them back to us.

CHAIRMAN D'AMARO:

All right. Thank you, Mr. Kent. Legislator Fisher, would you like to make a motion on that particular bill?

LEG. VILORIA-FISHER:

I'll make a motion to approve. I have no problem with that.

CHAIRMAN D'AMARO:

Okay. Thank you. I'll offer a second on Legislator Viloría-Fisher's motion to approve. That's Resolution 1765 of 2008. All in favor? Any opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0)**

1766, Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law Town of Brookhaven (SCTM No. 0200-389.00-05.00-002.000 et al). (Co. Exec. Levy).

This is -- looks like two building lots, overall 100 by 200. Mr. Kent, my question on this was, one, why are they part of the one resolution? And my second question was do we have any more indication what we mean by municipal purposes? Do you know why the town is looking for this particular lot?

LEG. BEEDENBENDER:

Mr. Chairman, do you mind if I just follow up on that question?

CHAIRMAN D'AMARO:

I'm sorry. Just to clarify, I was only questioning the -- the first lot in question at least in the order in my book looks like a 100 by 200 parcel. And I was, again, looking as part of a residential subdivision, why is it bundled with the other parcels, would be my first question. And, second, why not pulling this one out for maybe some workforce housing.

LEG. BEEDENBENDER:

If you don't mind, Mr. Chair. That first parcel is in my Legislative District. And the map, while difficult to see, this particular parcel is landlocked by a bunch of other parcels, it has no road access. And really because it's so near Nicoll's Road and the road to the south, Hawkins, there really would be no way to give this road access, because the surrounding properties aren't -- I believe they're municipally owned as well. The Town of Brookhaven owns the rest of that in between. So there wouldn't really be an opportunity to do that.

But I did have a couple of questions about this as well, if you don't mind, Mr. Chair.

CHAIRMAN D'AMARO:

Not at all.

LEG. BEEDENBENDER:

Only because it says drainage is the particular reason to move these forward, and there are two other parcels that are in my district that are listed here. And one of them is next to a park and the other one is just a bunch of woods. So I know it doesn't say drainage on our resolution, but that's what it says on the town board reso. So I'm not particularly concerned about it, because they're going to be expanding a park by giving them the land that we couldn't use. And expanding a particular piece of woods isn't a problem, but do we have to specify that specifically in the resolution or?

MR. KENT:

We give the properties to the town based on the purposes that they identify in their resolution, and they did identify drainage purposes for all of these parcels. They have 11 parcels on their resolution. This resolution conveys eight of them. One of the parcels has already been conveyed to them by deed, one of them was approved by a prior resolution, and one of them we're holding back because

we're trying to clear title on it. But these are for drainage purposes. If you'd like our resolution, the County resolution, to be amended to say for drainage purposes, we could do that.

LEG. BEEDENBENDER:

Actually, it's not important -- I mean, that's not so that bothers me. If they're actually going to use this for drainage, then, I mean, far be it for me to tell the town exactly what to do. But the second parcel on the list, it's a big park and it's on the corner, and they're going to put a sump, I guess. I guess I'm kind of confused as to what exactly they would do. And even the first parcel, there's -- it's just wooded. So, I mean, is this time sensitive in any way, shape or form, Chris?

MR. KENT:

No. It's not time sensitive for us, no.

LEG. BEEDENBENDER:

All right, because they're all not in my district. But those -- the first one, because it's a half an acre, I mean, I think I understand that next. But the next one is a park. And the fourth property is just a piece of woods. So I'd like to have an opportunity to ask the town. I tried to make a phone call the other day, but they haven't gotten back to me to let me know exactly what it was. So I don't want to gum up the works, but I guess I'm kind of confused as to why they want to put a sump in the corner of a park.

MR. KENT:

What are you referring to as the second parcel, 562?

LEG. BEEDENBENDER:

392. 392.

MR. KENT:

I'm sorry. I was looking at the town's resolution. That's the second to last one.

LEG. BEEDENBENDER:

Okay. I apologize. On the -- Exhibit A, it's 200-392 is the one that I was particularly --

MR. KENT:

It's a small strip of land?

LEG. BEEDENBENDER:

Yes.

MR. KENT:

392-720?

LEG. BEEDENBENDER:

Right. So I guess -- if it's that small -- what was the dimensions again, Chris? Lot Number 20, yeah. Like I said, you know, if it's for drainage purposes, that -- even though you can't really tell by the picture, this is a park, and it's a pretty well developed park, at the corner right here. So I was just confused as to how they would use that for drainage. I mean, I don't really think we need to own it.

MR. KENT:

Perhaps, you know, they may have specified generally it's for drainage purposes. This may be a buffer for their park. I don't know exactly --

LEG. BEEDENBENDER:

All right. That's fine. You know what? I don't really think we have a need to table.

MR. KENT:

It's 10 by 76 is the size of the piece.

LEG. BEEDENBENDER:

All right. I was just curious. We don't really have -- I don't think we need to hold this up. The rest of them are all right. Thank you for your answers, Chris.

