

**WAYS AND MEANS**  
**COMMITTEE**  
**of the**  
**SUFFOLK COUNTY LEGISLATURE**  
**Minutes**

A regular meeting of the Ways and Means Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Wednesday November 12, 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  
Gail Lolis - County Attorney's Office  
Lynne Bizzarro - County Attorney's Office  
Chris Kent - Director of Real Estate  
Brian Harrington - Attorney General Cuomo's Office  
Debra Alloncius - AME  
Katherine Hoak - League of Women Voters  
Alan Berkowitz - NYS Attorney General's Office  
All other interested parties

**MINUTES TAKEN BY:**

Donna Catalano - Court Stenographer

**MINUTES TRANSCRIBED BY:**

Kim Castiglione - Legislative Secretary

**(THE MEETING WAS CALLED TO ORDER AT 10:05 A.M.)**

**CHAIRMAN D'AMARO:**

Good morning, everyone. Welcome to the Ways and Means Committee of the Suffolk County Legislature. If you would please rise and join the committee in the Pledge of Allegiance led by Legislator Brian Beedenbender.

**SALUTATION**

Once again, welcome. Turning to the agenda, the committee has not received any correspondence this morning. We'll go to section three on the agenda which is public comments. We have received one card. When you come up to address the committee you will be given the opportunity to do so with three minutes. The first speaker this morning is Katherine Hoak of the League of Women Voters. Good morning, Katherine. Welcome.

**MS. HOAK:**

The League of Women Voters of the United States believes that democratic government depends upon the informed and active participation of its citizens at all levels of government. The League further believes that governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings, and making public records available.

The League continues to support the New York State Sunshine Law, enacted in 1976, to enhance citizen's access to information. Transparency is an essential prerequisite to accountability.

We have viewed Attorney General Andrew Cuomo's Project Sunlight website and are deeply appreciative of its provisions for our right to know and to monitor governmental decision making. James Madison, Founding Father of the Bill of Rights is quoted on its homepage. "Knowledge will forever govern ignorance; and people who mean to be their own governors must arm themselves with the power which knowledge gives."

We see IR 1935-2008, a resolution to direct the Commissioner of Information Technology to complete a feasibility study for the implementation of a Project Sunlight Program in Suffolk County as important legislation. As this Legislature had the courage and determination to improve democratic standards here by passing significant redistricting legislation, we see investigating the possibility of a Project Sunlight Program as another step in that direction, one that will strengthen our democracy. Thank you.

**CHAIRMAN D'AMARO:**

Thank you very much for your comments. I have no other cards this morning. Is there anyone present who would like to address the committee this morning? For the record, there is no response.

The next section of the agenda is for presentations. This morning we have representatives from the Attorney General Andrew Cuomo's office with us to talk precisely on that topic. The Attorney General has recently implemented its own Project Sunlight with a website which is up and running. I reviewed it myself and it is very informative. This morning we have with us Brian P. Harrington, who is the Assistant Director of Intergovernmental Affairs with the Attorney General's Office, as well as Alan B. Berkowitz, Assistance Attorney General, Suffolk Regional Office. Mr. Harrington, welcome, good morning. Welcome back I should say. Please go ahead.

**MR. HARRINGTON:**

Thank you, Chairman D'Amaro, and thank you members of the Legislature Ways and Means Committee. Good morning. My name is Brian Harrington. I'm the Assistant Director of Intergovernmental Affairs for Attorney General Andrew Cuomo. I cover Nassau and Suffolk County

for him. Also this morning I have Assistant Attorney General Alan Berkowitz with me here this morning. We are going to discuss and actually give you a brief overview of Project Sunlight.

Project Sunlight is the first of its kind website in New York State to make government more transparent and accountable. The website gives its users unprecedented access to information the State Government keeps that until now has been scattered and difficult to retrieve.

The website allows you to easily research bill information, elected officials, donors, lobbyists, special interests, state contracts, and allows you to uncover links between each of them.

During this presentation I will show you how you can access all of this information through the website and I would encourage you as I go along if you do have questions, please feel free to interrupt me because I would like to insure that everybody understands what I am doing to navigate the website and how the information is flowing through the website.

First is how to get to the website. The website can be visited in two ways. One, by visiting the homepage of the Attorney General's Office, which is [www.OAG.state.ny.us](http://www.OAG.state.ny.us). Right on the homepage is a link for Project Sunlight. By clicking on that link it will take you to our section of the website that we have dedicated to Project Sunlight information. On that website if you click on Begin Your Search it will take you to the homepage for Project Sunlight.

Project Sunlight's homepage is [www.Sunlightny.org](http://www.Sunlightny.org). As you can see, this is the homepage. We tried to make this page very easy for users to access and to use. We understood that there would be people who monitor State government that were very aware of how to use the computer and that there would be novices, beginners, maybe school students that were learning to use the computer that may access this web page. We wanted to make it accessible and usable for all users, those who are versed in the computer and those who are not.

So the web page has an easy layout, a links page across the top that takes you to different sections of the website that provides different sorts of information to different search functions. On the left hand side it takes you to the different databases in the website; browse bills, elected officials, lobbyists, member items, and then the search function that allows you to search multiple databases at once.

So what exactly is Project Sunlight. Project Sunlight began as a campaign promise by Attorney General Andrew Cuomo when he was running for office. His idea was to make State government more transparent and promote the public's right to know. As US Supreme Court Justice Louis Brandeiss once said, sunlight is the best disinfectant. Attorney General Andrew Cuomo, after being elected, appointed Blair Horner, the head of a New York Public Interest Research Group, to head the project, and in 2007 Project Sunlight was unveiled.

This project was funded and supported by Albany's legislative leaders. So let's take a look here at what Project Sunlight has to offer.

**LEG. NOWICK:**

Excuse me. May I interrupt?

**MR. HARRINGTON:**

Yes.

**LEG. NOWICK:**

Tell me again how to get to it because I'm having --

**MR. HARRINGTON:**

Oh, I'm sorry. If you go --

**LEG. NOWICK:**

I did [www.Sunlight.ny.org](http://www.Sunlight.ny.org).

**MR. HARRINGTON:**

No, [sunlightny.org](http://sunlightny.org), one word. [Sunlightny.org](http://Sunlightny.org). So as we go along the top here the first thing we did was to get up some basic information for users who may not be familiar with New York State government or with Project Sunlight or the different departments in New York. So we created an informational resource page which on it lists Project Sunlight glossary, which will give you an overview of some terms that you'll come across as you search the databases or as you search the different information located within New York State government. Project Sunlight frequently asked questions, bill information for bills in the New York State Assembly and Senate, an overview on basics to New York State government, an overview of campaign finance, charities, corporations, the Freedom of Information Law, lobbying and member items. We also have a links page which will take you to websites with some important information outside of the Project Sunlight initiative.

In addition, we have a videos website which will show you and give you tutorials. So if someone hasn't seen this presentation or visits the website for the first time and is trying to learn how to use it, they can click on one of the videos and learn how to navigate the website and how to use the different databases.

I'm going to just quickly show you one of those brief videos. I'm just going to play a section of it so you can see what it would look like, how it sounds to the user. This is the video on how to use the website.

(Video presentation on website)

And that's just a portion of the video. As you can see, it has highlights to show the user where they are navigating through the page as we give them the tutorial on how to use it.

Going back to the website to now use the search functions. You can go through two ways. If we go back to the homepage and out of the videos section this will be the basic website you see when it comes up. So you can go through on the left hand side of the page and click on a specific database or you can go to the search function. The search function will go through many databases at once.

So as New York State Attorney General Cuomo said, transparency and disclosure are the pillars of restoring integrity and public trust to government. Project Sunlight increases transparency by eliminating the barriers to public information. As we said, and as I've talked about some of these different databases, previously this information was out there. It was on the department's individual department's homepages or in different sections of State government, but they were never integrated and that's what the goal of Sunlight was to do. It was to fold this information into an easily accessible website.

So to use the search page you can go through and click on the different websites here, Browse by Bills, Elected Officials, Lobbyists, and Member Items. Let's start with member items. The member items function allows you to search in two ways. The main way to search this is through the member item map. As you scroll over the member item map it will show you the County and how many member items are in each county. If we scroll over Suffolk County you can see there is 744 member items that come to Suffolk County. As you scroll over the map you can see there are disparities, its from all over the state, and a lot of that is attributed to the amount of population in the area or the number of members representing those different areas. So, if you go to someplace like, you know, Louis County in Upstate, New York, they only get 19 member items. Here in Suffolk County we get 744.

**LEG. ALDEN:**

Just go to New York City for a minute.

**MR. HARRINGTON:**

Kings County, 1300; New York City, 1300. So, as you can see, there are many differences. And that's easily, you know, accessible information now that this website is up there. You can see what the differences are, where money is going across the state.

