

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, May 6, 2009.

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:

Presiding Officer William Lindsay - District #8
George Nolan - Counsel to the Legislature
Gail Vizzini - Director, Budget Review Office
Renee Ortiz - Chief Deputy Clerk of the Legislature
Ben Zwirn - Deputy County Executive
Lynne Bizzarro - County Attorney
Joseph Sawicki, Jr. - Suffolk County Comptroller
Christina Capobianco - Deputy Comptroller of Suffolk County
Elizabeth Tesoriero - Exec. Director of Auditing/SC Comptroller Office
Frank Bayer - Chief Auditor/SC Comptroller's Office
Debra Alloncius - Legislative Director/AME
Jay Egan - District Manager - Selden Fire District
Pam Greene, Real Estate
All other interested parties

MINUTES TAKEN BY:

Donna Catalano- Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 9:48 A.M.*)

CHAIRMAN D'AMARO:

Good morning, everyone. Welcome to the Ways and Means Committee of the Suffolk County Legislature. Please rise and join us in the Pledge of Allegiance led by Legislator Vilorio-Fisher this morning.

SALUTATION

Okay. We're going to start the meeting this morning. Just note for committee members, there is no Executive Session this morning. So we don't have to do that today. However, right after we get through the public portion, there will be a presentation to us by our Suffolk County Comptroller, Mr. Joseph Sawicki, who I see has arrived this morning. Good morning. Thank you. So let's go right to the public portion and call -- I have one card -- Jay Egan. Good morning, sir. Please state your name and address -- not your address, just your name and go ahead, please. You'll have three minutes.

MR. EGAN:

Good morning. My name is Jay Egan, J-a-y E-g-a-n. I represent the Selden fire District. My purpose today for being here is to discuss property that the fire district is looking to acquire from the County or be presented by the County as an easement from a current piece of property we have, which is adjacent to the Suffolk County fire -- excuse me -- Suffolk County Community College property that we currently have and own.

Originally, the property -- we were give a piece -- a ten acre piece -- parcel of property that abuts College Road by then County Legislator Caracappa. Rose had given this property to the fire district in memory of two juniors who were killed in motor vehicle accidents so we could provide a training center in their name. We built the -- we transferred the ten acres to a five acre parcel which we currently are located at due to the fact of topography of that property. Anybody knows that area, it's very hilly, it's difficult to get to. The County asked us, because they had future plans possible for that property, and they asked us that we make a switch. It was great for us, so we switched ten for five because it was better for us for the laying out of our training facility.

The problem is that that property is basically landlocked with the exception of the old Highview Drive. Highview Drive is community property, all residential homes, bungalows that were converted. And, I guess, there was no real foresight back then as to the quality of life of the neighbors that live in that area. Due to current standards for national standards for specialty training we have to do we're basically in that property four or five night a weeks plus either Saturday or Sunday.

We're basically requesting an easement that would come off College Road now behind the homes on Palm Street which would give an adequate 75 foot plus buffer. We would take all the fire trucks out of the neighborhood. The residents wouldn't have to see us, especially on weekends during the summer months. They basically wouldn't even know we were there. The purpose of this is to kind back some quality life back to the taxpayers. The fire district -- it would become capital improvement project for the fire district. It wouldn't happen overnight, we'd have to budget into next year and that the year after probably to put the roadway and fencing so forth and so on. However, if we can get the property that would be first step. Anything the Legislature can do to do this and move forward with this, we would greatly pressure it.

CHAIRMAN D'AMARO:

Thank you very much, sir. Legislator Beedenbender.

LEG. BEEDENBENDER:

I was just going to say I'd like to make a motion to take this out of order real quick so -- I know we are going to have a lengthy discussion with the Comptroller -- just so Jay can go back to work.

CHAIRMAN D'AMARO:

Okay. I'll second the motion.

LEG. BEEDENBENDER:

I make a motion to take 1409 out of order.

CHAIRMAN D'AMARO:

I'll second. All in favor? Any opposed? The resolution is now before the committee.

1409-09 - Authorizing the granting of a permanent easement to the Selden Fire District across County-owned property (SCTM No. 0200-538.00-05.00-001.005) (Beedenbender).

Legislator Alden, do you have a question?

LEG. ALDEN:

Actually, you're a Fire Commissioner.

MR. EGAN:

No, a District Manager.

LEG. ALDEN:

What's the use of the property right now? So you're down to five acres, because you made the switch from 10 to five.

MR. EGAN:

Ten to five. We have a training facility up there, which is a live gas-burn building, we do training for vehicle extraction. Now that technical rescue has become such a big evolution, we have a quality -- we'll call it a quality technical rescue team that trains up there on a regular basis, plus, all the departmental training we do. We recently just build a 100 by 100 butler building, which is going to have a classroom in as well as storage for additional equipment. So that's what the property is currently used for.

LEG. ALDEN:

Do you use our fire training --

MR. EGAN:

Yes, we do. The problem with the -- it isn't a problem. The Suffolk County Training Facility goes on a lottery system, meaning that a fire department put their names in, you run the gamut of how many times per year you can actually train, which usually comes only to about -- because they're only looking at five nights -- four nights a and Sundays for the volunteer fire service. Taking that into consideration, if we get out to County four or five times a year it's a lot.

LEG. ALDEN:

How many times do you use the other -- - your facility.

MR. EGAN:

We use our training facility, because we have seven companies, four to five nights a week plus either a Saturday or a Sunday. So our facility is used a lot more for our purposes than County. As far as the large -- the larger live burns that County, that's where we go; taxpayers, smoke house, that kind of thing, we use that at County. All our probationary firemen go through a training program, our own training program, inhouse that includes their Scott Pack certification, their basic Hazmat -- not that we have Hazmat, but they understand the principles of Hazmat there. They'll do their basic extrication as far as cutting of vehicle, extrication of victims, that sort of thing.

You really don't have the opportunity at County to do a lot of hose things. Plus, when you go to

County as a fire department, you get to run possibly two or three evolutions. And that's all that time allows you, especially in the nighttime, because they get in 8:00, 7:30, eight o'clock at night, they have restrictions on time too as to what time you have to get out of there. By the time our firemen pack up, get out there and get home, it's usually 10:30-11 o'clock. We can do an evolution in our fire training center probably an hour, hour and 15 minutes, hour and a half on a company level or a team level and be out of there by nine o'clock, plenty of time so the residents don't get bothered after 10 o'clock at night.

LEG. ALDEN:

The location of your property, it's north or it's south of the College.

MR. EGAN:

It's the northern most part of the property in the northwest corner where the old Highview Drive used to come up before it got condemned, that piece of property crossing Seminole Street.

LEG. ALDEN:

So the easement that you need runs through College property?

MR. EGAN:

No. Through the back -- back or the northern most part of the property that's currently there on the corner. That whole corner, the whole parcel of property encompasses College Road, which goes north and south, and then what I want to call the Mooney Pond Road extension, which runs east and west, and then becomes College Road again. So it actually runs the southern perimeter of Suffolk County Community College.

So the property we're looking at would be the northern most perimeter of that property along the back of the homes along Palm Street leaving, again, that 75 foot buffer plus.

LEG. ALDEN:

I wasn't sure, you know, that this was actually pertinent, so I didn't bring my file on it, but I had asked our Department of Real Estate a number of years ago to do a study on any property that Suffolk County had that might be eligible to be used as either affordable housing or workforce housing. I'm trying to -- I'm trying to remember the report without having looked at it in a while, but I do remember something that was adjacent to the College that did come up as something that could be used as workforce housing because it fit in with the community, there were other houses in the community. I believe this parcel might be one of those.

LEG. BEEDENBENDER:

Through the Chair, this parcel is one that I'm looking at for the community to establish a park. There's a couple of things we want to accomplish before we do that, and this is the first thing. It addresses -- the fire department came to me and said that they heard from the community -- because Highview Drive is a relatively narrow residential street and it's very hilly, so if the fire department has to leave to respond to an emergency, they have to go through, you know, with the lights and sirens, through this area. And given the fact that we have this large parcel which is adjacent to the College, but not.

College-owned property, they had asked if we could give them access directly to College Road, which is a larger road, that would make it easier for them to get through the community and not have to go through this narrow residential area. So that's the genesis of this. But that property has been looked at for many things, but I have a bill in right now that once we complete this and several other steps, I'd like to turn that piece of property into a park.

LEG. ALDEN:

Well, it's nice to turn pieces of property into park, but, number one, they don't generate any tax revenue, but even more important than that, we have a whole bunch of people that have to leave Long Island when they get done with high school or when they get done with their college days because they don't have housing. And if we can supply some kind of housing right where other housing is, it's not going into an industrial area or some other inappropriate place, I think we

seriously have to look at that. And that's why I had asked for the study to be done. And even according to the testimony, they're not going to be able to do anything with this property immediately. So there's a number of steps that have to be taken to actually get it to the point where they're using it on a regular basis or providing the relief that their testimony has established.

LEG. BEEDENBENDER:

Well, overall, it's a 70 acre piece of property, and we're giving them an easement on about 100 feet -- 100 or so feet on the northern end of it. In terms of workforce housing, there is a proposed workforce housing project not on this property but less than a mile away in Selden that would be about 250 units. And it's been stalled right now, but it is -- it's proposed to go up on a driving range that currently exists. But -- so in terms of workforce housing, I think the Selden community at least is certainly going to -- that project is going to move forward at some point, so they're going to have their share of workforce housing. But one of the things that this district doesn't have is the park. And I don't want to get too much into that, because regardless of what you use this property for, workforce housing or a park, the easement would still be prudent, at least in my determination.

LEG. ALDEN:

Yeah, except if you're going to give an easement in a certain way that ruins the ability to use the property for anything other than open space, then you've obviously have taken a problem away from one community and you've completely eliminated the ability to create another community. So the placement of the easement is actually key.

Another thing that you said that interests me is that your community would have its fair share of affordable housing. So 250 units would satisfy the number that it required in your district, is that what you meant by that?

LEG. BEEDENBENDER:

Legislator Alden, I don't want to get into a debate about that, because we could have a nice long debate, but what I meant was that these things are incredibly difficult to place in any community, because there is still a public stigma that -- about them that is that untrue. You know, the 250 unit complex that is proposed in my district I think would address a large degree of the needs in my district. But this easement -- to go back to something you said earlier -- does not destroy the ability -- I'll repeat again -- it's a 71 acre parcel. This easement covers about 100 feet on the very northern end of the property. In no way do I believe that would prohibit any other use on the property. It's 100 feet of a 70 acre parcel. That doesn't prohibit the college from using land in the future, it doesn't prohibit any sort of development no matter what you might want to do.

LEG. ALDEN:

Just in answer to that, and through the Chair, the testimony was that they need the easement because it's ruining the quality of life in an established community. So it absolutely -- the placement of that easement is absolutely the key factor in the development of the rest of the parcel, so -- and I haven't taken a look at it. Maybe you've been out there and walked it --

LEG. BEEDENBENDER:

I have.

LEG. ALDEN:

-- and have decided where houses could go, where houses couldn't go, that type of thing, but I haven't. So I'm trying to sit here and reconcile the fact that I asked for a report for much needed housing and got the report, and that parcel was part of the report that said, "There's where we could put it." And the other -- if you don't mind one other question, the 250 unit proposal, is that County?

LEG. BEEDENBENDER:

It would be -- it would use the County Infrastructure Fund to help move forward. It's not

County-owned land currently, but it is -- the proposal has been put forth to Workforce Housing for their review. And they've been talking about what the final dollar figure on the infrastructure funds would be for the creation of the development.

LEG. ALDEN:

And just one final thing. You had testified that next year or the year after is when you are going to try to do the move.

MR. EGAN:

As a matter of looking at the dollars. If the property gets approved, then we can budget into next year's if it's affordable without -- without burying the taxpayers or having to raise taxes, then if we have enough money in our capital budget, then we can do that and do the roadway. Basically you're looking at roadway first; it would be curbing, asphalt, things of that nature. The property is basically built and -- the main property. We just need to do -- again, get an easement that would be functionally able to get through instead of going on a dirt road.

LEG. ALDEN:

When do you do your capital budget.

MR. EGAN:

We have to have it submitted by the end of September.

LEG. ALDEN:

This September coming up?

MR. EGAN:

Correct.

LEG. ALDEN:

That would be the first instance that you would address a road, the cost of the road.

MR. EGAN:

Correct.

LEG. ALDEN:

Have you done any estimates and things like that already?