CHAIRMAN D'AMARO:

This is the issue though; when we draft the -- when your department drafts the resolution for the 72-h, do we already have the more specific purpose that the town is requesting the property, the basis?

MR. KENT:

All we have is their resolution. The towns generally come to us, and they go through our County inventory. We send out notices also to the towns when we take a tax deed. So they're aware --

CHAIRMAN D'AMARO:

That's fine. What I'm getting at is whether or not we should perhaps put in our resolutions more specific purpose. Or do we -- are we purposely giving the towns more flexibility? Well, municipal purposes. I mean, from our perspective --

MR. KENT:

Municipal purpose is a general terminology that could be drainage or could be park. The only one we carve out really is when it's for affordable housing, because we waive the taxes. In these instances, we collect the taxes.

CHAIRMAN D'AMARO:

And you think it's just better policy to leave it a more open-ended definition of what it could be used for?

MR. KENT:

I think it's better for the towns, it provides less restrictions. But they have to use them for municipal purposes, so it could be drainage, it could be parks. If you want us to be specific, we could ask them to be specific on each individual parcel when they convey -- when they -- when they request the conveyance to the town.

CHAIRMAN D'AMARO:

I'm not sure that it's necessary. I'm just weighing whether or not we're better off just leaving municipal purposes, because there may be a rare instance where there's a better use by the town for municipal purposes.

MR. KENT:

It does give them some leeway.

CHAIRMAN D'AMARO:

All right.

MR. KENT:

And some discretion on how they choose to use the property. But it does have to be put to a municipal purpose?

CHAIRMAN D'AMARO:

All right. This is 1766 of 2008. No motion yet. I'll offer a motion to approve, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Motion carries. **APPROVED**

(VOTE: 5-0)

1722, Sale of County-owned real estate pursuant to Local Law 13-1976 Charles Newby and Caitlin Newby, tenants by entirety (SCTM No. 0200-117.00-02.00-016.000). (Co. Exec. Levy).

This is a Brookhaven lot, 16 by 148. It's a small side lot. I'll offer a motion to approve, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0)**

1733, Sale of County-owned real estate pursuant to Local Law 13-1976 Maria Bustamante (SCTM No. 0500-269.00-01.00-010.001). (Co. Exec. Levy).

Twenty-five by 100 lot in Islip. I'll offer a motion to approve, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0)**

1774, Sale of County-owned real estate pursuant to Local Law 13-1976 Robert Ahern and Christina Ahern (SCTM No. 0200-244.00-01.00-023.000). (Co. Exec. Levy).

Once again, landlocked parcel, 33 by 75 in Brookhaven. I'll offer a motion to approve.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

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

1775, Sale of County-owned real estate pursuant to Local Law 13-1976 Robert Audirsch (SCTM No. 0100-083.00-01.00-070.000). (Co. Exec. Levy)

Forty by 100 lot in Babylon. I'll offer a motion to approve.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

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

1776, Sale of County-owned real estate pursuant to Local Law 13-1976 Calogero Comainni and Enza Comainni, tenants by entirety (SCTM No. 0200-979.70-06.00-027.000). (Co. Exec. Levy).

Parcel is located in Brookhaven. It's approximately 138 by 22 triangular parcel. I'll offer motion to approve.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

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

1777, Sale of County-owned real estate pursuant to Local Law 13-1976 Belford Properties, Inc., (SCTM No. 0500-368.00-01.00-016.001). (Co. Exec. Levy).

I had a quick question on this, Mr. Kent. The Suffolk County Tax Map number is located -- is indicated as Lot 16.001 of the subject parcel. I just wanted to confirm with you, does it adjoin Lot 17, which is indicated as the successful bidder?

MR. KENT:

Yes. If you look at Lot 17, it's an irregularly shaped piece that has frontage on both Belford Avenue and O'Neil Avenue on the tax map. It's kind of hard to follow because there's a lot of old lots that are super -- that are shown on the map also. The lots are dashed lines. But if you follow the solid line, it's the southern most -- the southern most extension. Sixteen point one, which is the end of O'Neil Avenue, is that small lot. And just to the north of that is 17, which has -- it looks like 40 foot of frontage. I can't read it, I'm sorry.

CHAIRMAN D'AMARO:

It looked like to me that it was Lot 73 that adjoined Lot 17, which is a small strip that hits -- what is it -- Belford Avenue.

MR. KENT:

Lot 17 has one, two, three of the old filed map lots on O'Neil Avenue, and one, two, three, four --

CHAIRMAN D'AMARO:

Oh, Lot 17 goes onto O'Neil.

MR. KENT:

It fronts on both O'Neil and Belford.

CHAIRMAN D'AMARO:

That answers it. Okay. I didn't catch that. Thank you. This is Resolution Number 1777 and it's 25 by 100. I'll offer motion to approve.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

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

APPROVED (VOTE: 5-0)

1779, To amend rules of the Suffolk County Legislature Rule 7(E). (Beedenbender)

Legislator Beedenbender.