Along the bottom of the page here, if you want you can go through and just select the county that you would like to search. Right now I am just going to click on the Suffolk County Map. What this is going to do is it is going to load up a resource page. It is going to list every single member item that is mentioned here. The member items on the web page, it lists the County, obviously, the member that got or got that member item for that organization, who the organization is, and the amount of the member item. The member items are listed from highest to lowest. So as you can see, we have member items of 300, \$200,000 all the way down to member items for \$500. So they definitely vary in size.

As we go along here you can click on the View More Info. This will show you detailed information about the member item, give you a project description, what the registered agency is to administer that member item, who the contact is, their address information and contact information, and the fiscal year for that member item. If we go back to the top of the page you can see this is for 2008-2009. If we were to go back you can also search 2006-2007 member items.

Another function is to search elected officials. You can go through and search on your elected official, find out different information about them, from everybody from different Assembly members and Senators to the statewide elected officials. Right now I am just going to click on the first elected official that is up there, somebody by the name of Peter Abbate. Towards the top here you can search the elected officials by name, by their last name, you can select by their county. When you do select an Assembly member or Senator or statewide elected official you just click on the circle to the left of their name. If you click View it will bring up the detailed information about that elected official. It gives you their name, how to contact that elected official, their office address and phone number, e-mail address. It tells you what counties they represent and the committees that they are on.

Along the top of the page here we can go and look at sponsored legislation. It lists 263 bills by this Assembly member. You can also search campaign contributions to that elect official, the member items that elected official has given, and also we have a link to their official website so the user can actually go and visit their websites.

So if we want to go into sponsored legislation we can take a look at, you know, different legislation that Assemblyman Abbate has introduced. It gives you two functions here. Again, if you click on the circle to the left of the bill that you are looking at you can look at the bill details. You can also look at who lobbied the bill. By looking at the bill details it will give you who the prime sponsor of the bill is, who we know here because we searched from his homepage. It tells you what the title of the bill is, this is to exempt wine from sales and use taxes, and it tells you a summary of the bill.

The key thing here, too, is along the bottom, Click Here for More Detailed Information. It, again, links you to the Assembly website and gives you more detailed information on that bill. It gives you the summary, the actions where it has been in committee, and also if a vote has taken place on that bill it will actually list -- in the Assembly records it will list who voted which way on that bill. The Senate doesn't give you a list of that. Depending on which page you are on, it can give you that information, and then also a detailed bill memo on the legislation.

So going back to the Project Sunlight web page, you can go back here and I'm going to -- just to take you back to the Assemblyman's website with the list of legislation that he has. You can also look at who lobbied on that specific bill by clicking the Who Lobbied function back on the list of the bills. You can go through and now it gives you detailed information as to which registered lobbyists were lobbying on that bill and who the lobbyist group was and when they were lobbying on that bill.

And just going back to the homepage to start another search. You can go through and search on a specific bill by clicking on Browse Bills. It now allows you to enter a specific bill number if you had a specific bill that you were interested in. I know one bill that particularly people are interested in in environmental circles is the Bigger Better Bottle Bill, and I have the number for that bill so I'll just give you -- that bill number is A23 -- no, I'm sorry. A.8044. By typing in that bill number it will take you directly to that bill where, again, you can search the View Bill Details, where it is, who introduced it, and you can go to who lobbied on the bill. We have 7-Eleven, the client, the bill number, and Pinsky and Skandalis is the lobbyist group.

Now, how this information all gets linked in together is now you can go to the lobbyist section and you can search on that lobbyist specifically or you can enter a client name and search specifically on them. For this bill if you typed in 7-Eleven it will list by -- I put the number seven in so all the lobbyists' client names with the number seven in it came up and you can go through and view reports on that client and lobbyist. It gives you who the client is, who the lobbyist is, the lobbyist address, their contact information, what type of lobbying they do, the level of government that they are lobbying, if it is local, state, and also what is the relationship. Was it, you know, just for a specific bill or are they, you know, on retainer. It also gives you some information about the compensation for that lobbyist.

So just to go back to the Bigger Better Bottle Bill, and going back to who lobbied on the bill. Again, you can see the detailed information on the bill and the lobbyist. One of the sponsors of this bill is Assemblyman Sweeney, so you can go through and search by the elected official. You could also go into the lobbyists and search the detailed information for the lobbyist. You can also go through and search the numerous databases here for campaign finance information to connect what lobbyists were donating to who and what, on what topics they were lobbying on, to see the different connections there.

So just to go back and navigate and show you what I did. By going to a specific elected official and going to View and going to their site, if you did see a bill and who the lobbyist was, you can go to Campaign Contributions on that elected official's website from the Project Sunlight page and it lists who the contributors were, how much they contributed. So you can see, again, it is different connections there as we go along.

**CHAIRMAN D'AMARO:**

So, Brian, the real -- the two aspects to this that I see just from your presentation is one, of course, the full disclosure or great amount of information now that is readily available to the public, but even I think a more powerful tool here is that that information is not freestanding. It's linked to the other areas of information that are available. So what you just did there was you could chose a particular bill and then you can also see what firms or individuals lobbied on that particular bill. It also links into campaign finance if you are going through a particular member's information. So it is really the crosslinking of this information that makes this, it seems to me, a very powerful tool.

**MR. HARRINGTON:**

Correct. And also it also links in some other databases that I just want to show you quick. If you do Search Data Bases you can enter any sort of text you want. So if we entered Suffolk into just the Search Database function it's going to cross reference the campaign finance website, the lobbyist website, state corporations website, member items, charities, and state contracts. And now anything in those databases with the word Suffolk in it is going to come up. So as we go through campaign finance here we see different organizations listed, what their filer is, the committee type, their address, and then you can look at what their transaction were. You can go over to state contracts and look at all the state contracts that have been given out to anyone with the word Suffolk in it. Adelanate of Suffolk County is one organization, the American Cancer Society of Suffolk County, so it also links in state contracts. Again, you can go into charities. So you can take different pieces of information from these different sections and then use them to go back and cull through several databases at once, too.

**CHAIRMAN D'AMARO:**

Are you finished with your presentation?

**MR. HARRINGTON:**

Yes.

**CHAIRMAN D'AMARO:**

You are. Okay. We'll get to questions in one moment. I want to first of all thank you for the presentation. I also want to commend, of course, our New York State Attorney General for providing access to this type of information. I think this is exactly the right approach. I think it's long overdue and I'm very pleased to see what's happening on the state level. The public deserves ready access to this type of information. Even here in the Legislature I've sponsored various bills, one of which would have required listing the names of sponsoring Legislators for initiatives and grants, so I think this is headed in the right direction, at least in my mind. I appreciate you coming down today to share it with us.

I had a couple of quick questions and then I will turn it over to members of the committee as well. One of the concerns that I would have with this type of disclosure, though, is ensuring that it's accurate. And so I wanted to just ask you what is the source of all of this information and how do you ensure that it's accurate? What kind of quality control do you have? What kind of quality control do you have to ensure that, you know, once something gets out there if it is not accurate it is often very hard to undo perceptions even though you retract and change the information. What kind of quality control do you have and where does the information come from?

**MR. HARRINGTON:**

That's actually the first time I have been asked that question so I would definitely like to research a little more and get you some harder information. But I can tell you that the information comes from the New York State databases. We take this information directly to what is reported from these or different state agencies and put it right into the databases. So it is the information that is actually reported on the disclosure statements or the campaign finance reports or the member item forms and it is put right into the databases and that's where we get the information from. So it is the information that is reported to these different state agencies. What we have done is just taken the databases in the state agencies and put them into one site.

**CHAIRMAN D'AMARO:**

Do you know how often the website is updated?

**MR. HARRINGTON:**

There is a lag. I have to check on that. Actually when I knew I was coming here I requested that information. I am still waiting on it, but I know there is a lag because if you do look up some of the state legislation -- for example, if you do a bill search. I know that some of the newer state bills are not in the database so there definitely is a lag. But I think that depends on the state agencies and how they get that information to us when the databases are updated.

**CHAIRMAN D'AMARO:**

Right. And the last question I had was do you know anything about the cost that may have been associated with getting this site up and running and then maintaining the site?

**MR. HARRINGTON:**

Unfortunately, I do not. If you would like more specifics on that I can see if I can get them for you in a follow-up.

**CHAIRMAN D'AMARO:**

Right. Only because, you know, Legislator Beedenbender of course is sponsoring a bill to do something very similar to this and, you know, we want to go in with our eyes open and make sure we know what the cost may be and how to keep it accurate and how to have that quality control in

place. But thank you again very much for your presentation. At this time Legislator Alden had a question. Please go ahead.

**LEG. ALDEN:**

Thank you, Mr. Chairman. Do you know who built the site? Did we hire outside -- did you hire outside --

**MR. HARRINGTON:**

My understanding was that it was employees in our office and the Technology Unit in the Attorney General's Office, but I can confirm that for you.

**LEG. ALDEN:**

And also how long it took you to build the site, if you could get that information.

**MR. HARRINGTON:**

Sure.