MR. EGAN:

Some, but I really haven't -- I'm in the middle of another capital project I'm trying to finish up which is an extension of our firehouse. So once I'm done with that, that's my next big property. I guess I'm looking at the hurdle. We just invested \$18,000 to have the property surveyed so that we could actually move forward on this. So that's already been done. We're probably looking at some place in -- guesstimate -- again, strictly a guesstimate so I wouldn't be held to it -- probably in excess of about 100 to \$125,000 in asphalt without curbing. If the Town of Brookhaven, which would then be the permittee to allow us to do that, if they mandated that we put curbing, that could almost double that price.

LEG. ALDEN:

It's still 150 or \$200 a foot, right, for a regular road.

MR. EGAN:

Give or take, yeah.

LEG. ALDEN:

All right. Thank you.

MR. EGAN:

If I could just add, we originally looked at requesting the -- maybe to answer your question -- the original -- the old Highview Drive which would come out down to where the original ten acres were, but that would have totally eliminated any expansion for Suffolk County Community College should they want to do that.

So in discussion with Legislator Beedenbender's Office and the Real Estate Division, this was -- this was the alternative plan to do that. So again, it still would be a perimeter. And I don't think it would take -- like the Legislator said, I don't know if it would take away from what we're going to do as far as people. Now -- or as far as even affordable housing. Even with affordable housing, it's our fire district, so we're going to have to protect it.

That would give us another access off that road to get into the back of the problem. One of the problems we're having from the fire district and the fire department's side on the other piece of parcel is accessibility to the buildings for the workforce housing that's on Middle Country Road that Legislator Beedenbender was discussing. Size of equipment, ladder trucks, trying to get to second -- second stories, the roadways the way they were built, our equipment the way it's currently built would never fit there, which means we couldn't adequately protect those residents of that area.

If the parcel you're talking about they were to put workforce housing along the College Road piece, that would give us another access through the back of our property now to get to those people, which would actually help in the long run. So it's something to think about for other considerations.

CHAIRMAN D'AMARO:

Okay. Thank you. Resolution 1409 is pending before us. Are there any other questions? Are there motions?

LEG. ALDEN:

You're the sponsor, right, Brian.

LEG. BEEDENBENDER:

Yes.

LEG. ALDEN:

Have you talk to Suffolk Community College?

LEG. BEEDENBENDER:

Yes. I've spoken to Suffolk Community College. And as part of the larger idea of creating a park here of this 70 acres, the discussion I've had with the College is that we'd probably cordon off 15 to 20 acres for possible future College expansion. And that property would be directly adjacent to where the College is now.

The College has some -- some ideas for long-term expansion, and that would satisfy their needs there. So that's one of the other reasons, like Jay said, we didn't want to cut the road directly adjacent to the college and then make it difficult for them to expand if they ever had to, because if -- if you look at the Ammerman Campus from above, the only place they would have to expand in is this direction.

LEG. ALDEN:

There's one other consideration, and I don't know if you've spoken to the College about this, but they had actually -- I don't know if it was their idea or if it was Angie Carpenter's idea -- former Legislator Carpenter, about dormitories and possibly citing them on this larger piece of property. Where does that fit in to this plan?

LEG. BEEDENBENDER:

Well, it was not part of what the College requested, you know, of the 20 acres, it was not on the drawings that they put together for that. That was not something that they contemplated, at least

in what they shared with me. I'll make a motion to approve.

CHAIRMAN D'AMARO:

Okay. There's a motion to approve by Legislator Beedenbender, I'll second the motion. On the motion, Legislator Alden.

LEG. ALDEN:

Just sometimes it's prudent to just take a little bit of time and make everybody comfortable with it and make sure that everyone, all the stakeholders, have been -- you know, have been in here and looked at it. Well, actually, sometimes we rush. Like, for instance, because we -- we increased our bonded indebtedness and the amount of money that we have to pay every year on our bonds, we actually had to sell off a revenue stream that we don't have a plan to replace. So sometimes when you rush into things it can create problems down the line. That's all that I'm asking, that all the stakeholders maybe come in. And I don't think it's too much to ask for that, to let the stakeholders come and testify before us and that everybody is happy with this.

LEG. BEEDENBENDER:

Legislator Alden, I'm sorry. This was not rushed. I had the first meeting with Jay probably in June of last year. This has probably been almost a year that we've been working on this to get to this point. We spoke to the departments, I've spoken to the College. Everybody has been involved. This isn't rushed, this isn't destroying anything. This is making -- this is a quality of life problem for the residents in my community that have -- and the fire department has been proactive, to their credit, to attempt to address this. And on their dime, not a penny of County dollars, they're going -- they're going to construct an access road through a piece of our property so they can better access their training facility and create a better quality of life for the entire community that lives just to the north of it. I would urge my colleagues to approve this. That's about it.

LEG. ALDEN:

Through the Chair, just on the motion. I can only speak for myself, but I haven't been invited to any of those meetings, and we're dealing with County property where I had actually looked at another use for some of that property that would have addresses a Countywide need. And this is the first time this gentleman has come down and testified before us. And his testimony is that they are not even going to take it up into their budget until September. So I don't really see this huge rush today to push it through and get it on the meeting agenda for next Tuesday, especially since I think we have -- before September, we have at least five more meetings. That would mean we have five more meetings of the Ways and Means Committee.

I don't see a huge rush. I apologize if you've been putting in all this effort, then, fine, to you it wouldn't look like it's a rush job. But to me, when it comes on this quick and all these other questions that are out there and all the other work that I had asked our Department of Real Estate to do, I haven't really heard even from the Department of Real Estate as to how this fits in with a possible affordable housing in the future plan. So I just get the impression that we're rushing through here.

LEG. BEEDENBENDER:

It never occurred to me to invite you to a meeting about a property that's in my district.

LEG. ALDEN:

Is that property in the County of Suffolk.

CHAIRMAN D'AMARO:

I think we've pretty much exhausted the debated. There is a motion pending before the committee. And if there are no other motions, I'll call the vote. All in favor say aye. Opposed?

LEG. ALDEN:

Abstain.

CHAIRMAN D'AMARO:

Abstentions? One, Legislator Alden, for the record. The motion carries, the resolution is **APPROVED (VOTE:4-0-1-0 - Abstentions - Legislator Alden).**

Okay. As I mentioned at the outset, we now are going to invite our Comptroller, Mr. Joseph Sawicki, to please come forward and welcome you. Good morning. Thank you for joining the committee this morning. Always a pleasure to hear from you. I'll turn our proceedings over to you at this time.

MR. SAWICKI:

I'd like to hand out a couple of documents to you which perhaps -- which perhaps would allow you a little more thorough understanding of the policy. I realize that when I first sent it to you a couple of weeks ago that it was an 80 something page document, and I said, "Wow, this is a lot to digest." And we tried to simplify it as much as possible with the blue document to outline the major changes in the current -- or to the current -- well, there is no current procurement policy, which is why we're here -- but to outline basically the major initiatives of our new procurement policy proposal to you.

And also, there's a timeline you'll see, kind of an informal timeline that I've asked my staff to put together that describes -- that can describe for you the changes in the County's quote, unquote procurement policy for consulting contracts since 1994 when such policy was addressed Legislatively.

But first I'd like to start by thanking my staff for spending literally months on this proposal. I'd like to introduce them to you. Elizabeth Tesoriero is the Executive Director of Auditing, on her left is Frank Bayer, our Chief Auditor, and to my right is my Chief Deputy, Christina Capobianco.

If I could just give you a little bit of background first as to how this all came to be. Basically -- basically, as many of you know, we've been performing an audit of the purchasing function of the County now for probably almost four years. Purchasing has never been audited in Suffolk County's history. And for a long time in the '90's, 11 or 12 years, I believe, the purchasing function actually fell under the Comptroller. I don't know if that was a good thing or a bad thing, but I do know that if a function is underneath the Comptroller, especially as important and that deals with so many contracts and so much money as purchasing, it's always difficult to be able to have to have to go and audit yourself. So it's a good thing that purchasing is not under the Comptroller now. But along those same lines, it's very important the the purchasing function should be audited and should be looked at from time to time.

To the best of our recollection, going back into Suffolk's history, we have not been able to ascertain that the purchasing function was ever audited. It's such a huge function that it's literally taken us several reports, and again, almost four years now. The third report -- two reports you've already had mailed to you and you've seen. The third one is an ongoing audit of the consulting process and the RFP process and the RFQ process; again, auditing it based on State Comptroller's regulations, based on GFOA promulgations, based on basically CPA and other accounting promulgations throughout the -- over the years.

The audit brought to light that we really do not have -- and it became very evident very clearly that we do not have a coherent comprehensive formal procurement policy for consulting contracts in the County. And we need one. Not only do we need a formal one, but we need a real solid transparent one. And we looked at the State Comptroller, we looked at what Nassau did, we looked at some other municipalities. And it's only -- it's only behooves us as a county, the size that we are, and to the best of our knowledge, the amount of consulting contracts are in excess of \$51 million a year. We really need some transparency and some accountability over this entire issue.

And again, we're not the middle of that audit. That audit should be released and its findings and recommendations should be released probably within several months. But along the way, as we were doing this audit, several Legislators introduced several resolutions over the past six to eight

months, which resulted in some questions coming my way and asking, you know, "Mr. Comptroller, you know, what's your reaction to this, what's your reaction to that, how should we do this, how should we do that"? You know, kind of in an informal discussion. And I say, "You know, maybe the best thing to do as the Comptroller's Office is instead of allowing the resolutions to be adopted, which would only correct the County's procurement policy on a piecemeal basis" -- and that's what we've found over the years.

Every since 1994, procurement policy has been kind of like a patchwork of SOPS, it's been a Bain-Aid approach of SOPs and Department Head Memos and Executive Orders, and it's been changing from time to time. And when I say that, I don't mean that intended toward any one administration, past, present. What I'm trying to do is say, "Listen, let's take a look at what we have now, let's make it better, let's strengthen it, let's make it solid, let's model it the best we can, make it transparent, let's model it the best we can as the State Comptroller. As you know, the State Comptroller is basically the model is for most municipalities or all municipalities throughout the -- throughout the state.

Going back to the audit a little bit. By virtue of the fact -- when I mentioned before there was in excess of \$51 million a year spent, we -- our auditors were not able to get a handle on the exact dollar amount of consulting contracts nor the number. And that's very disturbing. And that should be disturbing to you, as I'm sure it is, as it is me, because that points to a very serious weakness in our accounting system and our external controls.

I'm not saying that it's -- they're not accountable out there somewhere, but in this day and age of computers and technology, especially with Sarbanes-Oxley, you know, transparency and accountability is an absolute must for our government, especially when you're talking to the tune of \$51 million a year.

So part of the proposal you have in front of you is designed to strengthen the accountability portion or part of the whole procurement policy and all the consulting contracts we have -- we have in the County. For the detailed parts of the policy, you know, I asked my staff to address those questions. I'll certainly do the best I can. But the proposal you have in front of me, when you received it, I sent to the County Executive and asked for his input on the same day, and I've had no problem at all in receiving assurances that the County Executive's Office would like to work with us and finalize this thing.

But again, some of the major proposals in here in terms of amending the RFP committee that you have Legislatively in front of you, amending the waiver process and waiver committee, those are good solid recommendations that I think that everybody will embrace; I'm hoping that the Legislature, I'm hoping the County Executive embraces. And I'm sure -- I'm sure we all will. I'm sure we can work together toward the common goal of bringing transparency and accountability to the process.

The -- I do realize, of course, as you do, that consulting agreements can be very sensitive at times and sometimes even politically sensitive. But again, that is even more reason why transparency and when we're dealing with millions and millions of taxpayers' dollars every year, that we have to have a coherent solid policy within Suffolk County. I'm willing to work with you, we're willing to work with the County Executive, whatever we have -- whatever we have to do, but again, this is one of my goals of our administration, is to accomplish this and to see this became part and parcel of Suffolk County Law and actually be a formal policy so that we don't have a confusing, again, patchwork of SOPs and Executive Orders and All Department Head Memos.

And again, I want to reiterate this has -- this has no reflection on the current administration, it has no reflection on the past administration of this County. This is an attempt to look forward and to strengthen, you know, what we have as a process in our County and to correct some of the

problems and issues that I've outlined for you already.

CHAIRMAN D'AMARO:

Okay, Mr. Comptroller, thank you very much for your presentation. Is there anything else you would like to add any or perhaps from your staff any other details or testimony at this time?

MR. SAWICKI:

Do you have any questions regarding -- again, I could read this to you, but I'd rather not. I'd rather just be here to answer questions. Perhaps I should have given it to you a little sooner, but this is a synopsis of the changes.