LEG. BEEDENBENDER:

I'll make a motion to approve, but I'll obviously offer some explanation.

CHAIRMAN D'AMARO:

I'll second the motion.

LEG. BEEDENBENDER:

Okay. The reason I put this forward, this kind of -- it plays off interestingly with what we were discussing before about voting. One of the things that has kind of bothered me, and it's become kind of a personal pet peeve since I've been here, is that it seems as though when there's a pass, there are numerous Legislators -- and it is a bipartisan fashion, Democrat and Republican, from all across the horseshoe, so it is certainly nobody's one particular problem -- that are taking a count, and then when the vote is determined, then they decide which side they'd like to be on.

And it's become particularly evident when we're dealing with difficult decisions, whether it involves a

fee increase or a difficult policy decision, that, you know, once 10 Legislators have -- or 12 as it may be -- have cast their vote in the affirmative and it's going to pass, then some Legislators who have passed can come back and say, well, I know it was the responsible thing to do to vote for that, but now since I don't have to, I will just vote no and -- and I don't think that's how we were sent here.

I think, you know -- I know we go -- we start at one end of the horseshoe one month and at the other end of the horseshoe the next month, but really I think, you know, that's really irrelevant, the order. We should have made our decision. At least the way I operate, and I assume that we are expected to operate, is read the bill, have a discussion, ask questions. By the time we get to the full Legislature, they've been vetted in committee and we should have a further debate. But then once it's time to vote, we vote yes, we vote no or we abstain.

And I don't think that passing to -- to see the results of the other Legislators is really what we were intended to do. And not to make light of it, but the way that I view it, and kind of a similar thing, you know, when Tim Laube, our Clerk, is asking us who is -- you know, done doing the roll call and calling out our names, he's expecting three answers, and, you know, I kind of view as, you know, when you pass, you're looking for a lifeline. And, you know, we can pole the audience or I'll just -- you know, I'm not sure how I'm going to answer so I'll just pole the Legislature, and it looks like the majority of them have already supported it. So thank you, Regis, I'll take my lifeline and I'll -- and that's my final answer.

I just think that that's kind of a dramatic departure from what we're actually supposed to be doing. And I know that I've spoken to some of my colleagues about this. And I actually -- although some may think that this was kind of -- a bit of levity, I actually think this is really serious, because we're here to cast a vote, and it's very simple. And really, by the Charter, the only thing we have to do is be here and cast our vote. And to find a way to obfuscate that process just seems like a really bad way to go. And it might have been the practice of this body for many years, but I just -- I just disappear -- I just disagree with that process. So with that, I'll just leave it.

CHAIRMAN D'AMARO:

All right. Just to add my two cents on this. The way I view this rule amendment is that it assures or helps to assure that when a Legislator casts a vote it's being cast for the right reason, not to say that we always do that, but it would negate the ability to abuse that concept.

And when we go around the horseshoe and we're voting and somebody passes and is -- the practical matter is we're keeping tabs on who is voting what way and whether or not a majority on a bill is reached or not, if that ever becomes the basis of your voting decision, in my mind, that's not appropriate. And I'm not going to say that that's done every time. I know even I have passed where I genuinely had not truly decided yet where I wanted to go and had some considerations or it may just be a tough vote, but what's important is what the public thinks about the process. And what it projects to the public is that you're counting votes and casting a vote for the wrong reason. That's why I'm supporting this. I'm going to support this bill. Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:

I cannot support this for a few reasons; the first one being procedural. We have the opportunity at the beginning of every year to set the Rules for the Legislature. I believe that that's the appropriate time to address the Rules of the Legislature, during that period at the end of the year. And we could certainly argue for or against the merits of any of the rules that we have before us.

The second is that as both the sponsor and, you, Mr. Chair, know, I can probably count on one hand the times in the ten years that I've sat at this horseshoe that I have passed. I just don't remember every passing, but I might have. And I find it disrespectful to my colleagues, no matter what my own personal opinion is, to assign motives to them that are less than honorable or decent or honest. And I believe that the underlying message in this legislation is to assign motives that don't agree with my ethical standards.

There's a great deal of behavior at the Legislature with which I disagree. I feel when members of the public come here during the public portion to see the empty chairs before them, I'm opposed to that. I believe we should have people listening to members of the public. That reflects very badly on this body. Legislators having conversations that are not conducted sotto voce, but just speaking right out loud and laughing out loud while members of the public are speaking to us, I find very disrespectful. But that's my personal sense of decorum. And, you know, we do what we can to try to hold our body at a high level of conduct and behavior.

There are many reasons why someone might pass. And there are certainly many opportunities for people to have -- for members of this body to have conversations with fellow members as to how they might or not -- might not vote on various pieces of legislation. There are many ways in which Legislators can have pressure put upon them to vote one way or another on pieces of legislation. I don't feel comfortable assigning an agenda to people and making that the reason to vote for a rule change. With that being said, I will make a motion to table this.