**LEG. ALDEN:**

And then of course Legislator D'Amato, the Chairman's question, how much it cost. That would be very interesting to see, too.

**MR. HARRINGTON:**

Okay. I think, again, that all depends, too, on, and I'm sure it is going to be technology people that determine that too, what type of infrastructure do you have within the County, what can be supported by it and those sorts of things are definitely going to add to that besides just the employee kind of set up to it.

**LEG. ALDEN:**

It will give us a little idea of what it cost you and maybe we can scale it to what it is going to cost us.

**CHAIRMAN D'AMARO:**

All right. Thank you, Legislator Alden. Legislator Nowick, did you have a question? Go ahead.

**LEG. NOWICK:**

Just a comment, because as you are sitting here I am actually on your site and going through it. It is incredibly informative and I just wanted to commend you.

**MR. HARRINGTON:**

Thank you. And we hope that this is just the beginning. We hope that as this website goes along and as the public gets interested and as more information becomes accessible through state government that we are able to include it in this website.

**CHAIRMAN D'AMARO:**

And, gee, look at that. All of this information was readily available to the public and the sky didn't fall. It's just amazing, isn't it? Legislator Beedenbender. Go ahead, please.

**LEG. BEEDENBENDER:**

Thank you. Brian, thank you very much for coming down and sharing that with us. Obviously, you know, I had made no secret and I said this idea came because the Attorney General Cuomo has this concept up there, and just to flush it out a little bit more for the members of the committee.

My concept -- obviously we don't have the degree of complexity that the State has. We don't lobbyist reports, so we wouldn't have that sort of thing. What I was really focusing on at a County level was having a place where outside firms -- right, lobbyists have to register with the Legislature, but they don't have to -- we don't file reports as to who came into my office.

But in terms of finding a way for the public to be able to look at our campaign finance records, which they can do to a large extent, but also to be able to look at the contracts that we award. Suffolk County awards millions upon millions upon millions of dollars in contracts every year and finding out who those contracts are to, what they are for, and what the amount is, is a lot more difficult than it should be, even for people that sit at this horseshoe. I think doing that, and I would love to have the member items a part of that, but I would imagine that that will be a debate we have at a later time.

The reason we went for a study, this feasibility study, is because the very questions that Legislator Alden asked. I don't know the staff requirement that would be needed to update this and keep it accurate as Legislator D'Amaro stated. I don't know what the cost and even if the databases are -- quite frankly, the technology and how you will link these things together.

What I would like to do is get all that information so as, while my colleagues have said, we have that information and our eyes are open going in and we know this is going to cost X amount of dollars and require X number of people to do. Then at that point we can make the decision if that's something we wish to go forward and do, but at least we have all the information on the table for us.

Thank you again, Brian, for coming down, and I appreciate all the help.

**CHAIRMAN D'AMARO:**

Are there any other questions? Brian, anything else you would like to add in conclusion?

**MR. HARRINGTON:**

Yeah, definitely. Just as I stated before, that we hope that this is just the beginning, that more information can be updated into this website that it becomes actually, you know, more instantaneous, the information that gets up there, that there is no lag. We hope to expand it.

I'd also like to offer that with this presentation if any of the members of the Legislature would like to bring it to their communities we'd be happy to do that. Besides this presentation we also do presentations on identify theft and student loans and internet safety. This is just one component of what our office does and we look forward to working with the Legislature on this and other issues.

**CHAIRMAN D'AMARO:**

Very good. And we appreciate all that you are doing through the Attorney General's Office here in Suffolk as well as around the State. Legislator Alden, did you have a question?

**LEG. ALDEN:**

On any of those presentations, would we coordinate directly with your office or should we do it through Suffolk County?

**MR. HARRINGTON:**

Yes, you can give me a call. I have cards that I can give you and you can also do it through our Suffolk County Regional Office. Thank you.

**CHAIRMAN D'AMARO:**

Gentlemen, thank you very much. Mr. Harrington, thank you again. Very informative. Thank you.

I just want to note for the record and for the committee's benefit that there will be an Executive Session following the agenda. The next portion of this morning's agenda are tabled resolutions, section five.

**Tabled Resolutions**

I'll call the first. The first is resolution number **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.)**

This involves a parcel that has been tabled for several cycles, 50 by 100 lot in the Town of Islip sold or auctioned to an adjoining owner for \$8500. This and three other bills are the subject of my new program that I'm trying to implement for workforce housing. And just to bring the committee up to date, the bill that I am going to propose that would deal with lots such as this and the other three on the agenda, tabled on the agenda, is drafted and ready to be submitted. Just a couple of dotting the i's and crossing the t's, but ready to be submitted to the Clerk and laid on table. So with that said, I would appreciate continuing to table these resolutions so that that legislation can be reviewed by the Legislature and hopefully implemented.

Motion by Legislator Alden to table. I'll second. All in favor? Any Opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Viloría-Fisher).**

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

**LEG. BEEDENBENDER:**

Motion to table.

**CHAIRMAN D'AMARO:**

There is a motion to table by Legislator Beedenbender. I'll second.

**LEG. ALDEN:**

On the motion.

**CHAIRMAN D'AMARO:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

This is hopefully something that would end up on Legislator Beedenbender's website. I think this is important that the Legislature get involved, at least in the debate over handing out these kind of contracts, because they can total, you know, millions of dollars actually at the end of the day. I know I've looked and I can't find them. You've probably looked and you can't find them. That might be what you referred to earlier. So this is something while maybe we don't want to take it up today, but this is definitely something that within a short period of time we should be speaking about in very earnest and very serious discussions.

**CHAIRMAN D'AMARO:**

Legislator Beedenbender.

**LEG. BEEDENBENDER:**

I agree, Legislator Alden. My concern is not with the concept, but would be more with the dollar figure included in the resolution. I think Legislator Kennedy has indicated that he may be willing to move that a little bit. My only concern would be that at that dollar figure it might be overly onerous because I think we do deserve the right -- I mean, we do a lot of advertising that costs in excess of \$100,000. At that number I think there might be a lot of things that come forward to us and would hold up the governmental process. What we're trying to do, and I think Legislator Kennedy had said in a conversation, we're trying to figure out how many would be under this dollar figure, and if it wouldn't be that many, then maybe this is the right number to go with.

**LEG. ALDEN:**

Most of it is actually covered by a couple of resolutions that come before us. Those are the legal advertisements. My understanding of reading this, that's not what he's looking to get at. He's

looking to get at, you know, like specific type of --

**LEG. BEEDENBENDER:**

Right, the bigger things that come out. I think the example he used was the 852-COPS was an example of something and that was in excess of \$100,000 I believe.

**LEG. ALDEN:**

But I couldn't find a number that, you know, of contracts that are let for either 10,000 or above or for all advertising, so --

**LEG. BEEDENBENDER:**

In response to what you had said, what I'm saying is that I am not opposed to the concept. I just think we might need to refine what the target is to make sure that we get what we need without becoming overly burdensome.

**CHAIRMAN D'AMARO:**

And just to add to that, I agree with Legislator Beedenbender that, you know, we're setting an arbitrary amount, \$10,000. That may be the right number, it may not be the right number, so we need to find out exactly how many contracts are we talking about at the various thresholds.

**LEG. ALDEN:**

How can we get that? Can we get that through our Budget Review? Lance, is that something that's available? Or if it's in a discretionary account, then we wouldn't have it until after an audit was done.

**MR. REINHEIMER:**

I think we have the same difficulty you do. Unless there is a contract that's filed with the Legislature, it's hard for us to follow-up on these.

**CHAIRMAN D'AMARO:**

Presiding Officer Lindsay, good morning.

**P.O. LINDSAY:**

Good morning. Really a question of Counsel. When the County executes a contract, whether it be done by the Executive branch or be done by a Legislative resolution, isn't a contract supposed to be filed with the Clerk's Office?

**MR. NOLAN:**

We actually did look at this a month or six weeks ago. It's really according to a standard operating procedure, the County, that all contracts -- a copy is supposed to end up in our Clerk's Office.

**P.O. LINDSAY:**

They're not.

**MR. NOLAN:**

That's what I'm told.

**P.O. LINDSAY:**

And I think that really goes to the heart of what's being discussed here. We don't know how many there is. Maybe we should try and -- my office will try and redouble the efforts to make sure those contracts are filed so we have an idea of the volume that we are talking about. Right now we are talking really in the dark.

**LEG. BEEDENBENDER:**

Can I just follow-up on that? George, you said it is in the SOP, so it's not in the Administrative Code or anything.

**MR. NOLAN:**

No. I thought it was actually, but I checked our Code and it is not required by the Code. In an old SOP that's still on the books for the County in terms of executing contracts and where they are supposed to be filed sets forth that we should be receiving copies.

**LEG. BEEDENBENDER:**

And the SOP, that's something that's amended Executively, not Legislatively.

**MR. NOLAN:**

The Legislature is typically not -- is not involved in the SOP process.