CHAIRMAN D'AMARO:

It actually -- yeah. I appreciate that you handed that up. I took a quick look at it while you were speaking. It seems to pretty much summarize what the resolution is attempting to do. So what I'm going to suggest while you're here is we could take this bill out of order and get it before the committee. And if you'd be kind enough, you and your staff, to sit here with us, if questions do arise, it would be nice to have you here. All right. So I'll offer motion to take Resolution number **1317-2009, To improve and strengthen the consultant procurement process in Suffolk County (LINDSAY)**, out of order.

LEG. BEEDENBENDER:

Second.

CHAIRMAN D'AMARO:

Seconded by Legislator Beedenbender. All in favor? Any opposed? Abstentions? That motion carries. Legislator Vilorio-Fisher has a few questions.

D.P.O. VILORIA-FISHER:

Joe, thank you for being here. I just had a quick question. So the portion of this which recommends that all of the contracts of over \$1000, I believe, be recorded in the IFMS System. Is that a way of getting a handle on the transparency that you say is lacking now where you have to estimate that we spent in excess of \$51 million on these contracts?

MR. SAWICKI:

Yes, Legislator Fisher. By virtue of -- in the back of the thick document -- and please jump in Liz and Frank where need be -- there is a proposed checklist that we would use when -- before contracts are actually executed and -- for all contracts in excess of \$1000, as you indicated. And that checklist will be basically to assure that the proper process -- proper process was followed.

I will be assigning an auditor to look at these different contracts just to make sure that -- not to judge the contract for its goodness, if you will, or its quality, but to look at -- make sure that the proper procedures were -- have been followed. And then part of that checklist and part of that form will allow us to code certain contracts into the IFMS System so we can have a handle on the number and the amount.

Like now, most of the consulting contracts in the County are coded to fees for other services, what we call the 456 Account. We also have found a lot of them on other accounts. For instance, some of them are booked to an advertising account. Not that that's a wrong entree to make for an advertising contract, but it also should show up as a consulting contract somewhere else as well, somewhere so we can have a handle. So when Legislator Lindsay -- I left this out a little bit in my opening remarks. Presiding Officer Lindsay and I spoke earlier on this process, and I asked him to hold off on any resolutions and I promised him we'd come up with a coherent policy, which is what you have in front of you. But he also asked me, "Well, how many contracts are we talking about and what's the dollar amount?" That's when we became totally frustrated and we couldn't come up with an answer for the Presiding Officer. So that -- you know, that -- you know, that could be embarrassing to this County.

D.P.O. VILORIA-FISHER:

So what you are saying is even if the RFPs are funded through different programs, they should all have a kind of point of entree into our budgetary process so that you can count up how many we have out there.

MR. SAWICKI:

Correct. Whether they be an independent contractor assigned to the Medical Examiner's Office, whether they be a law firm for the County Attorney's Office, whether they be an advertising firm, whether they be an accounting firm, they should all be targeted and -- coded rather so that we have a real good accounting and we could answer a question by any Legislator or any public official, you know, "What's the status of these contracts?"

D.P.O. VILORIA-FISHER:

Now, Joe, there's a sense that we want efficiency, we want to move these RFPS, sometimes there's -- you know, there are time constraints, how much time would you think that doing a checklist like that would add to the process?

MR. SAWICKI:

First off, Legislator Fisher, we raised the ten -- the current \$10,000 limit. We're proposing to raise it to 25,000 to make that much more practical.

D.P.O. VILORIA-FISHER:

I saw that, that you're saying 25 --

MR. SAWICKI:

And that would be much more practical and realistic in today's -- we estimate that every contract in excess of \$1000 with a checklist would probably take two to four hours to go through.

D.P.O. VILORIA-FISHER:

Okay. So you're not talking about it entering a bureaucratic morass where it adds a couple of weeks to the process.

MR. SAWICKI:

If anything else, we'd love to lessen this whole process, because as you know, we've been subject to the same constraints in our system. It takes forever with the RFP process, but that's just the nature of the beast. If we're going to find a way to streamline it, make it more efficient, so much the better.

D.P.O. VILORIA-FISHER:

Thanks, Joe.

CHAIRMAN D'AMARO:

All right. Thank you, Legislator Fisher. Mr. Sawicki, I had a few questions as well. I'll be brief. I just -- looking at the text of the bill itself, I read all the Whereas Clauses, I'm not sure I agree with all of them. Raising the limit from ten to 25,000 it's something that I'm not sure I agree with either. But I do agree with all of your comments, of course, about accountability and transparency and the need to know what's going on in County Government.

But I see a little disconnect. The first revision that I'm focusing on is where you're now making -- empowering department heads with the ability to award contracts in lieu of the County Executive. I don't see how that increases accountability. The County Executive is directly answerable to the public, a department head is not.

MR. SAWICKI:

Say that again. I'm sorry, Legislator D'Amaro.

CHAIRMAN D'AMARO:

Sure. The department head is now empowered to make the ultimate decision as to hiring as opposed to the County Executive in section 708-4(A). I'm looking at the bill.

MR. SAWICKI:

I don't think that was meant to lessen any involvement by the County Executive, especially considering the department head is most -- probably -- you know, an appointee of the County Executive.

CHAIRMAN D'AMARO:

Well, statutorily what you're doing is giving the department head the ultimate discretion, power and authority to award a contract.

MR. SAWICKI:

We kind of viewed it as one and the same to be honest with you.

CHAIRMAN D'AMARO:

Then why delete County Executive?

MR. SAWICKI:

Elizabeth Tesoriero reminded me that -- again, that was -- allowing the department head to make the decision mirrors somewhat what the State Comptroller does, somewhat what our neighboring Nassau County does and is an attempt to streamline the process, because typically if you want to consider -- if you want to use an example, the Police Commissioner of the Social Services Commissioner or Parks Commissioner, if they are processing an RFP for a specific technical service, they probably know what's best and -- for their department and what they're looking for. In the awarding, we're not worried about lessening the controls because we will -- we in the Comptroller's Office will still have that checklist and be able to see what the RFP -- how the RFP process turned.

CHAIRMAN D'AMARO:

My only point was -- I mean, you're an elected official and the buck stops with you. To empower your deputies to make decisions for you, who are not the elected official, to me it just seems inconsistent with the accountability aim of this particular legislation. I don't know if Nassau -- I don't know what Nassau does, I don't know what the City of New York does, I don't know what the State of New York does, but I'm more comfortable with having an elected official be accountable for the ultimate decisions made by his or her appointees as opposed to the other way around.

MR. SAWICKI:

Well, again, Legislator D'Amaro, it was an effort to streamline and allow the department head to have the flexibility. I mean, as a department head appointed by the County Executive, again, I envision them as one in the same, and I just don't see a department head making a decision like that without asking the County Executive for some guidance.

CHAIRMAN D'AMARO:

Well, if that's the case, then why change the -- why change the law? If the department head is not going to exercise the authority, then why give it to the department head? I mean, I think the accountability lies with the elected official. That's my only point with respect to that.

MR. SAWICKI:

You know, Legislator D'Amaro, I can't argue -- I won't argue with that because to me it's one in the same, but --

CHAIRMAN D'AMARO:

Well, then why change it?

MR. SAWICKI:

I didn't draft the resolution.

MS. TESORIERO:

The intent was really to facilitate the process.

CHAIRMAN D'AMARO:

You need to pull that microphone right up and press the button -- hold the button down.

MS. TESORIERO:

Okay. Now I'm afraid to talk. The whole idea was to facilitate the process, speed it up, but for what we consider less material contracts. So now we're looking at the contracts under \$25,000. The idea is that the department is there, they're hands-on. The only reason we'd even consider that is because we are also now imposing oversight by the Comptroller's Office, which is something that the State Comptroller has, Nassau County has, I'm sure other municipalities, we didn't check all of them. But that is the control, that's the only reason why we are even saying that that is at all viable, because somebody -- even though it's the department making those decisions, someone else, an auditor, is now going to be second guessing that, looking at that.

CHAIRMAN D'AMARO:

I don't see the auditing function in this bill. I think you're referring to regulations that will come later on.

MS. TESORIERO:

It's in the procurement manual, but I believe we do address in this resolution that policy and procedures will be promulgated by the Comptroller's Office. That was one of them, the Comptroller's oversight of this process.

CHAIRMAN D'AMARO:

Right. And we'll get to that in a moment, but I just wanted to focus on that particular provision. I want to go step by step. A couple of other points I wanted to make or questions if you can give us more information, when you get to the threshold now proposed of 25,000, you go into the RFP process, and there's an RFP process and there's waiver guidelines, statutory guidelines, if you want to waive. And the issue with this bill is who's going to make that decision, who's going to sit on the committee.

And I guess the current practice right now is that that discretion whether it's awarding the RFP or waiving that process lies with the County Executive. And what this bill is proposing to do is to expand that decision making authority and put the Presiding Officer or representative on the committee as well as the department head. And again, my question about that -- a couple of -- a couple of comments on that.

I don't see how having the two elected officials as opposed to one is really going to transparency. I don't really see it as an oversight issue either only because I'm a Legislator, and the Legislature is not getting oversight, it's the Presiding Officer or the representative who has the decision making authority. It's not like that committee is coming to the Legislature and asking for a vote from 18 members. So again, my question really goes to how are we increasing transparency by making a committee of two or three as opposed to one or two?

MR. SAWICKI:

Well, it would be -- it would be transparent, Chairman D'Amaro, because you would now have an extra set of eyes looking at the waiver process. In Nassau County, the Rules Committee votes to approve any contract in excess of \$25,000. In the State of New York, the State Comptroller signs every contract in excess of \$50,000. The state -- the Nassau Comptroller also signs via a computer check and authorizes the execution of any contract in excess of \$25,000 in Nassau County.

So the waiver process is one that we are in the process of auditing as well. But I just think that

when you're talking of contracts in excess of \$25,000 to ask the Presiding Officer and the County Executive's designee to sign off on a waiver, I think that can only be a good positive thing, definitely going in the right direction. I mean, the Presiding Officer now, as you know, signs off on little -- when I say "little," quote, unquote, travel conference forms from County employees. So to ask for a waiver, I think it would justify -- justify the need and the reasoning for any waiver that's asked for.

CHAIRMAN D'AMARO:

Well, I don't disagree with you that it's always good to have more oversight than less, but we do have oversight in the form of your auditing authority, of course. So everything we do in government is subject to that auditing authority. And we also, as a Legislature, have oversight. Perhaps, even as Chair of this committee, I could ask for a hearing or disclosure of RFPs and waivers and justification for them. So it's not that I don't oversight, I do have oversight.

What I'm questioning here -- and I just appreciate your thoughts on this -- is more of an injection of the Legislative Branch into an Executive function in administering waivers. Now, I'm not saying that that process should be abused, and I'm not saying it shouldn't be audited and there shouldn't be accountability, there absolutely should. And this Legislature should have the authority to review it. But that's something different. Oversight authors and auditing authority is something different than making yourself part of the process.

In my mind, running the day-to-day operations of government and doing the RFPs or waiving those RFPs is an Executive function. And there is accountability because the County Executive is elect. So just -- if I can have your thoughts on that aspect of it. Just -- you mentioned some other jurisdictions that have some signatory authority on waivers or on RFPs. I don't know what authority that signature carries; is it a yeah or nay, or it is more that, yes, you complied with the procedure? You know, I'm not sure what that -- you know, what that means.

MR. SAWICKI:

Well, I believe the other -- to answer your last question first, the other municipalities when they're signing, obviously the contract is not going to be executed unless their signature is either on there from the State Comptroller or -- and it's not going to be paid if the Nassau Comptroller does not execute his authority through the computer. Currently, right now, as you probably know, the contracts are signed --

CHAIRMAN D'AMARO:

That's on contracts or on agreeing to the RFP, to the award?

MR. SAWICKI:

Contract.

CHAIRMAN D'AMARO:

To the contract, I can understand that. Okay.

MR. SAWICKI:

Now, I mean, the only signatures we have on current contracts are the vendor, the County Executive and the County Attorney. And basically, the County Attorney and the department -- the department head, when they -- when they want an RFPs -- when they want to RFP or want to hire a consulting service or an independent contractor, they have to ask the County Attorney for assistance in drafting the legalese for any kind of contract. Ultimately, the County Attorney also signs and probably more so to form than intent, okay?