CHAIRMAN D'AMARO:

Thank you. And just to clarify my comment, I'm not ascribing motive to my colleagues. What I am saying is that whether you've done it or not, it would remove the opportunity to be voting for the wrong reason. I'm not saying that -- whose done that and when or if ever. What I am saying is that I find it -- I'd rather be in a position of not even having that option than being in the position of having the option. And I think that just goes to a positive way to present voting.

LEG. VILORIA-FISHER:

Can I just answer that, because it's directed to what I said? Can I just have an opportunity to answer that.

CHAIRMAN D'AMARO:

Sure. Absolutely. Go right ahead.

LEG. VILORIA-FISHER:

A Legislator might not have heard the motion. The Clerk calls a Legislator's name and you're not sure whether you heard it, was it a tabling motion, was it a motion to approve. You know, somebody might have just left the room after four hours and gone to the restroom and isn't sure of -- you know, sometimes we go very quickly.

I don't every want to deny a Legislator an ability to say I would like to pass at this moment. We just had a long discussion previously with regards the right of a Legislator to vote on an omnibus treatment of legislation or not, and now we're saying we don't want to give someone the right to say, time out, I need to take a second look. And so I'm just trying to respect the individual Legislator's right to say, give me a time out, I want an explanation. And I don't want to say it's because of nefarious --

CHAIRMAN D'AMARO:

I would tell you this: it would make the Legislators sit in their seats more and pay attention more if you weren't allowed to pass. So maybe it would kind of help some of the things you've described.

LEG. VILORIA-FISHER:

But sometimes they have to go to the bathroom.

CHAIRMAN D'AMARO:

That's true. That's true. Legislator Alden, please go ahead.

LEG. ALDEN:

I just find a couple things here scary actually. A Legislator's motive, whether it be a good motive or bad motive, that's something that's inside that Legislator. And the last time I looked, the United States guarantees individual rights. So if you have a good motive to pass a bill or if you have a bad

motive to pass a bill, that's still your individual right.

Every two years we have to go and answer to the public. And if we go out there and display conduct where we're passing bills for the wrong motive, obviously -- hopefully, the public is going to pick up on that and you won't be here as a Legislator, they'll vote you out of office.

So if we start looking at motive, that's a very dangerous area. Plus, unfortunately for me, I'm in the middle of this and I have an assigned seat. So why is it fair that I have to vote before half of everybody every time, every time? I could be -- like Legislator Viloría-Fisher says, I could in the bathroom. I could still be listening to people lobby me on which way to vote on a bill. I could actually still be reading a bill, because there's times when CNs come over here -- now they've been getting better, but there are times when CNs are dropped on us, and then the next minute, not even minute later, 30 seconds later, I'm asked to vote on something. And I've passed. I've passed a few times actually in jest, I've passed a few times when I've been reading, I've passed a few times when I've been being lobbied. So in 11 years, sure, I've passed a number of times. But I'm going to show you something when we go and vote on this. I'm going to show you the actual practical application of how this can never work.

CHAIRMAN D'AMARO:

Okay. Yes. Legislator Nowick, please.

LEG. NOWICK:

I'm not going to go over what has already been said, because I do agree with my colleagues Legislator Viloría-Fisher and Legislator Alden. But I just wanted to put on the record one thing, because twice or maybe more it was mentioned when Legislators are out of their seat. I just think that on the record the public should know we come here at 9:30. And sometimes, sometimes, before you were here, sometimes we would sit here until 1:30. And I have to tell you, if you don't get out of that seat once in a while, you just go crazy. You can't even vote or think anymore. You need to get that oxygen flowing besides all the other reasons that you would get out of the seat.

But on the record, the microphone goes throughout the back. So try as we may, we hear everything that's going on. And I just -- there are times you just have to be out of that seat. And I know that I'm not out of the seat a lot and I know that most of us aren't, but it is important to be said. We hear all over. I think even in the ladies' room.

CHAIRMAN D'AMARO:

Yeah. It's a little off the bill. But Legislator Beedenbender has assured me he's not putting in a bill to force us to stay in our seats for the entire meeting, so I think we're going to be okay.

LEG. NOWICK:

It was just actually to the comment you made that maybe we'll stay in our seats more.

CHAIRMAN D'AMARO:

And just to respond to Legislator Alden, I don't -- I don't think that the Constitution guarantees a Legislator a right to vote on an arbitrary basis. But we can have that debate when we're off of the record. That's kind of an interesting comment that you made.

LEG. ALDEN:

Well, what's the criteria whether I vote arbitrarily or I vote informatively?

CHAIRMAN D'AMARO:

Well, I would rather just present to the public that I'm never voting arbitrarily, but I get your point.

LEG. ALDEN:

I've never voted arbitrarily.

CHAIRMAN D'AMARO:

The point that I was trying to make is -- and I know we had some discussion about motive. Honestly, I would prefer that the motive was always pure, but I don't -- I don't really think this addresses that. I just want you to vote. If you have bad motives, then that's your particular persuasion, but just vote. That's it. Okay. There is a motion pending to approve that has been seconded. I will call the vote.