**LEG. BEEDENBENDER:**

Okay. So my suggestion, Presiding Officer, is perhaps rather than leave it there, maybe it should be part of the Code that every contract ends up in the Clerk's Office. Then it would be simply a matter of -- well, there would be some data input, but BRO would at least have the information to be able to answer the questions.

**CHAIRMAN D'AMARO:**

Well, you could require that they come to the Clerk's Office or you could require that wherever they are filed that we have ready access to them. That's something to think about. Legislator Alden.

**LEG. ALDEN:**

As a committee would you want to ask our Legislative Counsel to draft something like that sponsored by the committee?

**CHAIRMAN D'AMARO:**

I'll leave that up to Legislator Beedenbender, if you want to do that.

**LEG. BEEDENBENDER:**

I would never -- if it's something that's supposed to happen. I don't know -- I mean, the only question I would have is putting it in the Administrative Code going to make it happen more than the SOP. I would just want the bill to be accomplished.

**CHAIRMAN D'AMARO:**

I think what the Presiding Officer suggested was probably the first step. Why don't we at least find out what the procedure is in place right now, find out whether or not that can be complied with, whether or not it's adequate, and then we can make a decision on that issue.

Okay. This is a motion pending before the committee to table this resolution. I'll call the vote. All in favor? Any opposed? Abstentions? Motion carries. The resolution is tabled. **(Vote: 4-0-0-1 Not Present: Legislator Viloría-Fisher)**

**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.)**

This has been tabled for several cycles. I believe Mr. Zwirn from the County Executive's Office had indicated that this resolution was going to be withdrawn. Good morning.

**MR. KENT:**

Yes, that is correct, that it was going to be withdrawn. We will have a letter sent over to the Clerk. You passed the resolution that replaced this at the last committee meeting.

**CHAIRMAN D'AMARO:**

Okay. Thank you, Mr. Kent. If that could be done today I would appreciate it because it's been

pending for a while.

**MR. KENT:**

I'll prepare the letter and forward it up to Ben so that he can get it over there.

**CHAIRMAN D'AMARO:**

Great. Thank you. I'll offer a motion to table.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Beedenbender. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Vioria-Fisher).**

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

I'll offer a motion to table.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Beedenbender. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Vioria-Fisher).**

**1633, 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.)**

This is a 50 by 100 lot located in the Town of Brookhaven. Again, I'm asking for another cycle to table. I'll offer that motion.

**LEG. ALDEN:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Alden. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Vioria-Fisher).**

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

This would impact contracts over \$50,000 resulting from the RFP process, making them subject to Legislative review and approval. Is there any motion on this?

**LEG. BEEDENBENDER:**

Well, I would just indicate that this probably -- this is the same conversation that we just had in very many respects. I guess the question -- I think this was amended from 20 to 50, from 20,000 to \$50,000. The question would be how we are coming up with the target again.

And, Counsel, are RFP's, are these required by anything to be filed with our Clerk? I know I have been getting e-mails from DPW in the last several weeks about RFP's that go out, but is there any notification to the Legislature?

**MR. NOLAN:**

There actually is a requirement that the Legislature be notified for contracts resulting from RFP's. There's no requirement, it actually says notification. It doesn't require necessarily that the contract be filed with the Legislature, but there is a notification requirement. But this obviously would make those contracts subject to Legislative approval.

**LEG. BEEDENBENDER:**

Do you have any idea if -- what the degree of -- well, is that happening?

**MR. NOLAN:**

That I don't know.

**CHAIRMAN D'AMARO:**

Well, is it notification of the RFP or of the contract being entered into as a result of the RFP that the Legislature is required to be notified.

**MR. NOLAN:**

Let me bring up the section. I'll let you know exactly what it says. I remember the language is not the clearest.

**P.O. LINDSAY:**

While he is bringing that up, Mr. Chairman, if I might just comment.

**CHAIRMAN D'AMARO:**

Please.

**P.O. LINDSAY:**

I just want to comment. I'm not included in the vote today. I don't intend on my vote counting, just to weigh in on this issue. I think one of the things that kind of shined a spotlight on this whole issue was the RFP, the HMM Report on the nursing home. We were unaware that the RFP was on the street, we were unaware that the contract was issued and really stumbled on it by accident in a discussion I had with someone in the health care industry. There seems to be some things dropping through the cracks here. I mean, on an issue as important as that I think that we should have been consulted and made aware of that RFP. And it was a sizeable amount of money. Last time I looked it was \$173,000 we paid HMM and the contract was ongoing. So it isn't an insignificant amount of money, especially since it's going to the bottom line of the nursing home. That increases the deficit.

**CHAIRMAN D'AMARO:**

I just want to point out looking at the bill itself that this would apply to contracts, not the RFP themselves, but the contracts ultimately issued in response to the RFP that exceed \$50,000. So my understanding right now, then, there is a notification requirement of the RFP that the Legislature is supposed to receive. Then this would take the next step and say that if that RFP results in a contract and the contract is more than \$50,000, this Legislature would need to approve that contract, so it begs the question how many contracts are we talking about. I just don't know what the volume of those contracts would be, anything over \$50,000. So it is similar to some of the questions we had previously. But it wouldn't require approval of the RFP itself is the point I'm trying to make.

**LEG. ALDEN:**

To eliminate a long or prolonged debate on this, there is a motion to table and a second, correct? I'll support your motion to table in the same vein or in the same spirit as we did the earlier resolution. If we get the information, though, we need that information because if we're to battle what looks like a looming, and it could be a multiyear budget crisis, then we are going to need all the information. We are going to need all the tools that we can to make sure that there's not contracts going out for tens of millions of dollars that we don't know about and here we are operating under this set of circumstances or information over here, and yet there is things that are going on that we don't have that information of. So to really govern properly, we are going to need

that information. I will go along with a tabling, but I think by the next cycle we really should start digging into this.

**CHAIRMAN D'AMARO:**

Okay.

**MR. NOLAN:**

The Article 38 of the Charter states that any County department which circulates an RFP shall notify the Clerk of the Legislature and the Chief Deputy County Executive in writing of any circulation of an RFP involving a County contract in excess of \$20,000 resulting from such RFP at the time that such RFP is circulated. So it's not the best language, but basically it stands for the proposition if a department is circulating an RFP, the Legislature should be notified in writing.

**CHAIRMAN D'AMARO:**

Thank you, Mr. Nolan. Yes, Ms. Bizzarro. Welcome.

**MS. BIZZARRO:**

Thank you very much, Chairman D'Amaro. I appreciate it. I just want the committee to be aware also that for RFP's over \$20,000 a separate committee is designated to make the award, not the Legislature. Just be aware of that in, you know, your thought process in terms of what you want to do with this.

Also, with respect to RFP's relating to health insurance benefits, they are awarded by the Suffolk County Labor Management Committee, again, not by the Legislature. So just keep that in mind. That's under Section 708 of the Code. There is an intertwining of the section, so.

**CHAIRMAN D'AMARO:**

Thank you, Ms. Bizzarro. Legislator Alden had a question.

**LEG. ALDEN:**

Lynne, the first circumstance that you mentioned, what committee is that that awards them?

**MS. BIZZARRO:**

That is set up at 708, Section four -- well, dash four actually. It states that advertised RFP's with each separate award made by a separate committee appointed solely for the purpose of making that specific award and whose membership shall always include the County Executive, the County Executive's duly authorized representative or representatives. Then they go on to talk about consulting services for Public Works, etcetera. This is in the Code currently.

**LEG. ALDEN:**

Are you included on that? I'm looking for a place that we can get the information quickly and easily. Is your department --

**MS. BIZZARRO:**

Oh, is my department on the committee? Not to my knowledge.

**LEG. ALDEN:**

But a contract, if they approve, would have to go to you.

**MS. BIZZARRO:**

Yes, ultimately we would be the ones that would, you know, help with the contract, yes.

**LEG. ALDEN:**

Okay. So if you have an RFP -- it's not one sitting committee, it's a committee formed for a specific RFP then, right.

**MS. BIZZARRO:**

Yes.

**LEG. ALDEN:**

Okay. So that we're not going to be able to get reports from that sitting RFP committee, but from your department because the next step would be prepare contract. Maybe you could fill us in on some -- not right now, but.

**MS. BIZZARRO:**

Right, right. Oh, yeah, in terms of --

**LEG. ALDEN:**

You might be the easiest person to go to --

**MS. BIZZARRO:**

How many --

**LEG. ALDEN:**

-- for the information. How many, how much.

**MS. BIZZARRO:**

How many contracts and RFP's are or how many contracts are executed and how many RFP's are let. Yes, we are certainly a source, yes. Everything comes through us. I don't know, you know, again, I don't know about BRO or lists and things of that nature that we might have, but we'll do whatever we can to assist the committee in getting the information, absolutely.

**LEG. ALDEN:**

Great.