In terms of going back to the waiver committee, your earlier questions, you are right, we all have -- our function is to post audit. As you know, a post audit takes upwards of a year. It's usually after the money's out the door, the horse is out the barn, and it's a very exhaustive and labor intensive process. This would give you instant transparency, it would give the waiver process just another set

of eyes saying, "Gee, before we -- you know, sign a waiver, is this really an emergency type of purchase? Is this really a necessity that has to be done in the next four weeks?" There's nothing wrong with an extra set of eyes. If it's not going to be the Presiding Officer, I submit to you, Mr. Chairman, that it should be another independent branch of government or official. And often other -- other jurisdictions use the Comptroller to do that. I don't want to start monitoring our stuff with the County Executive.

CHAIRMAN D'AMARO:

I agree with you about being concerned about whether or not power is being exercised properly and appropriately and the checks and balances. But we can really have that for any function of this Legislature or the County Executive to have another set of eyes. It's kind of like a general argument that I can't disagree with. But I'm trying to be a little more specific. We're talking about the administering of RFPs or waiving that process; an Executive administrative function where we're not overseeing, but injecting into that process. And I'm not sure that it's appropriate.

I would rely on your auditing function to make sure that it is being done and there is compliance, certainly. And I would also rely on this Legislature to oversee it and question along the way. No question about that, but we do that from this side of the street. Again, I see it -- once we put ourselves on the committee, we're now into the Executive Branch. That's just my thoughts on that. The last --

MR. SAWICKI:

May I interrupt you just a second?

CHAIRMAN D'AMARO:

Yes, absolutely.

MR. SAWICKI:

Thanks, Mr. Chairman. The only -- I'm not going to -- I don't want to debate, because I -- I mean, we can agree to disagree. However, the function of the Presiding Officer signing off with the County Executive is not new one. And it's just, again, not only to open it up to a little more, you know, sun -- you know, not that anything is being -- not that anything is conducted wrong now. I made that -- I'll emphasize that again. However -- however, there is precedent that the Legislature is involved in some Executive decisions in the County just for something simple as the travel conference forms. So that's kind of where we got the idea. We just -- we felt as auditors that -- again, the transparency thing is what we're seeking for -- for the future of this County to implement in a -- in a rock solid -- that's what we want to come up with, a rock solid policy here for the taxpayers of Suffolk County and for our government.

CHAIRMAN D'AMARO:

Again, I can't disagree with that. And I'm not really debating, I just wanted your thoughts or reaction to how I was perceiving this particular bill. And if nothing else comes out of it, it certainly heightens my sensitivity to the fact that maybe we should be, we meaning the Legislature, the Legislature, maybe even this committee, should be asking more questions about waivers and RFPs. But again, I just see this as something a little different. I see it more as an injection into an administrative executive function.

I want to move on to just one last area that I wanted to get your thoughts on while you are here. The Section 708(A) -- 708-8(A) and (B) of the bill is a new section to the Code. And what it basically does, and we touched on this before, is to empower your office with the authority to come up with regulations governing -- rules and regulations consistent, of course, with the provisions of the Charter for procurement of personal or personal consulting services.

Normally, in my mind in governing, rules and regulations are promulgated by the responsible departments for that. And if -- as a threshold issue, I -- I don't know the answer to this, and you

would probably know and not me, but we talk about uniformity and procurement process throughout Suffolk County, but are the department really prone to that? Can you have uniformity?

I mean, should we hear from the departments and find out whether or not there are specific needs from department to department that you really can't have uniform procedures? That's just a threshold issue in my mind. And if the answer is no, it's no. If it's yes, if it can be done uniformly -- you know, it's not really an issue for me, it's just something I'd like to know. I'd like to hear from the departments about that.

But going beyond that, you are asking -- if this bill were to pass, you're going to promulgate binding regulations on procurement, binding on the Executive Branch and all the departments and the Legislature also without me knowing what they say. That to me is a little breath taking and unprecedented. You know -- and don't take that wrong way. Not that you're not going to come up with great regulations, but I think I should have a right to read them before I vote on them.

MR. SAWICKI:

Mr. Chairman, good point. That's why we gave you this 80 something page document. That's our proposal. This is what we think we need to strengthen, and this is what we are hoping that the Legislature will embrace and the County Executive will embrace. You know, after -- and it is a proposal. In terms of the checklist that this -- we call it a checklist for lack of a better word as an acronym -- we think that this would be an important part of -- before any contract is executed and certainly before our invoices and bills are starting to be paid.

I mean, often we're not aware -- very often, we're not aware of contracts out there that are RFPed, that are executed, that are signed until we get the first bill in for payment. And if we have to have a copy of every contract in this County, oftentimes the bills come in, the invoices from the vendor before we have a copy of the contract. I would rather have it a little bit the other way around.

CHAIRMAN D'AMARO:

I agree with you. And I think there probably is a need for as-uniform-as-we-can-be rules and regulations. And I would certainly welcome your expertise into that your office's expertise. And you did give us that 87 page document. And I know a lot of that's in there. It's not really in final form. And I think what -- the way I would like to see this play out is to do exactly what you were going to do and present it to the Legislature and then let us take it up when you have it in final form. I would be more comfortable with that.

MR. SAWICKI:

Well, it's about as final as it can get other than if you want to mix -- you know, we're certainly open to recommendations the Legislature might have, the County Executive might have. But again, this would be the document -- this would be the document and all the 80 something pages in here that would be subject to -- subject to -- yeah, as a handbook, which would be a good thing for all department heads in this County to have when -- you know, when seeking to do -- rather than going back and trying to research decades and decades of SOPs and ADHs and Executive Orders and the loss.

So it would be nice to -- I mean, our County -- our budget, as you know, is \$2.8 billion a year, \$51 million at least is -- I'm being redundant.

CHAIRMAN D'AMARO:

I agree with all of that. This bill does not reference that handbook. This bill just merely empowers your office to promulgate rules and regulations. And until you told me that these are them, you know, this bill is not referencing anything that your office has produced yet. So if there's a way to clarify that -- I think that ultimately your office can produce rules and regulations that will increase transparency and accountability. The County Executive should welcome that process. We would certainly welcome that process. But I think it's a process we need to go through before approving them without seeing them. That was my point. Those are some of the points I had with respect to

the bill. Are there any other questions? Legislator Beedenbender.

LEG. BEEDENBENDER:

Thank you. Good morning or afternoon -- I guess we're still good morning, Joe. I appreciate the massive amount of work that must have been required to get to this point, and I do appreciate that the suggestions made in reference to the waiver process -- my former life I had a little bit of exposure to that, and I appreciate the concern at least from a taxpayer point of view of making sure that process is really the best we can make it.

What I wanted to focus on a little bit though is, you know, I'm the Chair of Public Works, so I kind of -- I am protective of them. And in this -- in this bill, it suggests that we take some of the procedures we have for Public Works and remove them and place them into, you know, a uniform policy. And I guess this kind of gets a little bit to what Legislator D'Amaro was taking. I can understand the need for uniformity, but to counterbalance that with the need of Public Works, I'm just trying to understand a little bit why. I just don't know. So I guess that's what my question would be.

MR. SAWICKI:

If I may, I'd like to defer to Liz and Frank who have been involved intensively in the audit of DPW over the past couple of years.

LEG. BEEDENBENDER:

Great.

MS. TESORIERO:

The thinking behind that basically was what we find from an audit perspective is that there are always exceptions, exceptions. And the more exceptions you allow, the more exceptions are created. So, yes, Public Work contracts or RFPs were exclude, but in our minds -- and we could be wrong -- we did not see any reason why it was any more necessary for Public Works contracts to be excluded than for any other specialized process; auditing services, I mean, it could be legal services, there all specialized. So we really see no reason why there should be a whole separate process for them.

LEG. BEEDENBENDER:

I appreciate that. Just a question. I guess a lot of this came from the State, which would be General Services -- I guess at the State that would be the office.

MS. TESORIERO:

Yes. And they they do have exclusion for Public Works. We were aware of that.

LEG. BEEDENBENDER:

That was my question, because I have a copy of it and it excludes architectural surveying and construction projects. I'm just -- I'm all for this process. I think we spend a lot of money. And this is a place that, you know, if there's not as much focus on it -- I think, you know, this audit and this policy and these suggestions bring more focus to, you know, money that we're spending on the taxpayers. But I'm just trying to understand -- you know, I took we took a lot from the State, we didn't take it all. If the State has an exemption -- I'm not really clear why the State has an exemption, but I'm definitely not clear if they have one and we're suggesting that we don't. So I need a lot of information, I suppose.

MR. SAWICKI:

Keep in mind, Legislator Beedenbender, that when we were -- when Legislator D'Amaro and I were talking -- discussing before that \$25,000 and why would you give the department head -- this is a perfect example -- for all those contracts under \$25,000, DPW would be able to make that decision and go through the RFP process by themselves. So that's just an add on to what um -- and again, when we took the State Comptrollers and used it as a model, obviously we had to tailor it to what

we thought would work best in Suffolk County. So it's not exactly word for word, item for item, number for number. It's just -- you know, we started with that document and worked -- this is what we thought would work best for Suffolk.

LEG. BEEDENBENDER:

Okay. And I appreciate that. Like I said, I'm not an auditing expert, and I'm very comfortable in the ability of you and your office to do the audits. I just think -- to play off a little bit of something that Legislator D'Amaro was saying, the audit is great and it's necessary and we should do it for as many functions as possible. But the audit happens, as you said before, after the money is out the door. But I think -- I just -- I think I'm a little more comfortable with one person, whomever that may be, having sole discretion over who is spending. And the auditing at the end can make sure that whoever made that decision is doing it correctly.

But with the Public Works stuff -- I mean, I know we have Tom Laguardia from Public Works here, and I've had a few conversations with him. It's just the old code -- I think it's bracketed here -- it required RFPs from at least five prequalified firms. And while maybe five isn't enough, maybe ten should be required, I guess what I'm just trying to figure out is what about that is insufficient? I mean, I want to do things that are more understanding transparent. I'm just trying to have an understanding of what is more -- is not sufficient about a request from five prequalified firms that give you back a bid and then the selection of an RFP through an RFP committee of what is the best price. Should it be ten or is it really that we need to do through the whole process normally?

MR. SAWICKI:

While they're discussing it, Legislator, the proposal is to eliminate those which requested at least three prequalified firms between ten \$20,000. And again, we would raise that to 25,000 at the -- so up to 25,000 would still be at the discretion of DPW, you know, in your particular question. Anything -- anything over that would be, you know, advertised and with the same RFP committee or same RFP composition. And we just think that -- we think that can work. We don't see a problem with that at all.

LEG. BEEDENBENDER:

Maybe I need to do a little bit more homework with Public Works to understand why this was put in there and, I guess, the situation under which they use this, because I know to a large degree, I am, you know, sensitive to the fact that they want to get things done quickly. And you even said earlier, one of your goals here is to attempt to expedite the process while still maintaining the transparency and accountability that we need. And I guess I just -- as I sit here right now, I'm not sure what the affect is on Public Works, so I guess I need to do a little more homework. I appreciate your comments. I don't think I had any others. Through the Chair, if I could have -- I guess if we could have Tom.

D.P.O. VILORIA-FISHER:

I'd like to make a request. Since I don't serve on the Public Work Committee and I would like to understand from Public Works what the -- what the drawbacks would be in -- because looking at this at face value, I agree with the Comptroller that having one system for all departments seems to me to be the best was to handle this rather than having piecemeal policies.

CHAIRMAN D'AMARO:

Right. And Legislator Viloría-Fisher, that was a threshold issue for me as well. You know, id one policy fits all, then let's do it. If it doesn't, then let's find out why not.

D.P.O. VILORIA-FISHER:

And since I don't have the -- since I don't serve on Public Works so i haven't seen an ongoing policy that's been presented and we haven't flushed it out, if it's possible to have Tom Laguardia come up and explain to us why the exclusionary language needs to be in it, I'd appreciate that.

CHAIRMAN D'AMARO:

Mr. Laguardia, you've been listening to the discussion and I guess it's a pretty specific question coming from the Department of Public Works. We're talking here about uniformity and the procurement process and whether or not based on your experience and knowledge that would work in your department if you had the same uniform rules of procurement that every other county department had or if there are reasons -- reasons why there would be an exception to that.

MR. LAGUARDIA:

Currently, there really are no difference in how all of the 104(B) General Municipal Law contracts are done for Public Works or any of the departments. What the Department of Public Works does for most of theirs is they take advantage of -- there's a waiver process in 708 of the Administrative Code that allows us for certain types of contracts to proceed with a waiver. And that's how most of the Public Works contracts are processed. It's worked well. Some of the other departments also use it.