LEG. ALDEN:

Roll call.

CHAIRMAN D'AMARO:

I don't think we need that. Oh, you want a roll call? Okay. Not a problem. What side would you prefer that we start on?

LEG. ALDEN:

Well, now we're going into a tricky place. I would like to vote last or whatever, but I'm not in that position.

CHAIRMAN D'AMARO:

Well, if you're doing this by way of example, I want to accommodate you.

LEG. ALDEN:

Pick a side, because it doesn't really matter.

CHAIRMAN D'AMARO:

All right. Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:

No.

CHAIRMAN D'AMARO:

Legislator Nowick.

LEG. ALDEN:

No. You're jumping around now.

CHAIRMAN D'AMARO:

I know. I'm going from side to side.

LEG. ALDEN:

You can't do that.

CHAIRMAN D'AMARO:

I can't?

LEG. ALDEN:

That's not how they do it in the Legislature.

CHAIRMAN D'AMARO:

Well, I can do that.

LEG. ALDEN:

Oh, okay.

LEG. VILORIA-FISHER:

Well, the Clerk calls the roll, right?

CHAIRMAN D'AMARO:

All right. Let's let the Clerk call the roll. You're absolutely -- you know, that's from my Zoning Board days, I used to call the roll myself. I apologize. There is a motion to approve the bill. It has a second. I'll let -- I'll the Clerk, Ms. LoMoriello, please call the vote.

MS. LOMORIELLO:

Legislator D'Amaro.

CHAIRMAN D'AMARO:

You are starting with me?

LEG. BEEDENBENDER:

You made the motion.

CHAIRMAN D'AMARO:

Okay. I will vote yes on the motion.

(THE ROLL WAS CALLED BY BARBARA LOMORIELLO - DEPUTY CLERK OF THE LEGISLATURE)

LEG. BEEDENBENDER:

Yes.

LEG. ALDEN:

(No response).

CHAIRMAN D'AMARO:

This is not our finest moment.

LEG. VILORIA-FISHER:

Is that a pass or an abstention?

CHAIRMAN D'AMARO:

Oh, actually, you are making your point that if you don't vote, nothing goes forward.

LEG. ALDEN:

No. But I think I made the point of how that's not going to work.

MS. LOMORIELLO:

So you vote no?

LEG. ALDEN:

No, I passed, then I voted no.

CHAIRMAN D'AMARO:

He votes no.

(THE ROLL WAS CONTINUED BY BARBARA LOMORIELLO - DEPUTY CLERK OF THE LEGISLATURE)

LEG. NOWICK:

No.

LEG. VILORIA-FISHER:

No.

CHAIRMAN D'AMARO:

I'll call the vote. It's 3-2 against. Motion does not carry, the resolution is not approved. **FAILED (VOTE: 2-3-0-0 Opposed: Leg. Viloría-Fisher, Leg. Nowick and Leg. Alden)**

1794, Authorizing certain technical corrections to Adopted Resolution No. 336-2008, authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program Open Space Preservation Program Ostler property Forge River addition Town of Brookhaven (SCTM No. 0200-713.00-03.00-001.000). (Co. Exec. Levy)

LEG. BEEDENBENDER:

Motion to approve and place on the Consent Calendar.

CHAIRMAN D'AMARO:

Thank you. I'll second -- seconded by Legislator Viloría-Fisher. Legislator Alden, go ahead.

LEG. ALDEN:

What's the correction to?

CHAIRMAN D'AMARO:

To a Whereas Clause, and I believe the project number, but I'll defer to Counsel or to Budget Review Office to explain.

MR. NOLAN:

It's, as you say, correcting a resolution number and Whereas Clause and also the amount that was appropriate under the Multifaceted Land Preservation Program and then a Resolved Clause changes the Capital Project Number.

LEG. ALDEN:

So how much to how much.

MR. NOLAN:

Well, it references an earlier resolution, so that it's -- the earlier resolution had actually appropriated 11 million plus for land preservation under Multifaceted. The original -- the resolution incorrectly had it at eight million.

LEG. VILORIA-FISHER:

That's not the cost of this property though.

MR. NOLAN:

No, it's not.

MS. VIZZINI:

The cost of the property doesn't change. What changes is we appropriates 11.8 million in '07. We have not exhausted that money yet. So it corrects the reference to our '08 appropriation back to our '07. We're going to use the '07 Multifaceted money.

CHAIRMAN D'AMARO:

Yes, Legislator Alden.

LEG. ALDEN:

I think I made this point -- and there might be a bunch of questions that flow out of this -- but I think I made the point at General Session a few times. This is old -- this is an old program, right? Correct?

MS. VIZZINI:

This is not to be confused with Quarter Cent. This is the Multifaceted monies in the Capital Program. It's an '07 prior appropriation.