**CHAIRMAN D'AMARO:**

And just keep in mind here that the bill addresses not only contracts but contract amendments, contract extensions, modifications and the like. So, again, it is important to know, you know, is this truly -- would this result in an oversight function or would it result really in reviewing a large quantity of contracts that could cross the line and interfere with the day to day management and operations of County government. I want the oversight function here. I think we should have it, but I certainly don't want to micromanage the Executive Branch either. Legislator Beedenbender.

**LEG. BEEDENBENDER:**

The one point -- I agree with Legislator D'Amaro. I would just suggest to my colleagues that if we do wish to interject ourselves into the process at some point I think doing it -- I don't think we should do it in this manner. Basically if we are going to disapprove a contract, the matter of putting an RFP together and logistically getting it out there, there are expenses and there is work associated. So I think if we want to have the ability to stop it we should stop it before it goes out as opposed to once it's gone out all the staff work has gone into it to process it and to put it out there, and then it comes to us when we stop it -- I think if we wanted to be involved in the process it should be at the beginning as opposed to at the end.

**CHAIRMAN D'AMARO:**

Well, that's -- I agree with that but I also take some issue with that in the sense that when you draft an RFP you usually require a certain level of experience and expertise to do that and I'm not sure how effective it would be for us to be involved at the RFP level either, but it is certainly --

**LEG. BEEDENBENDER:**

I was suggesting that if we are going to disapprove of the actual release of something we should do it at the beginning. I mean, just from my past experience is these are large undertakings, especially on big projects, and I would just think it would be a better use of our staff time that if the

Legislature was not going to approve of something going out there that we do it before it happens as opposed to after the work product had been developed.

**CHAIRMAN D'AMARO:**

Okay. Legislator Alden.

**LEG. ALDEN:**

I would really like to see, you know, what the total volume is here because I can remember Legislator D'Amaro not that long ago asking questions on an overrun that ran into the millions and millions of dollars and it was, you know, years. So I think that, you know, to say right now that we only want to be at the beginning, approve it or not approve it, I can see some instances where we might want to review, you know, as we're going along how the money is being spent because we need the data to get our hands around that.

**CHAIRMAN D'AMARO:**

And, Legislator Alden, just to respond to you, that I do recall that cost overrun situation and I just laid a bill on the table to address that. That is coming, but that will be separate from what we do here.

Okay. Is there a motion on this?

**MS. LOMORIELLO:**

No.

**CHAIRMAN D'AMARO:**

No motion. I'll offer a motion to table.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

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

**(Vote: 4-0-0-1 Not Present: Legislator Vilorio-Fisher).**

**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.)**

Again, this parcel had been tabled for several cycles, I believe last time at the request of Real Estate. Mr. Kent, is that accurate?

**MR. KENT:**

We had -- there was a suggestion made here that we prepare an amended resolution to strip the development rights off of these parcels prior to conveying them to the towns or to the municipal entities that --

**CHAIRMAN D'AMARO:**

Thank you. The bill that I am laying on the table for this cycle only addresses the Local Law 13 parcels that are substandard, but not substandard by much. They don't affect the parcels that go under the 72-h procedure, although, you know, if the committee reviews a parcel under the 72-h procedure that may be conducive to workforce housing, there would be nothing to stop any member of the Legislature from putting in a competing bill to take it for that purpose and put it through the same procedure that I'm trying to do with the Local Law 13's. Anyway, to make a long story short, my preference is to table this this cycle again.

**MR. KENT:**

We're still working on language that will be accepted by the County Attorney's Office and the

Planning Department because they will be the holder of the credits.

**CHAIRMAN D'AMARO:**

Right.

**MR. KENT:**

So once we have that language prepared, hopefully by the next committee meeting we will be offering an amended resolution that strips the development rights.

**CHAIRMAN D'AMARO:**

Yeah, and whether it goes through the 72-h procedure down to the town and gets stripped of the development rights or whether it ultimately goes through what I'm trying to do, we are going to need that one way or the other. So I appreciate that. I'll offer a motion to table.

**P.O. LINDSAY:**

Mr. Chairman.

**CHAIRMAN D'AMARO:**

Yes, Legislator Lindsay. Yes, please.

**P.O. LINDSAY:**

Really a question to Mr. Kent. The stripping of the development rights is just -- is it applied just to this resolution or a generic one?

**MR. KENT:**

What the suggestion was or the discussion we had at the last committee meeting was that when we are going to transfer properties to the town via 72-h for non-affordable housing purposes, that these properties get conveyed to the town and the County retain the development rights that could be utilized as part of an affordable housing program and be banked in the Planning Department's TDR bank which --

**P.O. LINDSAY:**

Because if you are giving the town the property without the development rights, besides open space or active parkland, I mean, it really doesn't serve a purpose.

**MR. KENT:**

That's why we'd have to work it out on each individual case with the town, whether they would be willing to accept property without development rights.

**P.O. LINDSAY:**

So in other words, if we give the property to the town, the town has to come back to us with the affordable housing project for us to approve in order for us to convey -- no?

**MR. KENT:**

No, we could bank them as we do with workforce housing credits, as part of the Quarter Cent, the program that we run.

**P.O. LINDSAY:**

I know that, but the only -- I mean, the most frequent use of the 72-h to a town is for affordable housing. Am I correct?

**MR. KENT:**

I would say that at least 50% of the properties we're conveying out to towns is probably for -- most likely for affordable housing. In that instance we wouldn't be stripping the development rights. It's only when they are using it for non-affordable housing purposes.

**CHAIRMAN D'AMARO:**

Yeah. Mr. Presiding Officer, often when we see a 72-h here it is a parcel that is proposed for municipal purposes. It could be a recharge basin or something like that as well. In that instance, you know, you'd look to strip the rights.

**P.O. LINDSAY:**

Okay. I applaud that. I have a similar bill to strip the development rights to create a bank to sell them.

**CHAIRMAN D'AMARO:**

Right. And what you're really taking off these parcels is the density rights required -- that are created under the Sanitary Code.

**MR. KENT:**

Usually waste water credits is what you're --

**CHAIRMAN D'AMARO:**

Waste water credits, so in effect although you may be increasing density in one area but not another, in the entire zone you are not overall increasing density and impacting groundwater. So it is definitely something we have done in the past and we should be looking at going forward.

**P.O. LINDSAY:**

Thank you for your clarification.

**CHAIRMAN D'AMARO:**

Thank you, sir. All right. There is a motion pending to table. It has been seconded. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Viloría-Fisher).**

**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.)**

Property located in Brookhaven, 80 by 100. Once again I'll request a motion to table. Seconded by Legislator Alden. All in favor? Any opposed?

**LEG. BEEDENBENDER:**

Hold on. I think Chris --

**CHAIRMAN D'AMARO:**

Yes, Mr. Kent, please go ahead.

**MR. KENT:**

Yes. Upon our research on this parcel this is one of the instances where the development of this property or the property surrounding it, this was part of a subdivision and it had to go before the Board of Review for a variance. A covenant was placed on this piece of property to transfer the waste water credits from this property to allow the development of the subdivision. So as a condition of the approval of the variance for the subdivision, the Suffolk County Board of Review required covenants and restrictions to be recorded against this property that it shall be dedicated to either the County or transferred to adjoining property owners and that there would be no habitable structures built upon this parcel.

**CHAIRMAN D'AMARO:**

Yes, and I do recall we had conversation and I very much appreciate that you followed-up and did that research. So this parcel has already been utilized, it's already been sanitized.

**MR. KENT:**

That is correct. The right word is sanitized.

**CHAIRMAN D'AMARO:**

Right. And the Board of Review process really is ripe for conveyance pursuant to Local Law 13. Are there any questions on that? I'll withdraw my motion to table and offer a motion to approve.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Beedenbender. Any questions on that motion? Okay. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Viloría-Fisher).**

**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 legislation is sponsored by myself. It is what I call the anti-bungling good government bill, but at this time I'll offer a motion to table.

**LEG. ALDEN:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Alden. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Viloría-Fisher).**

**1832, Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law Town of Brookhaven (SCTM No. 0200-929.00-02.00-009.001). (Co. Exec.)**

This, again, I believe Mr. Kent, was one of those parcels that you had requested we table last cycle.

**MR. KENT:**

We are going to, at the recommendation of this committee, we are going to prepare an amended resolution that will strip the development rights from this parcel and bank them in the workforce housing credits bank.

**CHAIRMAN D'AMARO:**

Okay. Do you expect to have those completed by next cycle?

**MR. KENT:**

Yes, we will.

**CHAIRMAN D'AMARO:**

Great. I'll offer a motion to table.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by our Vice Chair, Legislator Beedenbender. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Viloría-Fisher).**

## **Introductory Resolutions**

**1895, Adopting Local Law No. 2008, A Charter Law to establish a truth and honesty zone for clean campaign practices in Suffolk County by banning improper fundraising. (Alden).**

Requires a public hearing. I'll offer a motion to table.