But what I'd like the committee to understand is that the procedures that we have in place currently are actually more stringent than State Law. The guidelines that the Comptroller is asking us to adopt are very stringent. While the legislation before you appears to make it simpler, up to \$25,000, it really doesn't because when you add the Comptroller's rules and regulations in which requires an invitation for bid from 1000 to \$25,000, it makes the process so cumbersome, it's almost the full RFP to purchase something that's \$1500 in services.

So while the legislation appears to make it simpler, it's much more difficult when you add the regulations. I would suggest that these regulations which come out of the Office of General Services as guidelines with no dollar values in them in the State, they don't use these regulations below \$50,000. We're looking for 25,000 -- from one to 25,000. So they even recognize two things; number one, they recognize \$50,000 for purchases in any State department; \$85,000 for the Office of General Services. They don't use these guidelines. And number two, they clearly exempt Public Works-type projects because they generally run under a set of different guidelines. For instance, DASNY has a \$5 million limit before they use formal procedures for their consultants.

We're not suggesting anything of the same. We think the limits that are here in current law are fairly reasonable. We get a waiver, and on top of that we have an in-house procedures when we have a waiver. We just don't go out and pick a consultant. We have certain guidelines that we follow and certain dollar values before we select a consultant. And generally, we use prequalified consultants, which we have approximately 40. Almost every major in the consultant field on Long Island for Public Works is on our prequalified list. I'm not sure what some of the other departments do, but for us --

CHAIRMAN D'AMARO:

Okay. Legislator Beedenbender wanted to follow up with you, but before you do, I just wanted to very quickly ask you are you saying that when these procedures kick in above 50,000 -- I guess on the State level we're talking -- that they are guidelines and not -- are they binding or not binding?

MR. LAGUARDIA:

They appear to be guidelines. They're procurement guidelines that are issued by the -- they have a special office on the Office of General Services that looks at all procurement in the State. Office of General Services does a lot of -- I guess the majority of State purchasing. They issue the guidelines, and they are clearly labeled as guidelines. They have no dollar values in them. As a matter of fact, what they say is each department should use these with discretion in how they apply them.

CHAIRMAN D'AMARO:

So it leaves some flexibility them from the guidelines. It's there as a guide not as a binding method or process.

MR. LAGUARDIA:

Correct.

CHAIRMAN D'AMARO:

Legislator Beedenbender, please go ahead.

LEG. BEEDENBENDER:

Tom, you had mentioned something about the majority of the projects, they're done through waiver.

MR. LAGUARDIA:

That's correct.

LEG. BEEDENBENDER:

All right. Let me just ask a question, I think maybe I didn't ask it correctly. When I'm looking at the bill we have in front of us, it brackets out a section of language that used to be for \$20,000 and up. And it says, "However, in the case of consulting services for Public Works projects, RFPs may be solicited from at least five prequalified firms with the award made by a separate committee appointed solely for the purpose of making that specific award," etcetera, etcetera.

MR. LAGUARDIA:

Yes. In general though --

LEG. BEEDENBENDER:

That's not a waiver.

MR. LAGUARDIA:

Correct. But in general, we don't use that -- that provision that often. What we've been using is the waiver process because the waiver process is very specific to Public Works contracts. The Legislature when they wrote the 1993 or four bill that instituted consultant procedures listed very specific requirements in order to obtain a waiver. And if you read them, they were really directed, at the time, when this was developed, for Public Works-types projects where you have to have a special relationship with a consultant. He has to understand the County construction procedures and how we progress a contract.

So if you look at that, it's tailored to how Public Works worked. And this is very similar in the rest of the State. The State does it the way. They use special procedures for their consultant contracts when it's involving construction.

LEG. BEEDENBENDER:

So just to, I guess, see if we can simplify this a bit. If these policies were adopted, what is the practical implication to -- to the operation of Public Works? I know in Public Works you handle purchasing, right, that's under your auspice? So what do you think the practical implication -- I mean, is there slowing down of time? Is there difficulty of projects? If you could just summarize that, that would be helpful for me.

MR. LAGUARDIA:

Okay. Do you mind if I kind of start right at the beginning of the bill and go through where my problems are, because it kind of summarizes?

LEG. BEEDENBENDER:

Well, I mean if that's how you answer the question, then that's great if that's what you want to do.

MR. LAGUARDIA:

I think the first part of it; adding department heads and elected officials expands -- right now,

almost all 104 purchasing, General Municipal Law 104 purchasing goes through the Department of Public Works' purchasing unit unless there's a waiver in place, unless there's a waiver gotten. Right now, that's going to be expanded significantly, and I think that's -- that's going to be very difficult because we find most of the departments don't understand the purchasing laws. It's much better in a single point source. That's number one.

Number two, we are in the agreement with the change in range. The problem is not what's written here in the bill, it's what's written on the next page giving the Comptroller authority to write rules and regulations. The rules and regulations that are before you will significantly delay all small projects in Suffolk County that Public Works does. You just have to look at the document. There's ten pages of requirements for an invitation to bid.

So anything over 1000 -- right now, if I have a small project, one of the Legislators at the podium comes to me and we have a small consultant job I have to do because we've has a couple of accidents or something, we go out with three quotes to three prequalified firms, we have a term contract in place, we select it in the dollar -- if it's in the dollar range per the law, and we proceed with the work.

Now, if you look at how I have to progress it under the current guidelines that the Comptroller is proposing, it will be months before we get anything done.

LEG. BEEDENBENDER:

I appreciate those corners. I think there does need to be some degree of flexibility. What I guess I would suggest, and I think the Comptroller suggested this earlier that this was already occurring, that he was speaking with the County Executive. And I'm sure if he's speaking with the County Executive, Tom, you've been involved in the process. Because from my perspective, I think the goal that the Comptroller and the Presiding Officer are trying to obtain here is very important. But as it always is, the devil's in the details.

So I would encourage -- if the group -- you know, if the County Executive along with the Comptroller and Presiding Officer can sit down and try to iron out some of these concerns for the expediency of the process while still maintaining the goal of accountability and transparency, which is -- I think should be number one here, I think that would be beneficial. Because I think, you know, Tom, you've been doing this for a while. And I say that in a nice way, not in a bad way. So you have some expertise on this that nobody sitting around this horseshoe does. So I think it would be important, you know, to the process if -- because I think we need to develop something. And I want to vote and approve something. I just want to make sure that in terms of the operation of the County it moves forward while respecting the needs of everyone involved.

MR. LAGUARDIA:

I understand the County Executive has reached out to the Comptroller, and he's trying to set up a meeting so that we can get to discuss the guidelines and where we go, and then I think we're going to discuss it with the Presiding Officer.

LEG. BEEDENBENDER:

It's his bill, so I would hope so. All right. Thank you, Mr. Chairman, I appreciate that.

CHAIRMAN D'AMARO:

Thank you, Legislator Beedenbender.

MR. SAWICKI:

Along those lines, Legislator Beedenbender, what Mr. Laguardia was saying in terms of how often DPW must use the waiver process because the emergency of the repair or projects or whatever, I don't see that being an issue here at all. Just it would just give the Presiding Officer of this Legislature and, you know, his or her appointee, designee, the -- you know, the authority to see what the waiver is all about, you know, the oversight and transparency.

LEG. BEEDENBENDER:

Thank you.

CHAIRMAN D'AMARO:

All right. Legislator Viloría-Fisher, you had some questions for Mr. Laguardia. Go ahead.

D.P.O. VILORIA-FISHER:

Thank you. Tom, you really confused me. Because when I look at the second paragraph under the column that says "procedure," it says "written quotes from at least three sources." But I thought you said that that's your current practice, and so I'm having trouble understanding why that's a conflict.

MR. LAGUARDIA:

If you read the written words there, they're just fine. We're perfectly happy with what it says. But under 708-8, Suffolk County Comptroller promulgating rules and regulations, which he has a set of guidelines before, you under those guidelines, from one to \$25,000, it suggests that we use an invitation to bid process, which requires advertisement which requires significant other work that's not required by the first page.

D.P.O. VILORIA-FISHER:

Well, those details aren't really spelled out in the resolution here. I'm looking at 708-8 --

MR. LAGUARDIA:

That's correct. And that's why I think we need a meeting with the Comptroller to go over those details.

MR. SAWICKI:

Can we address that?

D.P.O. VILORIA-FISHER:

Yes, please. Thank you.

MS. TESORIERO:

That was simply to put it on the County's website. That's the only requirement in terms of the under 25,000. That's not a real significant problem, I don't think.

MR. LAGUARDIA:

I believe there's eight pages of requirements.

CHAIRMAN D'AMARO:

All right. Well, we're not going to, I guess, hash that out here, but let's move forward.

D.P.O. VILORIA-FISHER:

I'm going to be very frank with you, Tom, that when I see or when I hear you say that most of the procurement is done by waivers, a waiver should be an exception rather than the common way in which something is. So if there is a set of -- a set of or a group of consultants that, you know, fall under the waiver definition, then maybe that should become part of the regular policy rather than waivers, because I really believe in having transparency and working within standardized regulations so that we can have the accountability. Could that be defined within the policy that's being developed here rather than calling them waivers to a policy?

MR. LAGUARDIA:

I think the waiver terminology is a poor terminology. It's a set of guidelines where alternate purchasing procedures are to be used. They're similar throughout the State, DASNY uses them and

New York State uses them. All of the construction authorities have slightly different requirements for the hiring of professional consultants for roadways and building construction; it's standard throughout the State. To call it a waiver, that's the terminology that the Legislature used back in 1993 and four. I think it's still a good, solid procedure. Everybody in this State uses it, I believe most other states are very similar with their consultant process. I know the Federal Government is very similar, too.

D.P.O. VILORIA-FISHER:

Can we ask the Comptroller, when we're looking at this group that fall under this -- the definitions that are listed in the 1993-94 waiver definitions; how would that fit into the policy as you're developing it where we're trying to standardize it and have one policy rather than a piece-meal set of regulations?

MR. SAWICKI:

And that's exactly what we're trying to avoid and get away from, Legislator Fisher, is this piece-meal approach, as opposed to preferring one, uniform, consistent, comprehensive approach. The waiver process, regardless, would be simply signed -- as opposed to the way it is now, it would have an added signature, actually two member -- two signatures on it, the County Executive and an appointee of the Presiding Officer. I don't think that's a whole lot to ask and I just think it just allows an extra set of eyes to see what waivers are issued for, why and how they're being issued.

D.P.O. VILORIA-FISHER:

Particularly because of the problematic word "waiver". You know, when you talk about a waiver, there should be more than one set of eyes, I agree with that. But I'd like to hear more about how you think that that would affect your time line. Although if we established a policy in that process that could streamline having those two sets of eyes, looking at it, it might not be an impediment to, you know, getting things done; it might not slow it down.

MR. LAGUARDIA:

I'm just, Vivian, giving you my personal opinion. I think it's -- the separation of the Legislative and Executive Branches, that this work belongs in the Executive Branch. You know, it's a matter for the Legislature and the County Exec to decide on, though.

D.P.O. VILORIA-FISHER:

Thanks, Tom.

MR. LAGUARDIA:

I don't think it -- it should not slow us down, the Presiding Officer, but it depends on the Presiding Officer. We have a Presiding Officer I think that would move very quickly on these, but in the future I don't know, so.

D.P.O. VILORIA-FISHER:

Thanks, Tom.

MR. SAWICKI:

Not to beat a dead horse, Legislator Fisher, but, you know, let's just think of the definition of "waiver". Waiver is waiving all laws and regulations involved to make a proper bidding process, to achieve for the taxpayer purchase of that service at the lowest possible price. A waiver is a very serious document to issue. And I think --

D.P.O. VILORIA-FISHER:

And that's exactly my point.

MR. SAWICKI:

-- that having an extra set of eyes is not a bad thing, I think it's a good thing. I don't think it's

going to slow the process down at all. I mean, I've had this conversation with the Presiding Officer and I believe he's on board with it and he seems to feel -- I don't want to put Legislator Lindsay on the spot right now, but it has not come up as a major issue.

CHAIRMAN D'AMARO:

Well, he's in the bill.

D.P.O. VILORIA-FISHER:

Yeah. Well, I see waiver as a very important and heavy word as well.

CHAIRMAN D'AMARO:

Thank you, Legislator Viloría-Fisher. I can't disagree with that either. You know, if there's a procedure in place and you're going to waive it, then certainly there should be some guidelines. But we do have some guidelines, the circumstances under which the waiver is to occur, And they should be complied with.