LEG. ALDEN:

And my point in General Session and my point is going to be today that we're going into tough fiscal times, why are we buying things that we can't really afford? And if we have a program that's already got a stream of revenue that pays for it, why wouldn't all of these acquisitions be bought out of that -- out of that program increasing the numbers that we're authorized to buy open space, which really makes a huge impact.

And I think it was your testimony that our capital debt -- not capital debt -- the amount of money that we're -- the service on the capital debt has gone up \$30 million in the past three or four years. That's \$30 million that has to come out of the Operating Budget. So if you kind of step back and say, wait a minute, maybe we can't afford all this property where we're adding an additional burden on our Operating Budget, maybe we should stick with one program or the other. And the new program was passed by the people. I don't really agree with going into debt for half a billion dollars to buy open space.

But there was a revenue stream that didn't come out of our Operating Budget that was dedicated to pay that property off. Now, every time we make an acquisition, every time we change, we're adding more of a burden to our Operating Budget. And we're in trouble on the Operating Budget. So I think that was a point I made, and I think that you're saying that that's correct. What we're doing here is we're buying this property out of another program, not the new Quarter Cent that has a revenue stream dedicated to paying it off.

MS. VIZZINI:

Well, the legislation does not authorize the purchase from the Quarter Cent. It deals with the Multifaceted.

LEG. ALDEN:

And where do we pay this -- where do we get the money to pay this off?

MS. VIZZINI:

The General Fund Debt Service will pay this off. The other flip side of that is it is the '07 rather than dipping into -- you know, using the '08 appropriation.

LEG. ALDEN:

Or we could cancel '07 appropriations and go back and basically not cost the taxpayers that amount of money to service the debt on that.

MS. VIZZINI:

These are all policy options that, you know, certainly could be considered.

LEG. ALDEN:

Okay. That's my point. And, Mr. Chairman, if you would allow me -- and I could wait until the end of the agenda -- but I have a couple of questions of the -- the County Attorney is here, and it has to do with these type of acquisitions and things. Thank you.

CHAIRMAN D'AMARO:

Sure. All right. This is Resolution 1794. To the Clerk, do we have a motion pending?

MS. LOMORIELLO:

Yes.

CHAIRMAN D'AMARO:

We do. A motion and a second to place on the Consent Calendar and approve. I'll call the vote.

LEG. ALDEN:

I'm opposed so it can't go on the Consent Calendar.

CHAIRMAN D'AMARO:

Oh, you're opposed, I apologize. Okay. So the motion will be modified to approve and I'll second. All those in favor? Opposed? Abstentions? One opposition, Legislator Alden. Motion carries.

APPROVED (VOTE: 3-1-0-1 Opposed: Leg. Alden Not Present: Leg. Viloría-Fisher)

1795, Authorizing certain technical corrections to Adopted Resolution No. 234-2008, authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program Open Space Preservation Program for the Verrico property Patchogue River wetlands addition Town of Brookhaven (SCTM No. 0200-865.00-03.00-053.000). (Co. Exec. Levy)

Similar modifications to the prior resolution. I'll offer a motion to approve.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Opposed.

CHAIRMAN D'AMARO:

One in opposition, Legislator Alden. Motion carries. **APPROVED (VOTE: 3-1-0-1 Opposed: Leg. Alden Not Present: Leg. Viloría-Fisher)**

1796, Authorizing certain technical corrections to Adopted Resolution No. 233-2008, authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program Open Space Preservation Program for the Rodick Realty Corp. Property - Mastic/Shirley Conservation Area II - Town of Brookhaven - SCTM Nos. 0200-983.40-06.00-034.000 and 0200-983.40-06.00-035.000). (Co. Exec. Levy).

Similar modification. Once again, motion by Legislator Beedenbender to approve, I'll second. All those in favor? Opposed?

LEG. ALDEN:

Opposed.

CHAIRMAN D'AMARO:

One opposition, Legislator Alden. Abstentions? Motion carries. **APPROVED (VOTE: 3-1-0-1 Opposed: Leg. Alden Not Present: Leg. Viloría-Fisher)**

1797, Authorizing certain technical corrections to Adopted Resolution No. 232-2008, authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program Open Space Preservation Program for the Karras property Miller Place/Yaphank Road NP addition Town of Brookhaven (SCTM No. 0200-188.00-05.00-006.000). (Co. Exec. Levy)

Motion to approve by Legislator Beedenbender, I'll second. All in favor? Opposed?

LEG. ALDEN:

Opposed.

CHAIRMAN D'AMARO:

Legislator Alden is opposed. Abstentions? Motion carries, resolution is **APPROVED. (VOTE: 4-1-0-0 Opposed: Leg. Alden)**

1806, Adopting Local Law No. -2008, A Charter Law to restrict hold-over period for certain appointed Department Heads. (Cooper).

Requires a public hearing. I'll offer a motion to table, seconded by Legislator Vilorio-Fisher. All those in favor? Opposed? Abstentions? Motion carries. **TABLED FOR PUBLIC HEARING (VOTE: 5-0)**

That concludes the agenda, but Legislator Alden had a question. Who did you want to come up?