**LEG. ALDEN:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Alden. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Vilorina-Fisher).**

**1898, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Charles Lombardo (SCTM No. 0400-217.00-02.00-010.000). (Co. Exec.)**

I'll offer a motion to approve and place on the consent calendar.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Beedenbender. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Vilorina-Fisher).**

**1899, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Andrew F. Merkle and Lorraine Merkle, his wife (SCTM No. 0500-330.00-02.00-024.000). (Co. Exec.)**

Same motion, same second, same vote. **(Vote: 4-0-0-1 Not Present: Legislator Vilorina-Fisher).**

**LEG. ALDEN:**

Are these of right?

**CHAIRMAN D'AMARO:**

These are of right. Resolution number **1900, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act estate of Arthur J. Bonner by Antoinette Campelli, as administrator (SCTM No. 0200-228.00-05.00-001.000). (Co. Exec.)**

Once again, it's a Local Law 16, as a matter of right. Same motion, same second, same vote. **(Vote: 5-0-0-0).**

**1902, Sale of County-owned real estate pursuant to Local Law No. 13-1976 SNZ Holding Corp. (SCTM No. 0200-229.00-02.00-012.000). (Co. Exec.)**

This is a parcel that is located in the Town of Brookhaven, was sold to an adjoining owner for \$11,500, is 60 by 100. This, again, is a parcel that you may want to take a look at for workforce housing. I would be interested in tabling this motion along with the others we have pending. So I will offer a motion to table.

**LEG. ALDEN:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Alden. All in favor? Any opposed? Abstentions?

**LEG. VILORIA-FISHER:**

On the motion.

**CHAIRMAN D'AMARO:**

Yes, Legislator Viloría-Fisher. Welcome.

**LEG. VILORIA-FISHER:**

I would just like your comments on this. What was the position of the town vis-a-vis this parcel that we are talking about for affordable housing that we just tabled?

**MR. KENT:**

This wasn't offered to the town. Oh, no, yes, this was offered to the town and the town did not want it for affordable housing. It is on paper streets. It's an undeveloped area. It's a residential lot located in an undeveloped area. There is no streets put in yet. It backs up to an industrial property.

**LEG. VILORIA-FISHER:**

Okay. And so their reason for rejecting it is because of the infrastructure improvements that would be necessary?

**MR. KENT:**

They would not want to put in roads in order to reach this property.

**LEG. VILORIA-FISHER:**

What hamlet is it in?

**MR. KENT:**

It is in the Terryville area.

**LEG. VILORIA-FISHER:**

Oh, okay. That's in my district then.

**CHAIRMAN D'AMARO:**

It is in Brookhaven.

**P.O. LINDSAY:**

Oh, I'm sorry. I'm on the wrong one.

**MR. KENT:**

It is south of 347, west of 112.

**P.O. LINDSAY:**

I gave you the wrong number.

**LEG. VILORIA-FISHER:**

Okay.

**P.O. LINDSAY:**

We are on the wrong resolution.

**LEG. VILORIA-FISHER:**

All right. But nevertheless, even more so it's in my district. Okay. So it backs into 112 you said or on 112?

**MR. KENT:**

No. It's west of 112 and south of 347, not far from Bicycle Path.

**LEG. VILORIA-FISHER:**

Off of Bicycle Path. Then not too far from the high school.

**MR. KENT:**

It is not off of Bicycle Path but it's east of Bicycle Path, west of 112.

**LEG. VILORIA-FISHER:**

Okay. I know that area. And Brookhaven Town had said because it is on paper streets it wouldn't be worth developing for affordable housing, is that what you're saying?

**MR. KENT:**

Well, it's quite a distance if you travel -- 112 travels southeast in this location and it's south of 112 and west of 112, so it's quite a ways off of the road.

**LEG. VILORIA-FISHER:**

Okay. Thank you.

**CHAIRMAN D'AMARO:**

Legislator Viloría-Fisher, just at the outset I had stated that the bill that I have been working on to create a workforce housing consideration for parcels such as this is complete and will be, you know, considered through the next cycle. There is the proverbial light at the end of the tunnel. I would like to at least hold this --

**LEG. VILORIA-FISHER:**

Review it through --

**CHAIRMAN D'AMARO:**

Yes, correct. All right. There is a motion to table pending. Has there been a second, to the Clerk?

**MS. LOMORIELLO:**

Yes.

**CHAIRMAN D'AMARO:**

Yes, there has. I'll call the vote. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0).**

**1925, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joel W. Wyman Jr. And Dona H. Wyman, his wife (SCTM No. 0400-140.00-01.00-054.000). (Co. Exec.)**

Local Law 16 is granted as a matter of right. I'll offer a motion to approve and place on the consent calendar.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Beedenbender. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0).**

**1926, Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Islip - (SCTM No. 0500-403.00-01.00-002.004). (Co. Exec.)**

This resolution is proposing to convey the property to the town for highway purposes. Mr. Kent?

**MR. KENT:**

Yes, if I could speak to this one. This was a parcel that on the subdivision was approved. It was supposed to be improved and dedicated to the town, improved by the developer and dedicated to the town as part of a cul-de-sac that was created in the subdivision. The developer never improved the property so it was never dedicated to the town. The town ultimately called the bond and had the road improved with the bond money, and now the town is asking that it be conveyed to the town for highway purposes. It's a small piece, kind of looks like, I don't know what you would describe that as, an arch looking property that's roughly 3500 square feet.

**CHAIRMAN D'AMARO:**

Yes, it is that little half moon we see on the aerial. Okay. Good. So ultimately this parcel will be used for the purpose it was intended to be used for. I'll offer a motion to approve.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Beedenbender. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0).**

**1935, Directing the Commissioner of Information Technology to complete a feasibility study for the implementation of a "Project Sunlight" program in Suffolk County. (Beedenbender)**

**LEG. BEEDENBENDER:**

I'll offer a motion to approve.

**CHAIRMAN D'AMARO:**

I'll second. On the motion, Legislator Alden.

**LEG. ALDEN:**

Brian, just for the record. This is just to get all the information that we need, how much it will cost, how long to build it, whether we can do it in-house, things like that.

**LEG. BEEDENBENDER:**

To get the information so we can make a decision as to if it's -- whatever the cost is if it is something we want to move forward with at that point in time.

**LEG. ALDEN:**

Great.

**CHAIRMAN D'AMARO:**

There is a motion to approve which has received a second. I will call the vote. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0).** I would request if I'm not already listed, please list me as a cosponsor.

**LEG. ALDEN:**

I'd like to be a cosponsor, too.

**CHAIRMAN D'AMARO:**

As well as Legislator Alden. **1939, Accepting and appropriating 100% Local Government Records Management Improvement Fund Grant from New York State for Records Management Programs. (Co. Exec)**

It's a \$70,000 and change grant to the County Clerk for records management. I'll offer a motion to approve and place on the consent calendar.

**LEG. VILORIA-FISHER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0).**

**1942, Amending Resolution No. 1186-2007, extending existing one-quarter of one percent sales and compensating use tax for the period beginning December 1, 2007, and ending December 31, 2030, pursuant to the authority of Section 1210-A of Article 29 of the Tax Law of the State of New York. (Co. Exec.)**

This is a resolution making a technical in nature correction. I believe there was an incorrect expiration date in the original resolution. I'll ask Counsel to give us a brief explanation.

**MR. NOLAN:**

That's correct. The original implementing resolution, which extended the quarter penny sales tax out to 2030, the resolution we adopted last year had the incorrect date of December 31, 2030. This moves it up to November 30, 2030, which is consistent with the Charter Law that extended the sales tax for the Drinking Water Program and also the State Tax Law which has November 30, 2030 as the end date for the quarter penny extension.

**CHAIRMAN D'AMARO:**

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

**LEG. BEEDENBENDER:**

Second.

**LEG. D'AMARO:**

Seconded by Legislator Beedenbender. All in favor? Any opposed? Abstentions? Motion --

**LEG. ALDEN:**

Opposed.

**CHAIRMAN D'AMARO:**

-- carries. One in opposition, Legislator Alden. **(Vote: 4-1-0-0 Opposed: Legislator Alden).**

Next is resolution **1947, Authorizing certain technical correction to Adopted Resolution No. 608-2008. (Co. Exec.)**

I've received a request from the County Executive's Office to table this pending some changes. I'll offer a motion to table.

**LEG. BEEDENBENDER:**

Second.

**LEG. D'AMARO:**

Seconded by Legislator Beedenbender. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0).**

**1952, Authorizing certain technical corrections to Adopted Resolution No. 537-2002**

**authorizing planning steps for the acquisition of land under Pay-As-You-Go 1/4% Taxpayer Protection Program (land of Sans Souci, Lake Preserve, Sayville) Town of Islip. (Pres. Off.)**

I'll offer a motion to approve. Is there a second? Seconded by Legislator Nowick. Mr. Nolan, if you could just give us a brief explanation.