Next on the list was Legislator Alden; did you have some questions? And then Legislator Nowick, I believe.

LEG. ALDEN:

Tom, if I can address a couple of questions to you? Approximately how much money is spent by the Department of Public Works on these type of contracts that would be affected by this legislation?

MR. LAGUARDIA:

That I don't know, Cameron. I don't know the dollar values. I think the Comptroller said \$50 million a year in --

LEG. ALDEN:

No, my question would be specific. Do you have an idea how much DPW spends on --

MR. LAGUARDIA:

Oh, for roadway and highway type work?

LEG. ALDEN:

Basically.

MR. LAGUARDIA:

You know, I could probably come up with an estimate.

LEG. ALDEN:

Just a guesstimate, that's all.

MR. LAGUARDIA:

Yeah. It's probably in the order of at least 10 to \$20 million a year

LEG. ALDEN:

Okay. And just can you give me a real-life example of why you would have to call somebody in for even a thousand dollars or \$20,000, just an example of who and what type of problem in the County that you would be --

MR. LAGUARDIA:

I'll give you a current one going on right now. We've been given some {CMAC} money very late in the year, usually we know about it earlier. It's for some CNG slow-fill stations and some infrastructure work in one of our garages, we have to pull in CNG vehicles when we finally buy some. That I have to have a document to the State to keep that money by June. So we applied to the County Exec, we listed all of the requirements per the legislation, we wrote a waiver request to the

County Exec to be able to go for a small dollar value, it's being set now, it's probably seven or \$8,000 to save -- to be able to save this construction money for the CNG work. They looked at the requirements, they looked at the law, they granted us the waiver and that's how we're proceeding.

LEG. ALDEN:

Which meant that we hired an expert to get the waiver?

MR. LAGUARDIA:

We're going to hire an expert under the waiver

LEG. ALDEN:

And the expert is going to do what?

MR. LAGUARDIA:

He's going to do a design for us to submit to the State by June so that we keep this construction mitigation, air quality grant that we have

LEG. ALDEN:

Okay. And he is an engineer?

MR. LAGUARDIA:

Yes, he is.

LEG. ALDEN:

And we have engineers on staff, but they're not trained in --

MR. LAGUARDIA:

Yeah, and they're not experts in CNG and he is, he's done CNG all over Long Island, that's why we chose him. He's on our prequalified list and we don't have the staff capability to do this in such a short period of time.

LEG. ALDEN:

Okay. And just to frame the problem, and here's what constituents come to me all the time with, and it's more of a question of pay-to-play. And when you have -- and this has been pretty much an eye opener, that there's fifty something million dollars going out County-wide to consultants without really a lot of control over it. And for sure it doesn't come past us because that's something I would have picked up on a long time ago, as I picked up on our increasing of the indebtedness in Suffolk County and that being a problem.

But when you have the perception that these people -- we're not following the law. So a waiver, that creates in somebody's mind laws aren't being followed, we're going to go in a different way. And then we have a job that possibly could be a County employee doing that job, but we're going outside the framework of our employees -- for the right reasons, hopefully -- and we bring in an outside expert.

People also want to know, and then that's the question that's going to be asked, especially -- this is going to generate a whole bunch of dialogue. They want to know if those contractors, whether they be a lawyer, a specific engineer, an advertising company, they're going to want to know if they paid to get into the County system and get some money, some public money. And that's why anything we can do, and I hope -- and I know that that's going to be your attitude because you and I have had dialogues going back many, many years. How to make a very, very transparent system so that can really put to rest that question that's going to come up; did this contractor, did he make a couple of contributions to a political elected official and is that why he's getting 2,000, 25,000, two million, four million, \$10 million worth of work? And it's very, very sensitive, especially in this day and age.

On the Federal level and on the State level, we've got investigations going on right now where

people will probably go to jail because they -- there's a lot of money that you're fooling around with -- well, no, not fooling around with, I shouldn't say that. There's a lot of money that might have been spent questionably on those two levels of government and when people are hurting, they're going to look to the government and instead of the government raising taxes -- and that's what people are hearing right now, that their taxes are going to be raised -- they want to see some kind of action where that type of behavior, we can guarantee that that type of behavior is not going on.

So that's why this is so critical to have an open -- really an open policy where the light's shining on it at all times. And it gets dangerous when you have to say that a majority of these type of work or these type of projects have to involve a waiver of rules and regulations. And that's where I really commend the Presiding Officer on starting down this path; it's not going to be easy, it's going to be a tough path, but we really have to get it to the point where it is completely open. And I really -- I have to compliment you on -- you seem to have read through the proposed rules and regulations which I went through very, very briefly, you seem to have gone through them, you know, very, very in-depth, and we're going to rely on people like you so we can come up with something that actually is going to work and is going to provide that assurance to the taxpayers of Suffolk County that they're not getting ripped off. Thanks, Tom.

CHAIRMAN D'AMARO:

Thank you, Legislator Alden. Yes, did you want to add something? Please go ahead.

MS. TESORIERO:

I did really want to make a few more statements. I'm sorry.

CHAIRMAN D'AMARO:

You need to get right up close to the microphone.

MS. TESORIERO:

Sorry.

CHAIRMAN D'AMARO:

That's okay.

MS. TESORIERO:

We did have particular concerns about DPW and Legislator Alden really kind of spurred them in our minds. Another concern for us is in light of our audits, we -- one of our findings had to do with pre-qualified firms, and we basically found that everybody who, you know, applied was determined to be pre-qualified. So we basically were questioning even that process, that pre-qualifications process. So that becomes a concern.

The amount of money, the type of things that occur with Public Works projects is a concern. Whether or not anything actually happens, the potential is there and for us it is a real concern. We did have -- we did refer things, issues to the District Attorney when we did our first audit. I don't know what occurred, if anything came of them or not, but we did feel they rose to that level that we felt we had to refer them to the District Attorney's Office.

As far as the immediacy, Public Works projects take forever; they're almost as bad as our audits. So, I mean, I don't understand -- and again, I'm a layperson, maybe I'm being naive -- but I don't understand. Everybody seems to think that everything has to be timely, everything has to be timely, it has to be done tomorrow, but it doesn't get done tomorrow. So why is this, you know, urgency to avoid a normal process. Again, I apologize if I'm naive on this issue, but this is where we're coming from from an audit standpoint.

CHAIRMAN D'AMARO:

Okay. Legislator Nowick.

LEG. NOWICK:

I think all the questions have been answered.

CHAIRMAN D'AMARO:

Okay, very good.

P.O. LINDSAY:

Lou?

CHAIRMAN D'AMARO:

Oh, Mr. Presiding Officer, good morning.

P.O. LINDSAY:

I purposely waited till the end to hear everybody's comments and I think that there's some merit to some of the comments that were made. And before I go on and go through them piece by piece, I will ask the committee to table the resolution so that we can give it further work. I think it's a very, very important piece of legislation and I think that it behooves us to get it right. So I don't want to rush into a document and find that we have to revise it or whatever.

But I do feel, in the interim I will meet with the Comptroller and the County Executive and Public Works to try and work out any of the technical difficulties with the implementation of it. But the overall issue here I'm not backing off of, I think we absolutely need a procurement policy. For us, you know, to not know how many consulting contracts we have out there or the dollar amount that we have out there I think is unacceptable. You know, this all came to view really on my radar last year with the nursing home study and that we didn't even know it was out there, and of course I was told that they're filed with the Clerk but after the fact. I mean, we don't know -- I mean, that was a major policy initiative that I think should have come up on our radar before a contract was issued.

You know, just some of the things that I've been taking notes of. I wouldn't have a problem in changing "department head" to "County Executive" or leaving it the way it is in that regards because I, too, view both one in the same. You know, maybe the review that the Comptroller's looking for, maybe the threshold could be raised a little bit that you don't have to go through every contract with a four-hour process.

In terms of, you know, if there's an objection from my colleagues of having the Presiding Officer on the Waiver Committee, I would certainly agree to having a representative of the Legislature if that's what you would prefer. But I think it's important that another layer of government be on the Waiver Committee; it's too, too important to just have one branch of government. And there's no -- there's no accusations or anything like that, it's just that even -- I was in -- this document that the Comptroller passed out was very interesting to me, there's been four different SOP's over the last four years on who's on the Waiver Committee and -- but they're all made up of County Executive staff, and I don't think that's a good thing. I mean, I as the Presiding Officer sign off on travel vouchers that sometimes are \$49. There's a member of my staff and a member of the Legislature on the Space Committee that determines where we rent space. So it's part of government that there's multiple branches involved in major decisions as far as policy, direction and cost that this body makes. So, you know, I really think that's the key to the whole thing.

Just maybe a question for Joe. You know, I mean, under the Charter now, don't you feel that you have the ability to promulgate some rules as far as contracts are concerned?

MR. SAWICKI:

Yes, Legislator Lindsay. And that's what I'd prefer, we'll that's not what I'd prefer to do, I prefer to have this entire policy codified so that there is one uniform comprehensive policy that every County official, every department head can follow and knows is in existence. Quite frankly, even as I go back a little bit, even when I first took office as Comptroller seven years ago, we really weren't sure

on how to hire outside an accounting firm to do an audit of under \$10,000 or over \$10,000. So it's like there's some uniformity and a manual if you will that needs to be out there. But the checklist that we refer to in the back, we will be, you know, I'll be of course working with you and the County Executive on this, but I want to make that regardless of what happens with this policy. And again, I'm optimistic that this policy will be -- some form of policy will ultimately be adopted by the Legislature. But the checklist in the back so that the Comptroller's Office knows that the RFP process was done and we looked at it, we looked at, you know, how the rating system and grading system was done. Just simple -- just so that there's a separate set of eyes that anybody in the County doing an RFP, especially under those under \$25,000 knows that someone will be looking for. We should be able to implement them with our powers and authority under the County Charter probably immediately. But I will defer again, to work out with you and the County Executive to make this all encompassing and as comprehensive as possible.

But again, we see that as an important function of the Comptroller and, yes.

P.O. LINDSAY:

And just a final further comment, is there's no doubt about it that the Legislative Branch has oversight over everything that we do, and especially this committee in terms of our fees and purchasing and whatever. But if we don't know the contract exists, we can't ask questions about it. And I think that's really the focus of what the heart of what we're talking about here.

So, I am going to beg the committee's indulgence and ask that this be -- bill be tabled, whether it takes one cycle or two cycles, until we can get it right and hopefully come up with a document that everybody would feel comfortable with.

CHAIRMAN D'AMARO:

Okay. Thank you, Mr. Presiding Officer. And at your request, the sponsor's request, I'll offer a -- Mr. Sawicki, I'm sorry, did you have something to add?

MR. SAWICKI:

No.

CHAIRMAN D'AMARO:

Okay. Sure. 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: 5-0)**

Joe, did you want to add something.

MR. SAWICKI:

Yeah, thank you, Mr. Chairman. Thank you, Presiding Officer Lindsay and others who cosponsored this or who took this immediately and, of course, this committee who took it under consideration immediately.

Again, I'm please at the direction we went that I really am I thank you for, that's why we stamped on the front, and I think on every page, "proposed policy". We look forward to working not only with the County Exec, but with Tom Laguardia. If there are special needs that DPW, you know, has to have and, you know, we'll compare those to the state Comptroller as well.

But thank you for your -- I look forward to working with any of you. If you have any input, any questions at all as the process -- as this evolves and even if it takes a couple of months, as long as

we get it right. But the key is is that we have one uniform policy for the County to follow. So, thank you again.

CHAIRMAN D'AMARO:

Mr. Comptroller, I think I'm speaking for all of us here on the committee that we thank you as well and your staff. Fine job today, of course, as always. And we look forward to working with you as well. Thank you very much. Okay.

All right. With that we're going to go back to the agenda. I am going to excuse myself from the remainder of the committee. I have an unavoidable appointment. However, I am going to turn our proceedings over to our Vice Chair, Legislator Beedenbender.

VICE CHAIR BEEDENBENDER:

Okay. There are -- we have no other cards. And we're done with the presentations so we'll move directly on the tabled resolutions.

TABLED RESOLUTIONS

IR 1976-2008, Adopting Local Law No. -2008, A Charter Law to reform and reconstitute a professional independent Suffolk County Ethics Commission. (Montano) I will offer a motion to table.

D.P.O. VILORIA-FISHER:

Second.

VICE CHAIR BEEDENBENDER:

Seconded by Legislator Viloría-Fisher.

LEG. ALDEN:

On the motion.

VICE CHAIR BEEDENBENDER:

On the motion, Legislator Alden.

LEG. ALDEN:

Have we heard from the prime sponsor?

VICE CHAIR BEEDENBENDER:

I have not. If there are no further questions, we have a motion and second to table. All in favor? Opposed? Abstentions? **IR 1976 is tabled. (VOTE: 4-0-0-1 Not Present: Legislator D'Amario)**

IR 1007-2009, Requiring legislative approval to consider the sale of the John J. Foley Skilled Nursing Facility. (Kennedy) I'll offer a motion to table.

D.P.O. VILORIA-FISHER:

Second.

VICE CHAIR BEEDENBENDER:

Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Opposed.

VICE CHAIR BEEDENBENDER:

One opposed. Legislator Alden is opposed. **IR 1007 is tabled. (VOTE: 3-1-0-1 Opposed: Legislator Alden - Not Present: Legislator D'Amario)** Okay.

IR 1018-2009, Establishing legislative oversight of County funds expended for advertising and marketing. (Kennedy) Again, I will offer a motion on table. Especially considering the bill we just discussed. Seconded by Legislator Viloría- Fisher. If there are no comments. All in favor? Opposed? Abstentions?

LEG. ALDEN:
Opposed to tabling.

VICE CHAIR BEEDENBENDER:
IR 1018 is tabled. (VOTE: 3-1-0-1 Opposed: Legislator Alden - Not Present: Legislator D'Amaro)

IR 1121-2009 --

D.P.O. VILORIA-FISHER:
Same motion.

VICE CHAIR BEEDENBENDER:
IR 1121-2009, Adopting Local Law No. -2009, A Charter Law to increase Legislative oversight of RFP process. (Romaine) Same motion, same second. All in favor? Opposed? Abstentions? **IR 1121 is tabled. (VOTE: 4-0-0-1 Not Present: Legislator D'Amaro)**

INTRODUCTORY RESOLUTIONS

IR 1297, Authorizing certain technical correction to Adopted Resolution No. 157-2009. (Co. Exec. Levy) This is a tax map change. I'll offer a motion to approve.

D.P.O. VILORIA-FISHER:
Second.

VICE CHAIR BEEDENBENDER:
Seconded -- and placed on the Consent Calendar. Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? **Approved and Placed on the Consent Calendar (VOTE: 4-0-0-1 Not Present: Legislator D'Amaro)** Okay.

IR 1303, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Stephen O. Harrison and Deborah Harrison, husband and wife (SCTM No. 0200-026.00-02.00-034.001). (Co. Exec.)

D.P.O. VILORIA-FISHER:
Consent Calendar on it?

VICE CHAIR BEEDENBENDER:
No.

D.P.O. VILORIA-FISHER:
No.

VICE CHAIR BEEDENBENDER:
No. This is an irregular shaped parcel. It was appraised at \$1750 and we are getting 800 for it. Given that, I'll offer a motion to approve.

D.P.O. VILORIA-FISHER:

Seconded by Legislator Viloría-Fisher. On the motion, Legislator Alden.

LEG. ALDEN:

This is neighbors?

VICE CHAIR BEEDENBENDER:

Yes, I looked at the map. There's a very irregular parcel in the backyard of somebody's lot. If -- and, I guess, Pam, if you could just come up and join us. Pam isn't here anymore. Never mind. Okay. No problem. We'll hopefully we won't need her. Legislator Alden.

LEG. ALDEN:

I hope she comes back because I had a question on these adjacent parcels.

VICE CHAIR BEEDENBENDER:

Okay. Legislator Alden, we have a bunch of these. I don't know if we could skip over any of them.

LEG. ALDEN:

No, no, no, no.

VICE CHAIR BEEDENBENDER:

Okay.

LEG. ALDEN:

It's a policy that we changed.

VICE CHAIR BEEDENBENDER:

Okay.

LEG. ALDEN:

And it was Lou's bill.

VICE CHAIR BEEDENBENDER:

Yep.

LEG. ALDEN:

But it also kicked up --

VICE CHAIR BEEDENBENDER:

Kicked up the --

LEG. ALDEN:

Right, the adjacent parcels that are now worth \$30,000.

VICE CHAIR BEEDENBENDER:

Right.

LEG. ALDEN:

We can actually do them by Legislative process.

VICE CHAIR BEEDENBENDER:

Yeah.

LEG. ALDEN:

I just wanted to find out where we were with that because I think we had five or ten parcels that fit that definition.

VICE CHAIR BEEDENBENDER:

Okay. No I think that was a good change you made. So, Pam, if you are in the auditorium or in the building and you can hear us, if you could join us in the auditorium that would be great.

So we have a motion and a second. Did we -- we didn't call the vote. Right?

MS. ORTIZ:

{ Indicating no}.

VICE CHAIR BEEDENBENDER:

All in favor? Opposed? Abstentions? **IR 1303 is approved. (VOTE: 4-0-0-1 Not Present: Legislator D'Amaro)**

IR 1304-2009, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Felipe C. Paez and Generosa B. Paez, his wife (SCTM No.

0900-079.00-01.00-004.000,0900-098.00-03.00-062.000-0900-098.00-03.00-063.000-0900-098.00-03.00-064.000-0900-098.00-03.00-065.000-0900-098.00-03.00-068.000-0900-219.00-01.00-051.000-0900-250.00-04.00-007.000-0900-250.00-04.00-009.000). (Co. Exec. Levy) This is a matter of right. So I'll offer a motion to approve. Seconded by Legislator Viloría -- and place on the Consent Calendar. Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? **IR 1304 is approved. (VOTE: 4-0-0-1 Not Present: Legislator D'Amaro)**

IR 1307-2009, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jeong Bok Kang (SCTM No.

0100-023.00-02.00-001.000). (Co. Exec. Levy) This a matter of right. I'll offer a motion to approve and place on the consent calendar. Seconded by Legislator Viloría-Fisher. All --

LEG. NOWICK:

Mr. Chair?

VICE CHAIR BEEDENBENDER:

Legislator Nowick.

LEG. NOWICK:

I was just trying to figure out, the \$78 and I'm looking at all the back taxes. Is that possible? What happened there?

VICE CHAIR BEEDENBENDER:

That's a good question. I don't know the answer. Failing to see somebody from Real Estate to answer the question. That's right, yes.

D.P.O. VILORIA-FISHER:

\$78.47. It says the taxes are only \$6.33 in 2008/2009. Oh, I'm sorry.

VICE CHAIR BEEDENBENDER:

You know what, why don't we skip over this. See if we can get the answer before we leave.

D.P.O. VILORIA-FISHER:

Sorry, what I had said was that it said the taxes were \$6.33 for 2008/2009.

VICE CHAIR BEEDENBENDER:

Or you want to discharge?

D.P.O. VILORIA-FISHER:

And that was added to the Treasurer's computation.

VICE CHAIR BEEDENBENDER:

Yeah, all right. All right. Legislator Alden, I think, has may a good suggestion. We'll just -- we'll discharge it and send it to the -- to regular meeting instead of doing the consent calendar if there are questions about what this is. And we can just take it up on Tuesday. So Legislator Alden makes a motion to discharge without recommendation. I'll second it. All in favor? Opposed? Abstentions?

And hopefully we'll be able to have a little better understanding of that at the meeting on Tuesday.
So IR 1307 is Discharged Without Recommendation. (VOTE: 4-0-0-1 Not Present: Legislator D'Amaro)

D.P.O. VILORIA-FISHER:

There's Pam.

VICE CHAIR BEEDENBENDER:

Oh, there's Pam. Okay. Hi, Pam. We're on IR 1307. And there was a question. It is a Local Law 16. For \$78.47 and --

P.O. LINDSAY:

We want to know where the 47 cents came from.

MS. GREENE:

Good morning, Mr. Acting Vice Chairman. One of your colleagues actually had a immediate question so I was very happy to try to answer that at the same time. Plus please bring me up to speed on what resolution we are on.

VICE CHAIR BEEDENBENDER:

We're on IR 1307 in the introductory resolutions. It's a Local Law 16 for Jeong Bok Kang for 78.47.

MS. GREENE:

Paid \$6.33, 2008/2009 taxes. All tax arrears including 2008/2009 taxes have been paid. Upon adoption and approval of resolution a quick claim deed will be prepared and conveyed to prior owners.

VICE CHAIR BEEDENBENDER:

Do you have any idea -- I'm looking at the map and I can't see it on the map, which might be the indication of why the taxes are so cheap. But do you have any other indication?

MS. GREENE:

Well, this is being returned to the prior owner.

VICE CHAIR BEEDENBENDER:

Yeah.

D.P.O. VILORIA-FISHER:

We're just trying to figure out why it's so low, Pam.

VICE CHAIR BEEDENBENDER:

What the dollar figure? I guess it's because it's miniscule piece of property?

MS. GREENE:

We have the Treasurer's computation. We have miscellaneous due. And we have all current taxes having been paid.

LEG. NOWICK:

Excuse me one second. If I could continue.

VICE CHAIR BEEDENBENDER:

We'll start with Legislator Nowick and then we'll go to Legislator Alden.

LEG. NOWICK:

I was just curious, I see in 2005 they were paid by a mortgage. So there's a mortgage on this property. And how did this property get mortgaged if the back taxes of -- minimal as they are, were not satisfied. I was just a little curious I never saw -- I thought maybe it was an error. But if it's not, you know, God bless him.

MS. GREENE:

We can certainly bring you more up to date but the background we have is that we are paid in full. We wouldn't bring it to the committee if we weren't able to show that that upon approval by the Legislature that the quick claim deed will be able to be conveyed to the prior owner.

VICE CHAIR BEEDENBENDER:

Could you just get -- right before you walked in we took a -- we voted to discharge it to floor. So between now and Tuesday could you just give the members of the committee a little more background either by e-mail or --

MS. GREENE:

Would you like an aerial at the full Leg?

VICE CHAIR BEEDENBENDER:

Yeah, if you could get the size, a little more information about it.

LEG. NOWICK:

Just the size could speak volumes.

VICE CHAIR BEEDENBENDER:

Yeah. Legislator Alden.

LEG. ALDEN:

My guess would be that if there's a mortgage involved this is where someone made a mistake a underpaid by a small amount, whatever the taxes would be. So if we could get the information. It sounds like it was a developed parcel if a mortgage is on it.

MS. GREENE:

We have a date acquired of July 3rd, 2007 and a date recorded July 12th, 2007 and then their application date is January 8th, 2008. So it's a very short amount of time. But we can absolutely provide you with a better --

VICE CHAIR BEEDENBENDER:

How does that -- okay. How could that qualify for a Local Law 16 in that short period of time?

MS. GREENE:

It has Treasurer's computation of \$72.14 and again it show all arrears have been paid including 2008/2009. But we're happy to give you the whole background along with the timeframe.

VICE CHAIR BEEDENBENDER:

Okay. All right. Thank you. Seeing no further questions, that was already discharge without recommendation so we'll move onto IR 1310 of 2009. **(VOTE: 4-0-0-1 Not Present: Legislator D'Amaro)**

1310-2009, Establishing mandatory ethics training for Suffolk County Employees and

Elected Officials. (Beedenbender) I'm going to offer a motion to table. The County Attorney -- seconded by Legislator Viloría-Fisher. The County Attorney has made some suggestions on how I can improve this so I'm working with her. At the moment I think the way it -- the way it was put in place right now made it very difficult for Civil Service to implement with new hires. So we're working on a couple of things to make that a bit easier.

If there are no further questions. All in favor? Opposed? Abstentions? **IR 1310 is tabled.**
(VOTE: 4-0-0-1 Not Present: Legislator D'Amaro)

IR 1316, Adopting Local Law No. -2009, A Local Law to clarify seven day rule requirements. (D'Amaro) This needs to be tabled for a Public Hearing. I'll offer a motion to table, seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? IR 1317 is tabled -- **IR 1316 is tabled. (VOTE: 4-0-0-1 Not Present: Legislator D'Amaro)**

IR 1317, To improve and strengthen the consultant procurement process in Suffolk County. We already did this earlier so we can skip over that. IR 1318-2009.

D.P.O. VILORIA-FISHER:
Did we vote on it?

VICE CHAIR BEEDENBENDER:
We tabled it earlier, yeah.

IR 1318-2009, Authorizing the transfer of certain property to Suffolk County Department of Public Works. (Co. Exec. Levy) This is land associated with sewer district number seven pumping station and we and acquired it by tax deed in October of 2008. I'll offer a motion to approve.

D.P.O. VILORIA-FISHER:
Second.

VICE CHAIR BEEDENBENDER:
Seconded Legislator Viloría-Fisher. If there are no comments. All in favor? Opposed? Abstentions? **IR 1318 is approved. (VOTE: 4-0-0-1 Not Present: Legislator D'Amaro)**

IR 1319, authorizing the transfer of certain properties to Suffolk County Department of Parks, Recreation and Conservation. (Co. Exec.)

D.P.O. VOLARIA-FISHER:
Motion.

VICE CHAIR BEEDENBENDER:
Motion by Legislator Viloría-Fisher. I will second it. This is 17.9 acres, extra stream corridors and parks and saves the county roughly \$3,000 a year in taxes. Legislator Alden.

LEG. ALDEN:
Where did you say that was?

VICE CHAIR BEEDENBENDER:
17.9 acres. It's an accumulation of small parcels. I don't think it's in any one particular area.

LEG. ALDEN:
Could you just hold on for one second?

VICE CHAIR BEEDENBENDER:
Absolutely, sure. Pam, could you come up, please?

LEG. ALDEN:

Did somebody get a chance to review these? Are they appropriate for any type of --

D.P.O. VOLARIA-FISHER:

They're in the core Pine Barrens.

LEG. ALDEN:

Right. None have houses on them. They're not appropriate for housing?

MS. FISCHER:

Good morning. Laretta Fischer, Suffolk County Planning Department. We did review all of these properties. And they are within -- all of them on the list are within the Pine Barrens Core area. They are vacant. And they're within areas that we've been trying to acquire properties within -- throughout the years. They're small. Basically small lots but they go from the dwarf pine plains to Robert Kushner Murphy County Park, but they're all within the three towns that make up the Pine Barrens core area.

LEG. ALDEN:

That's great. You could have stopped with you reviewed them and that would have been great, too. But thank you for detailed explanation.

VICE CHAIR BEEDENBENDER:

Okay. Seeing no further comment, we have a motion and a second. All in favor? Opposed? Abstentions? **IR 1319 is approved. (Vote: 4-0-0-1. Leg. D'Amaro not present)**

No. 13-1976 Gameron, LLC (SCTM NO. 0200-853-00-01-00-068-000) (Co. Exec.) WAYS & MEANS
No. 1325, 2009, Sale of County-owned real estate pursuant to Local Law
This is 30 by 100 parcel that was appraised at \$4,000. And we got 4500. My question it seems like that's a low appraisal for a 40 by a 100 lot. And I didn't have a map attached to my packet so I couldn't take a look at it.

Pam, do you have any other information on that?

MS. GREENE:

That's been handed out to each one of you.

VICE CHAIR BEEDENBENDER:

Oh, that's what we got handed out. Okay, now I can see it. So this isn't a buildable lot? I mean it looks like the other lots in this area are of equivalent size.

MS. GREENE:

I don't have the zoning on the lot. It was offered for sale to adjacent owners. This was the only adjacent owner to reply. They did pay -- they did offer to pay at least the appraised value so they did meet those requirements.

VICE CHAIR BEEDENBENDER:

I have a question to Counsel. Just refresh my memory. The law that Legislator D'Amaro passed earlier this year in relation to this, what were the requirements? Was there a requirement before it was offered for direct sale or --

MR. NOLAN:

Well, the threshold, I believe, was that the parcel had to be at least 5,000 square feet and have 50 feet of street frontage. I'm going to try to bring that up to verify that that was my recollection.

LEG. BEEDENBENDER:

I remember the same. And I forgot about that. So this would be 4,000 square feet and would fall underneath that. Given that, I'll offer a motion to approve.

D.P.O. VILORIA-FISHER:

Didn't we do that.

LEG. BEEDENBENDER:

Did we do that? No, I don't think we did do that.

D.P.O. VILORIA-FISHER:

Second.

VICE CHAIR BEEDENBENDER:

Seconded by Legislator Vilorina-Fisher. Legislator Alden, do you have a question?

LEG. ALDEN:

Yeah. This is in Brookhaven; correct?

D.P.O. VILORIA-FISHER:

Yes.

LEG. ALDEN:

So it's Mastic/Shirely area.

VICE CHAIR BEEDENBENDER:

Yes.

LEG. ALDEN:

Do they have an active affordable housing program down there? And if also we could get some information as far as whether the rest of these parcels are developed because, you're correct, the one next door is 40 feet wide. And if there's a house on it, this would indicate that this might be a buildable lot.

MS. GREENE:

Mr. Alden, you have a copy of an aerial albeit it's in black and white. It's a little more difficult to show. But it's showing a vacant lot and it's showing it's surrounded by one, two, three, four vacant lots. There is one improved lot immediately adjacent to it. All the other surrounding parcels are vacant.

LEG. BEEDENBENDER:

And landlocked it appears to -- unless that's a paper street which it appears that it might be.

LEG. ALDEN:

Just through the Chair.

VICE CHAIR BEEDENBENDER:

Continue.

LEG. ALDEN:

Pam, have you had any conversation with Brookhaven, their affordable housing arm?

MS. GREENE:

On this piece of property?

LEG. ALDEN:

Right.

MS. GREENE:

No, because again it would have gone through being eligible for the adjacent lot sale and sent out

for interest from the adjoining property owners. And there was only one that did reply.

LEG. ALDEN:

What we did in Islip --

MS. GREENE:

I believe it's abutting a paper street, though. So it doesn't appear that there would be access to it.

LEG. ALDEN:

No, but in Islip what we would do is we would have a plan, target and area and actually acquire even paper streets. It worked in -- what used to be Carlton Park and worked in a couple other areas like in Bay Shore, right around the Bay Shore High School where the Town of Islip actually acquired those pieces, assembled them, put together a couple of building lots. I would just hate to see if there's an effort going on in Brookhaven to do the same thing in this area that we, you know -- and I don't think we're going to be thwarting it but, you know, that we wouldn't be cooperating.

MS. GREENE:

I think the division has a very aggressive effort with the Town of Brookhaven with their 72-h program to provide lots for federal housing for them.

LEG. ALDEN:

We don't know if they looked at this one?

MS. GREENE:

No.

LEG. ALDEN:

If it ends up getting discharged, it looks like it might get approved, would you be able to get an answer for that by Tuesday?

MS. GREENE:

Sure.

LEG. ALDEN:

Thanks.

VICE CHAIR BEEDENBENDER:

Okay. Through the magic of the streaming internet, Legislator Browning has just informed me via my e-mail that environmental -- because in that area I think there are environmental reason even required DEC approval to build on that lot. So given that information and I think since we asked so many questions, I think we should table this at least one cycle just to get a little more information. I don't think this is -- there's no immediate rush. We're back here at the beginning of June.

MS. GREENE:

We want the Committee to be comfortable.

VICE CHAIR BEEDENBENDER:

Okay, so I'll offer a motion to table just for one cycle to discuss it further and to get a little more information from Legislator Browning as well. So do I have a second?

LEG. ALDEN:

I'll second.

VICE CHAIR BEEDENBENDER:

Seconded by Legislator Alden. All in favor? Opposed? Abstentions? **IR 1325 is tabled. (Vote:**

4-0-0-1. Legislator D'Amaro not present)

No 1326 2009. , **Approving the appointment of a relative of an acting Supreme Court Judge in the Suffolk County Treasurer's Office (Emily E. Hudson). (Lindsay)** This is to comply with a A (6) (3) (e) of our code because this individual is related to a Suffolk County Judge. I'll offer a motion to approve.

LEG. ALDEN:
Second.

VICE CHAIR BEEDENBENDER:

Seconded by Legislator Alden. All in favor? Opposed? Abstentions? **IR 1326 is approved.**
(Vote: 4-0-0-1. Leg. D'Amaro not present)

No 1339 2009. **Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael Matassa, Jr. And Caryn Matassa, his wife (SCTM No. 0500-223.00-02.00-022.001 n/k/a 022.005). (Co. Exec.)** I'll offer a motion to approve and place on the consent calendar.

LEG. ALDEN:
Second.

LEG. BEEDENBENDER:

Seconded by Legislator Alden. All in favor? Opposed? Abstentions? **IR 1339 is approved.**
(Vote: 4-0-0-1. Leg. D'Amaro not present)

No 1340 2009. **Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jamie Janiszewski (SCTM No. 0103-023.00-02.00-032.000). (Co. Exec.)** Same motion, same second, same vote.
(Vote: 4-0-0-1. Leg. D'Amaro not present)

No 1341 2009. **Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Juan Carlos Donis (SCTM No. 0500-079.00-02.00-082.000). (Co. Exec.)** Same motion, same second,, same vote.
(Vote: 4-0-0-1. Leg. D'Amaro not present)

No 1342 2009. **Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Theodore F. Ziegler, as surviving tenant by the entirety (SCTM No. 0300-103.00-11.00-001.000). (Co. Exec.)** Same motion, second second, same vote. **(Vote: 4-0-0-1. Leg. D'Amaro not present)**

No 1343 2009. **Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Clifford Serafine (SCTM No. 0200-033.00-02.00-016.000). (Co. Exec.)** Same motion, second, same vote. **(Vote: 4-0-0-1. Leg. D'Amaro not present)**

No 1345 2009. **Authorizing certain technical correction to Adopted Resolution No. 485-2008. (Co. Exec.)** This was a change in the revenue code. I'll offer a motion to approve and place on the consent calendar. Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? **IR 1345 is approved. (Vote: 4-0-0-1. Leg. D'Amaro not present)**

No 1395 2009. **Accepting and appropriating 100% New York State Local Government Records Management Improvement Fund grant for disaster recovery. (Co. Exec.)** This is \$20,000 in state aid for the Clerk's Office. I'll offer a motion to approve.

D.P.O. VOLARIA-FISHER:

And consent calendar.

VICE CHAIR BEEDENBENDER:

And place on the consent calendar. Thank you, Legislator Viloría-Fisher. Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? **IR 1395 is approved. (Vote: 4-0-0-1. Leg. D'Amaro not present)**

No 1396 2009. Authorizing the County Clerk to file an application for additional State mortgage tax reimbursement. (Co. Exec. This would be an application of up to \$1.6 million. Is this eligible?

MR. NOLAN:

No.

VICE CHAIR BEEDENBENDER:

No, okay. I'll offer a motion to approve, seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? **(Vote: 4-0-0-1. Leg. D'Amaro not present)**

LEG. ALDEN:

Mr. Chairman.

VICE CHAIR BEEDENBENDER:

Legislator Alden, IR 1409, so Legislator, go ahead.

LEG. ALDEN:

Quick question. Pam, do you know where we're at with those adjacent parcels that are valued at more than \$20,000? It was a -- it's a new empowerment that we can sell them to adjacent land owners. And there was testimony last year that there's maybe five to ten of those parcels existing in Suffolk County.

MS. GREENE:

I don't, Legislator Alden, no. We can be happy to get any answers for you if you give me a corrective on what you'd like us to do.

LEG. ALDEN:

Well, actually it was folded into Lou D'Amaro's bill. He was changing a few procedures asking, you know, that we do a complete review as to whether --

MS. GREENE:

It's my understanding that bill was pertaining to the auction parcels prior to awarding it to auction.

MR. NOLAN:

It also raised the -- it changed the threshold amount where we could do direct sales to adjacent owners from 20 to 30,000. And I believe Legislator Alden is saying that there might be some parcels that were appraised between 20 and 30 that we could do a direct sale to as opposed to selling them at an auction.

MS. GREENE:

I can just assure you that we are in the pre-auction stage right now and we are looking at all of those parcels to see if they would go into any one of those categories prior to preparing that list.

LEG. ALDEN:

Good. I think I have some specifics back in the offer so I'll get them over to your office and try to get a, you know, a time frame.

MS. GREENE:

Thank you.

LEG. ALDEN:

Because if they're not included in the auction, then we can do them immediately, right?

MS. GREENE:

You would go through the process of what's required by the statute. If it's required for an adjacent owner sale, all the adjacent owners have to be appraised.

LEG. ALDEN:

Good, okay.

LEG. BEEDENBENDER:

Presiding Officer Lindsay.

P.O. LINDSAY:

Just with reference to our earlier debate, I have two travel vouchers that came via fax, they're signed, they're going back. It isn't a big deal.

CHAIRMAN BEEDENBENDER:

I believe the Presiding Officer has to sign off on raises sometimes. Okay, if there are no further questions, we stand adjourned.

**THE MEETING CONCLUDED AT 11:50 AM
{ } DENOTES SPELLED PHONETICALLY**