LEG. ALDEN:

Actually, the County Attorney.

CHAIRMAN D'AMARO:

County Attorney. Ms. Malafi.

LEG. ALDEN:

And if she doesn't know the answer, we have Mr. Kent and --

CHAIRMAN D'AMARO:

Good afternoon and welcome.

MS. MALAFI:

Hello.

LEG. ALDEN:

Hi, Christine. Maybe you're just going to be able to point me in the right direction or maybe you can answer the questions. When certain pieces of legislation come before us, I've asked questions, and basically what I'd like to see is who the owners of the properties are. I'd like to see that identified. I'd like to know if they're current on their taxes, I'd like to know what the zoning -- if there's any zoning change pending somewhere, any actions that the towns, individual towns, have taken on that.

Who -- and I'm just making the assumption that we make -- we order title on all these. So from, you know, my experience, the title report would show almost every one of these things that I'm asking about. Maybe not the zoning changes, but, you know, for the most part, who owns the property, taxes being paid, things of that nature. There's a couple of things that wouldn't be on the title report, and that would be -- would require coordination between different departments. For instance, are we in contravention of some of our own laws?

In Suffolk County, when we buy property, when we get to a certain amount of acreage, then we have to hire more Park Police to make sure that those -- our properties are not abused or destroyed.

MS. MALAFI:

We don't order title until after the Legislature has authorized the execution of the contract of sale. So we don't -- before the authorizing resolution allows us to sign the contract, we have not -- we don't order title.

LEG. ALDEN:

We don't get an abstract?

MS. MALAFI:

No. We do not order -- right, Chris? I don't -- because in my office, I order the title. I do not order title until we have an executed contract. It would be -- then we would have to pay for things that if the Legislature did not pass the authorizing resolution, I'd be paying for partial title reports on pieces of land that we're not doing anything with.

LEG. ALDEN:

An obvious question is how do we know we're dealing with the right person, the right owner --

MR. KENT:

We run a last-owner search inhouse through our abstract unit.

LEG. ALDEN:

Okay. And sometimes in a last-owner search, you can get, you know, status of taxes paid or things of that nature. That doesn't -- we don't look at those?

MR. KENT:

When we run the last owner search, it's just for the purposes of sending out a letter of interest to the correct owner, to the correct owner.

LEG. ALDEN:

If we approve the acquisition --

MR. KENT:

No. Planning steps --

LEG. ALDEN:

No, afterwards. Afterwards. So we approve the acquisition, then that whole thing goes to you, Christine, and then you order title?

MS. MALAFI:

Do you mean when you -- after the planning steps, after -- and then after the contract, after you have authorized the County Executive to sign the contract of sale --

LEG. ALDEN:

No. We authorize -- I don't think we authorize him to sign the contract of sale. We authorize purchase.

MS. MALAFI:

You authorize the purpose, but that's what we wait for before he'll sign the contract. And then my office works with the Division of Real Estate and we do -- it's a lot of back and forth. We couldn't do without them at all.

LEG. ALDEN:

So you order the title though?

MS. MALAFI:

Yes.

LEG. ALDEN:

Okay. Do we have any relationships with these title companies whereby we could get some basic information, you know, at a very, you know, small amount of money, because --

CHAIRMAN D'AMARO:

Legislator Alden, could I interrupt? Just as with the other committee I sat on, the Budget Committee, are you referring to your bill that's pending there to get that information?

LEG. ALDEN:

You mean my bill that's dead there.

CHAIRMAN D'AMARO:

It's tabled on the agenda.

LEG. ALDEN:

It hasn't been discussed in a long time either.

CHAIRMAN D'AMARO:

I discussed it yesterday.

LEG. ALDEN:

Oh, okay.

CHAIRMAN D'AMARO:

At length as a matter of fact.

LEG. ALDEN:

Good. Okay.

CHAIRMAN D'AMARO:

So are you referring to that bill?

LEG. ALDEN:

I'm referring to some of the information that I had asked for or was hopefully -- you know, that would have been provided if that bill had passed.

CHAIRMAN D'AMARO:

You wanted taxes and how does it affect the tax rolls and some other analysis before each acquisition. Is that what you're referring to?

LEG. ALDEN:

That's kind of what I'm referring to, yes. I think it would be beneficial, because what I'm left with, if my bill is going to stay there and it's tabled -- and thank you for actually discussing, I appreciate that -- it didn't pass out though, right?

CHAIRMAN D'AMARO:

No. No. It did not.

LEG. ALDEN:

Okay. I have the -- you know, I'm just making the assumption that it might end up staying there for a while, so I really do need some of that information to vote intelligently on whether we should go forward with the bills. And I really would like the information sooner in the process rather than later. Even when we do -- you know, the proposal to --

MS. MALAFI:

And well, I think what you want -- last-owner searched, then who owns -- Division of Real Estate can do -- whether taxes are up-to-date on the property is a call to the Treasurer's Office. They're very cooperative if we call them to ask them things like that.