**MR. NOLAN:**

This corrects an old planning steps resolution from 2002. It changes one of the lot numbers and also the original resolution had the reputed owner as unknown. This resolution has the correct owner identified.

**CHAIRMAN D'AMARO:**

Okay. Thank you. I'll call the vote. All in favor? Oh, I'm sorry. Legislator Alden.

**LEG. ALDEN:**

One quick question. This committee's jurisdiction on this acquisition of land under the pay-as-you-go is what, not primary.

**MR. NOLAN:**

It is because it's a technical correction.

**LEG. ALDEN:**

Then it comes to us.

**MR. NOLAN:**

Then it comes to us.

**LEG. ALDEN:**

Because otherwise I was going to ask for an explanation of what our acquisition program consists of because I see it going all over the place and costing a lot of money where I don't really see a strategy in place. But if we are not primary jurisdiction I'll have to take that up with a Commissioner. Where would I go --

**CHAIRMAN D'AMARO:**

Environment.

**LEG. VILORIA-FISHER:**

Environment.

**LEG. ALDEN:**

The Commissioner of Environment.

**CHAIRMAN D'AMARO:**

Well, the committee that would review this type of bill in the first instance I believe would be the Environment Committee.

**LEG. ALDEN:**

But I'll go to the Commissioner first because I want an overview of what our strategy is and what our policy is. Then I can take it up in environment.

**CHAIRMAN D'AMARO:**

Well, that assumes there is a strategy and policy.

**LEG. ALDEN:**

Exactly, and I don't make that assumption.

**CHAIRMAN D'AMARO:**

All right. Legislator Lindsay.

**P.O. LINDSAY:**

I know it's my resolution, but just for clarification. I had filed this resolution in 2002. It's a parcel that adjoins large County holdings.

**LEG. ALDEN:**

No, I --

**P.O. LINDSAY:**

No, I know, but a lot of it's wetlands. There was going to be an assisted living developed on the property and like a lot of things it fell apart. The people weren't interested in selling to the County and they've suddenly changed their mind because of the economy. But there was two commercial buildings on Montauk Highway. They have been stripped from the planning steps, am I correct?

**MR. KENT:**

That's why there was a change in the tax map number. When they divided it out those two commercial buildings that are along the highway, there was a new tax map number created for the parcel in the back that fronts on the lake. That's really what this resolution does.

**P.O. LINDSAY:**

Yeah. We didn't want the buildings, we just wanted the adjoining vacant land onto the wetlands.

**CHAIRMAN D'AMARO:**

All right. Thank you. Motion pending to approve which has received a second. I'll call the vote. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**. Include in my motion, please, to place on the consent calendar.

**1957, Authorizing the issuance of a certificate of abandonment of the interest of the County of Suffolk in property designated as Town of Riverhead (SCTM No. 0600-118.00-01.00-010.000) pursuant to Section 40-D of the Suffolk County Tax Act. (Co. Exec.)**

Mr. Kent, would you like to briefly explain this?

**MR. KENT:**

Yes, I'll explain this briefly. This is a mobile home, so the only way to convey the interest back to them is by a certificate of abandonment because we never took title to the mobile home. As you may know, under State law mobile homes are more like chattel, personal property, and they don't -- although they pay tax bills, or in this instance didn't pay the tax bill, we took the interest in the mobile home and we are conveying it back by abandoning our interest.

**CHAIRMAN D'AMARO:**

And I believe that was conditioned upon making the County whole with respect to taxes, penalties and interest.

**MR. KENT:**

We held that lien against the mobile home and this is the only way to release that lien, is by abandoning it, because we never took title.

**CHAIRMAN D'AMARO:**

Legislator Alden.

**LEG. ALDEN:**

Our lien, our tax lien was on the mobile home, not on the pad that it sat on?

**MR. KENT:**

It can't be because the real property is owned by someone else. It's a quirky thing in State Law that mobile homeowners get real property tax bills although they do not own the real property.

**CHAIRMAN D'AMARO:**

They are legally responsible for paying the tax bill for property they do not own, but which they are leasing from another owner.

**MR. KENT:**

That's correct. What usually happens in this instance is when we take it the mobile home property owner pays the bill and then charges it back to the mobile homeowner as a common area charge. But the mobile home park owner did not do that in this instance so we took title to the mobile -- we took title to property that the mobile homeowner doesn't own. This is the only way to do it.

**CHAIRMAN D'AMARO:**

Legislator Beedenbender.

**LEG. BEEDENBENDER:**

And because I know you said this is a quirk in the law for mobile homes. But just curiously, there are other developments where they have, you know, the premanufactured homes that are fixed there, they lease the land. I suppose it is the same arrangement; they pay the tax bill and it would be the same set up.

**MR. KENT:**

Well, it depends on how the property owner sets it up. Sometimes the property owner sets it up that they collect the money and then they pay the tax bill.

**LEG. BEEDENBENDER:**

Okay. All right. So it's individual.

**CHAIRMAN D'AMARO:**

There is a motion pending to approve which has -- was there a motion on this?

**MS. LOMORIELLO:**

No motion.

**CHAIRMAN D'AMARO:**

I apologize. I'll offer a motion to approve. Seconded by Legislator Vilorio-Fisher. All in favor? Any opposed? Abstentions? **(Vote: 5-0-0-0)**.

**LEG. VILORIA-FISHER:**

Can I just ask a question of Counsel?

**CHAIRMAN D'AMARO:**

Sure.

**LEG. VILORIA-FISHER:**

It is kind of off the topic a little bit.

**CHAIRMAN D'AMARO:**

Well, we have three resolutions left. Do you want to wait?

**LEG. VILORIA-FISHER:**

I'm just looking at this resolution, it's a question about --

**CHAIRMAN D'AMARO:**

Go right ahead.

**LEG. VILORIA-FISHER:**

George, because it is breaking my heart looking at these poor people who owe \$223. They were late on that and with the interest and penalties they now owe almost \$400 -- they paid \$392. How can any of this be changed? I mean, it seems so usurious. I know Lynne is shaking her head because I know you've probably had people call your office and say I was one day late and so my interest and penalties, because it's based on six months before -- how do we go about changing this, George?

**LEG. ALDEN:**

The Grinch that stole Christmas is Joe Caputo.

**LEG. VILORIA-FISHER:**

I know.

**MR. NOLAN:**

We are talking about the waiver of penalties and interest on --

**LEG. VILORIA-FISHER:**

No, I'm not talking about the waiver. I'm talking about the way we assess the interest and penalties. You know, I'm looking at the 5% penalty is \$11. The 11% interest is 25.76. The interest is 36%, and that's \$100.76. And you know what? We are talking about predatory lenders forcing people out of their homes and somebody who lives in a trailer and was late on \$223 is probably not a real well-heeled person and now their cost is \$400. I just don't know where do we begin to address how we assess these and maybe Lynne has an answer because she was in the tax office. But, George, I'll wait. I asked you the question.

**MR. NOLAN:**

I believe some of this, the interest and penalties, is set under the Suffolk County Tax Act, but some of them may be under our local laws. I actually am not certain. But obviously with the Tax Act any penalties and interest that is set forth in there would have to be changed by State legislation. If any of the penalties and interest are set forth are local law, we would have the authority to change that, but I just don't recall how much of it is set forth by our local laws.

**LEG. VILORIA-FISHER:**

If you could just tell me which, you know, not at this particular point, but can you send me the information where I could find --

**MR. NOLAN:**

Sure.

**LEG. VILORIA-FISHER:**

-- where this is so that we can begin to address it, because it happens time after time and our hearts bled for the people and the laws just stay where they are and we continue to assess. It looks like horribly unfair levels of interest and penalty. And going back six months, that's part of our Tax Act or is that local law?

**MR. NOLAN:**

I will have to advise you, you know, how it -- where the penalties and interest -- but I know some of it is set forth in the Tax Act.

**LEG. VILORIA-FISHER:**

Because I know how that works, they pay for the six months that just passed. But, you know, I've seen people, and very often senior citizens who have just finished paying their mortgage and it's the first time that they are having to pay their own taxes and they thought that they were going to get a bill and I know there were some people who didn't get the bill in time in some towns and were late. A lot of times you are getting that bill at Christmastime when you are getting all your Christmas cards. It's just heartbreaking.

**MR. NOLAN:**

I think that's probably the number one question we get is from Legislators saying can we waive penalties and interest in some of these hardship cases. There was, as Legislator Alden just spoke about, there was a court case, the Legislature about ten years ago approved the law that expanded our authority to waive penalties and interest. The County Comptroller challenged that saying it was a preempted area, it was covered by the Tax Act and we did not have the authority to do that, and the Appellate Division ended up agreeing with the Comptroller.

**CHAIRMAN D'AMARO:**

I just wonder, though, if we could not waive the penalty but reimburse the penalty. It might be an interesting, different concept.

**LEG. VILORIA-FISHER:**

I would just like to take a close-up.

**CHAIRMAN D'AMARO:**

Legislator Nowick.

**LEG. NOWICK:**

Legislator Viloría-Fisher, this has been a pet peeve of mine now forever. I get the calls all the time. I actually last year sat and had a meeting with Treasurer Carpenter and her staff trying to find different ways to alter this law. I'm not saying if somebody's late for no reason, but I'm saying for the person that just paid their mortgage, for the elderly person, for somebody that's sick, for somebody that just had a funeral, for somebody that just missed the date. American Express gives you a period of -- a grace period. Our mortgage holders give us a 15 day grace period. And it's even worse than you think because if you don't pay on May 31, on June 1st you are into 11%. But most of the time you don't hear from the County Treasurer's Office that you didn't pay, so you don't get that notice until August. That's another two months of percentage penalties.

People get deeper and deeper and it's my thought that if we are having problems collecting our property taxes, maybe if we can look a little deeper into this and get rid of some of the penalties, and only for people -- I'm not saying when people do this as a scheme. I'm saying there are really stories out there that maybe if we could look into this a little deeper. And believe me, I've tried. Maybe we could get some of that property tax money back, but those penalties accrue every month, year after year, and people are deeper and deeper into debt. I just don't know what to do any more.

**LEG. ALDEN:**

Make sure it is retroactive, though, because the County took some property from me when I was 20 or 19 years old. I want that property back.

**LEG. VILORIA-FISHER:**

We're not going to go back 50 years. Come on, Cameron. You are younger than I am.

**LEG. ALDEN:**

Thank you. And that's for the record.

**CHAIRMAN D'AMARO:**

It's an interesting concept because if the penalties, Legislator Nowick, continue to pile up and

ultimately it winds up in real default and we take the property we are not keeping folks in their homes and we are also not collecting the full tax revenue in that situation. So there is probably a line somewhere that needs to be drawn where as a matter of policy we can keep folks in their homes if there is a real hardship.

**LEG. NOWICK:**

I've actually contacted the Receiver's Office and said give me some reasons why you feel that you could waive the penalties. There are reasons, there are hardship stories out there that are real stories. I'm trying. I've been meeting with the Treasurer and I've been trying.

**LEG. VILORIA-FISHER:**

Sorry, Mr. Chairman, just one --

**CHAIRMAN D'AMARO:**

Yes.

**LEG. VILORIA-FISHER:**

My question, though, wasn't to waiving. It was to how high an interest should be charged and that retro six month look and if the individual is not informed of the lateness until they are two months late, should they then be charged those other two months. You know, looking at the whole picture, because I think 11% too high.

**LEG. NOWICK:**

You think?

**CHAIRMAN D'AMARO:**

Well, the purpose of the -- Legislator Beedenbender.

**LEG. BEEDENBENDER:**

I agree with the concept, but what I think we need to be careful and weigh it against is that our property tax, the people that pay property taxes in Suffolk County pay it twice a year, and Suffolk County government, at the very least, we do tax anticipation notes for money. So I don't know what the interplay is. I don't know if this interest rate is set exactly at what can recoup all the money because we pay interest on the loan that we take for the tax anticipation notes.

**LEG. ALDEN:**

{ Inaudible }

**LEG. BEEDENBENDER:**

No, we don't, we certainly don't, but what I'm suggesting is I don't know -- I guess the more important question to me would be why did we set it at that rate in the first place. Was there a calculation done to make sure that we recouped costs, or was it a penalty, was it, you know, an arbitrary decision based on penalty. I would imagine -- at least hope that it was probably set based on some sort of calculation as to what our costs would be for the six months we didn't receive the money. But I think it's certainly worth investigating. You all remember that I passed that bill to allow us to -- with the veterans. What I wanted to do is be able to waive interest and penalties for soldiers that were abroad that didn't pay their taxes because they were in Iraq, but at that time our Counsel informed me that we can't do that. So I think it is something worth investigating but I think there should be just a degree of caution to make sure that we don't go too far.

**CHAIRMAN D'AMARO:**

Legislator Alden.

**LEG. ALDEN:**

Maybe Mr. Kent has more information on this than I do, but our taxes are due and payable once at

the beginning of the year. It's already a little bit of a break that was given to taxpayers to allow them to make that in two installments with no penalties or interest. So if you don't take advantage of that and pay your second half, then it goes right back to the beginning of the year where the whole amount was due and payable. And 11, 13, 12%, somewhere in that neighborhood, that's surely a better break than you are getting on your credit cards. You have to watch out when you start setting the bottom because Suffolk County could end up paying 12, 13, 14% on money that we borrow at some point in the future because that market seems to be jumping all over the place.

**CHAIRMAN D'AMARO:**

Yes, Legislator Nowick, go ahead.

**LEG. NOWICK:**

Just as a point of interest, Legislator Alden is right. Our taxes are actually due December 1, but we don't even do the tax warrant until the sixth or the seventh, and those bills don't even go out until a week or two after that. I guess that had to be remedied. So now -- another point is that even Legislator Vilorio-Fisher said it's Christmastime and maybe the bill doesn't come in the mail, but it's very clear with these penalties and interest that it doesn't matter -- we tell them we do this as a favor we send you the bill, you should just know this, but that's ridiculous.

**CHAIRMAN D'AMARO:**

Mr. Kent, did you want to chime in?

**MR. KENT:**

It's one percent a month, and the reason it's 11% in the first year is because it is from January to December. So when we send out the notice in August, when the Treasurer sends out the notice in August, that amount is payable good until December. So they go ahead and they charge you 11% based on 1% a month from January to December, and thereafter it is 1% a month. So the reason it is 36% in this instance was the passage of three years. So it is 11% for the first year and then it is 12% each year thereafter based on a 1% per month interest.

**CHAIRMAN D'AMARO:**

Well, that sounds like interest on interest, but okay.

**MR. KENT:**

It is. It compounds.

**LEG. D'AMARO:**

All right. Should we move on? Okay. There was a motion pending to approve this bill which received a second I believe. Is that accurate?

**MS. LOMORIELLO:**

You voted on the bill already.

**CHAIRMAN D'AMARO:**

We voted. Thank you. Well, then there was a motion to approve. Okay.

**1959, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Angelina Tardo a/k/a Angela Tardo (SCTM No. 0100-182.00-01.00-245.000). (Co. Exec.)**

This is as a matter of right. I'll offer a motion to approve and place on the consent calendar. Seconded by Legislator Beedenbender. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0).**

**1962, Authorizing the Suffolk County Attorney to execute a supplemental consent judgment in United States of America v. Estate of Joseph Vazzanna, Sr. (Co. Exec.)**

I just note want to note for the record there is a scrivener's error on the name of the defendant, Vazzana is spelled with one N. Ms. Lolis?

**MS. LOLIS:**

That's correct. There is an error in the title as well as in the Whereas Clause, but it is correct in the Resolved Clause that there is one N to the name.

**CHAIRMAN D'AMARO:**

Would you like to give us a brief synopsis of what this is about?

**MS. LOLIS:**

Sure. The County had intervened in an action that was brought by the United States pursuant to the CERCLA Act, which is the Superfund Clean Up Law. It concerns two parcels in Babylon that's owned by the Estate of Vazzana. The EPA has expended in excess of a million dollars towards the clean-up and they are expecting the clean-up in another four months or so. The State has expended in excess of \$950,000. We had intervened in the action in an attempt to collect on a part of our tax lien on that. Taxes have not been paid for years. The settlement would allow the County to receive up to \$233,431 if the net sale of the property is in excess of \$1.3 million. If it's less than that then the County, the United States and the State will divide it up with the County share being 14.25%, the EPA 80.75%, and New York State 5%.

**CHAIRMAN D'AMARO:**

And that's all embodied in this supplemental consent judgment that we are voting on here today.

**MS. LOLIS:**

Yes, it is.

**CHAIRMAN D'AMARO:**

I'm going to offer a motion to approve resolution 1962 of 2008.

**LEG. ALDEN:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Alden. I'll call the vote. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0).**

The last resolution is **1970, Adopting Local Law No. 2008, A Charter Law creating a County Department of Consumer Affairs. (Co. Exec.)**

Requires a public hearing. I'll offer a motion to table.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? The motion carries. **(Vote: 5-0-0-0).**

I'll offer a motion to go into Executive Session at this time.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Beedenbender. We will be back.

**(Executive Session was held from 11:35 A.M. to 11:55 A.M.)**

Okay. The committee will reconvene from executive session. I'd like to note the following for the record. The committee considered in executive session the case John Gillard v. County of Suffolk et al, considered a settlement which was unanimously approved by the committee in executive session. The committee considered a second action, Estate of Wayne {Sparrow} v. County of Suffolk. The settlement was unanimously approved in that action as well unanimously. I'll offer a motion to adjourn.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Beedenbender. We're adjourned. Thank you.

**(THE MEETING WAS ADJOURNED AT 11:55 A.M.)**

**{ } Denotes spelled phonetically**