MR. KENT:

We read their screens.

MS. MALAFI:

Right. So that wouldn't be a problem.

LEG. ALDEN:

Also, then the analysis, though, how -- you know, is the acquisition of this piece, because if it's a large piece, it might put us over and we might need to hire an extra Park Police to watch it. So there's got to be a stewardship plan for the parcels that we're buying. And I would like to see that stewardship plan upfront rather than in the back end of it, because once we buy the parcel, we've got tons of parcels out there -- and it was brought up earlier. The reason why we're selling some of these little strips is if you own it and you're a municipality, it's going to get dumped on and it's going to get abused. So it would cost money to clean those up, it costs money to police them, it costs money to actually do anything with it, even if we're going to allow somebody to go in and bird watch or use it, you know, in a passive manner.

CHAIRMAN D'AMARO:

You know, just again, I think you are discussing that bill, which we talked about in the Budget Committee yesterday. And one of the -- the last item that it requested was exactly that. I call this bill the indirect costs; yeah, we need to know the purchase price, what is it costing us directly, how does it affect debt service, but then what are the costs in going forward in maintaining the property, what's the stewardship program.

And the reason why I wanted to have that discussion yesterday is that what I said in the committee yesterday was I come from a belief that more information rather than less information is a good thing. And I didn't oppose that bill, but it seems to have -- the will of the majority of that committee is not willing to pass it out.

LEG. ALDEN:

Right. So what I'm trying to do here -- because I was frustrated at the last meeting. I asked who the owner of the property were, what the taxes were, are the taxes paid, what some of the zoning was on the property. And then we found out that one piece of property had been up zoned -- I wouldn't call it up zoned by -- no, down zoned for multifamily use, and then that developer was in a bad real estate selling that property to the County of Suffolk. So those are the things that, you know, I think should be readily available. And if I can't get it through -- passage of that legislation that would make it a requirement, then on each one of these purchases that I see coming up, I'm making the request. Who should I make that request of? Who would have that information?

MS. MALAFI:

It would be collaborative with the Division of Real Estate and --

LEG. ALDEN:

So jointly I should make it to Division of Real Estate and our office, Christine?

MS. MALAFI:

Yeah. Either one of us. We work together. Chris Kent would have most of that information at hand, and we can assist in obtaining some of it. Like I said, I believe that we usually have most of that information anyway. It's usually in a file.

MR. KENT:

Yeah, the last-owner search. We can also search taxes easily.

CHAIRMAN D'AMARO:

Yeah, but you don't have -- you don't have -- if we're buying 35 acres, and now we have even a dedication, I think, of the quarter point toward stewardship maintaining these properties, you don't have at hand what the stewardship plan is for the property; maybe it's cutting trails or, you know, whatever it is? You wouldn't know that as a function of your day-to-day department vetting of these

properties and bringing them here.

MR. KENT:

The Planning Department does do a plan for post acquisition.

LEG. ALDEN:

Good. See, that's what I'm getting at. I'd like to -- I'd like to --

MR. KENT:

That's part of planning steps that they undertake, but that would be after you adopt a planning steps resolution.

LEG. ALDEN:

Okay. You know, I mean, I could live with that. I'd like to have it before the planning steps, because if there's no plan and we're just buying property, that's kind of silly to me.

MR. KENT:

But I try to engage them in everything -- whether or not you're going to approve planning -- that's part of the planning steps. So it would only be to undertake that --

LEG. ALDEN:

No. This is good. And that is before the acquisition. So before I vote on the acquisition resolution, I could probably get that information then.

MR. KENT:

Frequently discussed at the EPA Committee, the planning -- the Planning staff is here, and they do discuss what the plan is for the property after we acquire it.

LEG. ALDEN:

But I've looked at the EPA -- you know, the committee notes, not notes, but the transcriptions. They don't go into that, and they don't talk about what it's zoned for and whether there's pressure on it to up zoned or down zoned. They don't -- they don't really go into that.

MR. KENT:

That's also discussed at ETRB quite extensively, but it's in Executive Session. It goes into value.

LEG. ALDEN:

And I'm barred from Executive Session, so I wouldn't be able to go there. I'm barred. Anyway, that was my question, so now at least I have a little bit of guidance. And how many people do we have as far as title companies that do business with us?

MS. MALAFI:

We have nine, ten, eleven, somewhere in there.

LEG. ALDEN:

And they give us, you know, not free, but, you know, they'll cooperate with us if we want, you know, extra little information and things like that?

MS. MALAFI:

All of them cooperate with us fully.

LEG. ALDEN:

Thank you.

CHAIRMAN D'AMARO:

Thank you, Legislator Alden. That's something that's of interest to me as well so I appreciate your comments. Motion to adjourn, seconded. All in favor? Opposed? We are adjourned.

(*THE MEETING WAS ADJOURNED AT 12:47 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY