

**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, January 27, 2010.

**MEMBERS PRESENT:**

Legislator Lou D'Amaro - Chairman  
Legislator Jon Cooper - Vice-Chairman  
Legislator Kate Browning  
Legislator John Kennedy

**MEMBER NOT PRESENT:**

Legislator Lynne Nowick - Excused Absence

**ALSO IN ATTENDANCE:**

George Nolan - Counsel to the Legislature  
Gail Vizzini - Director - Budget Review Office  
Robert Lipp - Deputy Director - Budget Review Office  
Barbara LoMoriello - Deputy Clerk of the Legislature  
Ben Zwirn - Deputy County Executive  
Pam Greene - Director - Department of Real Estate  
Dennis Brown - County Attorney's Office  
Paul Perillie - Aide to Majority Caucus  
Linda Bay - Aide to Minority Caucus  
Justin Littell - Aide to Legislator D'Amaro  
Dot Kerrigan - AME  
Georgette Grier - Key  
All other interested parties

**MINUTES TAKEN BY:**

Donna Catalano - Court Stenographer

**(\*THE MEETING WAS CALLED TO ORDER AT 10:18 A.M.\*)**

**CHAIRMAN D'AMARO:**

All right, ladies and gentlemen, sorry for the delay. Good morning and welcome to the first meeting of the Ways and Means Committee for 2010. Please rise and join the Committee in the Pledge of Allegiance led by Legislator Kate Browning.

**SALUTATION**

And also if we could remain standing just for one moment for a moment of silence. First, I note for the record, Legislator Lynne Nowick has an excused absence. She experienced a death in her family. And as well, for the men and women who are serving overseas who are protecting all of our freedoms.

**MOMENT OF SILENCE**

Thank you. The second item on the agenda is correspondence. And today the Committee received some correspondence. A copy of the letter will be included in the record. The record is from the Suffolk County Ethics Commission signed by all three members of the Commission, including its Chairman, Thomas G. Nolan. And that correspondence is dated November 17 of 2009, and it's directed to me as the Chair of the Ways and Means Committee. All of the members of the committee have received a copy, as a copy will also be included in our record.

Next item on the agenda are public comments. We do have one card here this morning. And I'd like to call up the first speaker is Georgette Grier-Key. And also just please note, Committee Members, we do have a quick Executive Session after the regular public portion.

Ms. Grier-Key, good morning and welcome. All right. You need to just press the button and hold it while you address the committee. You'll have three minutes to do so and please go ahead.

**MS. GRIER-KEY:**

I've prepared some talking points just so I won't be all over the place. My name is Georgette Grier-Key. I'm 34 years old. I live at 579 Hampton Avenue, Bellport, New York. First, I wanted to take the opportunity to come and speak to you today, and I would like to really thank Kate Browning, Legislator Kate Browning, for really hearing a cry of an e-mail that went out to several members of the Suffolk County elected officials. So I'd like to thank her for that, because you can ask for help and not many people will really come to your aid in a time of need.

I've been to this building many times before, but never for personally for myself. But I'm here today to really talk about a personal financial situation for me. In October of 2008, I went to the County auction to bid on a property that was, you know, steps away from my backyard, steps away from my home. At that time, I fully intended to purchase the property, and my down payment is proof of that. Unfortunately, at that time, the mortgage industry began to be really stringent with their lending practices and I could not secure a loan for land, because it was originally \$15,000 that the property was for, and it got bid, and it went up and up and up. So I could not afford to get a mortgage.

And I am also not working. And I did communicate this to the County to let them know that I do not longer wish to purchase the property, but I would like to have a refund because I am not working and I cannot afford to give the money up. I'm unemployed, and I'm living on a fixed budget which has yielded many problems for me. I'm receiving a very small portion of New York State Unemployment, just enough to disqualify me from public programs like health insurance, public health insurance, HEAP and food programs. So life hasn't been easy for me.

And I know like most Suffolk County residents, they are paying more than 50% of their income to housing cost alone. And just that figure right there disqualifies me from a lot of public help, because

I do pay most of my money to my mortgage. Just this September, I was in foreclosure. That's another long story. But I was in foreclosure in September, and I was able to get myself reinstated this December. And while that really feels like a winning situation for me, I know in the back of my mind that I'm not far from returning there. We're currently in January, and I still have a few days left, and I'm trying to save all the funds that I have to make a January payment. So I just got out of foreclosure in December. Time is up?

**CHAIRMAN D'AMARO:**

Yes. If you would just wrap up, please. Take another moment.

**MS. GRIER-KEY:**

And I just have some Suffolk County unemployment rates. And, you know, Suffolk County -- across, you know, the State, the unemployment rates are really high. And being on unemployment, I have continually looked to work, and that's one of the qualifications, to continually look for work. I've looked for work from Orient Point to even going out of the State. I'm still not able to get a job.

I was watching a show with Suze Orman, and she said you needed to have at least eight months of money in the bank to survive where you're on unemployment. And I'll tell you right now, I'm below single digits in my bank account. I'm talking cents here. So if the County could refund me the money, at least I could sustain myself for the next three months, that way I can really continue to look for work but I wouldn't have to worry about the next three months.

And the other thing that I wanted to say is that I am a community person. I don't live above my means. I live in a community that's fighting to positively identify themselves. I drive a Honda, I didn't get into one of these fraudulent loans. And it's primarily due to not having a job is the problem with my economic situation. Thank you.

**CHAIRMAN D'AMARO:**

Okay. Thank you very much for your testimony. I know that bill is coming up on our agenda today, and, of course, we will take all of your comments -- seriously consider all of your comments.

**MS. GRIER-KEY:**

Can I just make one more comment?

**CHAIRMAN D'AMARO:**

Sure, go ahead.

**MS. GRIER-KEY:**

Basically I wanted to also put into what I had to say today is the fact that I am 35 -- 34 years old, I will be 35. And a lot of my friends had to leave Long Island because of similar situations. And you hear a lot of people talking about, you know, we're educating our children, we're educating everyone, and they're leaving -- they're leaving Long Island. And I'm not one of those people. I fight with my sister and my best friend all the time that I'm not going to move to Georgia. And I want to stay here, I want to live here, my family is here, and I would like to continue to be here.

**CHAIRMAN D'AMARO:**

Okay. Thank you again for your comments. Before you leave the podium, Legislator Browning had a question for you.

**LEG. BROWNING:**

Not so much of a question, but a comment. I've worked very closely with Georgette on many issues in the Greater Bellport area. She is a member of the Greater Bellport Coalition. She is unbelievably active, very involved in the community, and I certainly don't want to lose her for that community. They don't know how good they've got it having Georgette. So I want to keep you here.

**CHAIRMAN D'AMARO:**

Okay. Thank you again. That's the -- there are no other cards for the public portion this morning. Is there anyone else present who would like to address the Ways and Means Committee this morning? For the record, there is no response. Turning to the next section of the agenda, there are no presentations and there are no tabled resolutions on this agenda, so we'll go right to Introductory Resolutions.

The first is **IR 1003, Appropriating funds in connection with the implementation of a County database for taxpayer access (CP 1650). (D'Amaro)**

I'm going to make a motion to approve. This is the capital project that would begin the process of setting up a disclosure mechanism via internet access similar to the Project Sunlight that is moving forward with the State as well. I'm going to offer a motion to approve.

**LEG. COOPER:**

I'll second the motion.

**CHAIRMAN D'AMARO:**

Motion is seconded by Legislator Cooper. Mr. Zwirn, please go ahead.

**MR. ZWIRN:**

Thank you, Mr. Chairman. We had an opportunity to have a conversation prior to the committee meeting this morning. There is a question -- while this is an excellent project modeled after the State program that the Attorney General has instituted, the question was was there enough money allocated in this capital project to do the work. The Director of IT, Gary Quinn, believes it would cost closer to two to \$300,000 to implement the project. Plus it would cost roughly about a \$100,000 a year to maintain it with personnel and upgrades to equipment and software.

So while we appreciate that this is an excellent project to move forward, we just want the committee to be mindful as they move forward, that there may not be enough money in this particular capital project to be sufficient to see it to fruition. And we don't want to -- you know, we want people know that upfront. So that's just the comments I'd like to get on the record. I know you wanted to review the presentation that IT made to the committee previously to make sure that those comments were made on the record, and I believe they were.

**CHAIRMAN D'AMARO:**

All right. Thank you, Mr. Zwirn. You are absolutely right, we did have a conversation about this. And especially in light of the testimony that we heard at yesterday's Budget Committee where we seem to be heading off the cliff yet again due to the economy and the lack of sales tax for the remainder of -- the final numbers for 2009 and then the estimates going into 2010, we have to consider every initiative through the prism of cost. I know there was testimony given by IT at the time that this was originally Legislator Beedenbender's initiative. And there was a discussion that took place at the time about the cost, not only of the capital project, but also the cost of the ongoing maintenance and upkeep of the system itself. And so we have to take a look at that.

Maybe what we should do today, and I will take a look at that, and I can do it relatively quickly, it's just a matter of getting transcripts from the Clerk and maybe a few telephone calls. So maybe what I should do is withdraw the approval recommendation and discharge without recommendation, offer that motion instead so we can kind of just send a clear message that we're still taking a hard look at that.

**LEG. COOPER:**

I would support that.

**CHAIRMAN D'AMARO:**

Okay. So let's consider that motion withdrawn by my motion and Legislator Cooper's second will discharge without recommendation -- or at least that's the motion pending.

**LEG. KENNEDY:**

Mr. Chair.

**CHAIRMAN D'AMARO:**

Legislator Kennedy.

**LEG. KENNEDY:**

Just for discussion purposes. Being new to the committee, having not been here for a couple of years -- thank you. As a matter of fact, I enjoyed my prior time on this committee, and I'm excited about being here again this cycle. But your comments, as they always were in the past and I can see will be this year going forward, are right on point. Cost issue, when we look at the cost up front and then certainly the sustaining cost, there's something we always need to be mindful of. I very much would like to see or look at those same sets of comments by Mr. Quinn. When was it that IT was before the committee? Do we know?

**CHAIRMAN D'AMARO:**

I guess it was last year.

**MR. ZWIRN:**

I think it was last spring that they came before the committee. I don't remember the presentation verbatim, but I believe that there was an indication that this would be a more expensive project than the amount of money that is here. But I think Legislator Beedenbender at that time was interested in trying to at least get it started at that time. It is certainly a worthwhile project.

**LEG. KENNEDY:**

Absolutely. Sunlight is always healthy. We all know that. I guess I'll go along with the discharge without recommendation assuming that the Clerk is going to be able to pull the material together and that we can go ahead and get it. I, like you, would like to be able to have an opportunity to look at that and -- for the purposes of casting a substantive vote, you know, next Tuesday. But I think the cost aspect of this is something that we're going to have to look at and offset against ways that the public can access this information through conventional research methods now.

**CHAIRMAN D'AMARO:**

And that's why it's very important to take a look at the prior testimony and conversations. Maybe that was the thinking at the time, because we didn't know if the economy or the sales tax was going to improve to an extent to fund something like this. So, I'm just speculating at this point. Let's pull the records and see what happened.

**LEG. KENNEDY:**

Right. That makes good sense.

**MR. ZWIRN:**

In addition, Mr. Chairman, if you'd like, we'll -- I will reach out to Director Quinn and have him here at the General Meeting on Tuesday so that if you have any questions, you can ask him directly right then and there.

**LEG. KENNEDY:**

Also, if he would give a call to my office, I'd like to have a conversation with him, Ben. Thank you.

**MR. ZWIRN:**

Will do.

**CHAIRMAN D'AMARO:**

Good. Okay. There's a motion pending to discharge Resolution 1003 of 2010 without recommendation and it has received a second. I'll call the vote. All in favor? Any opposed?

Abstentions? Motion carries. **DISCHARGED WITHOUT RECOMMENDATION (VOTE: 4-0-0-1 - Not Present - Legis. Nowick)**.

**IR 1004, Adopting Local Law No. -2010, A Charter Law to strengthen the independence of the Ethics Commission. (Montano)**

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

**LEG. COOPER:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick)**.

**IR 1008, Authorizing reconveyance of parcel to Holbrook Fire District pursuant to Section 72-h of the General Municipal Law (SCTM No. 0500-108.00-02.00-018.000). (Pres. Off. Lindsay)**

This property is located in Islip. It is for the purposes, I believe, of constructing a community center. Legislator Lindsay, good morning.

**P.O. LINDSAY:**

What happened here is a couple of years ago, there was a community center that was owned by a civic association that went defunct and we would up acquiring the property. And I wanted it to stay in -- in the public use, so I -- the fire department agreed to take the building and manage it as a community center. And they ran across -- it was a very old building, all kinds of problems with the Building Department in Islip. And it got to the point where they had to knock down the building.

So they are -- they're talking about building a new community center there. But the original resolution that -- that gave them the property and the building had a timeline of when it had to be done by. Because of all the difficulties, they didn't meet the time standard. So this resolution extends the time for them to do -- to do this.

**CHAIRMAN D'AMARO:**

I believe they ran into the reverter that was in the original bill --

**P.O. LINDSAY:**

Correct.

**CHAIRMAN D'AMARO:**

-- so this would reauthorize it in effect.

**P.O. LINDSAY:**

Correct. Correct.

**LEG. COOPER:**

I'll make the motion to approve.

**CHAIRMAN D'AMARO:**

Motion to approve by Legislator Cooper our Vice-Chair, seconded by Legislator Browning. I'll call the vote. All in favor? Any opposed? Abstentions? Motion carries. **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick)**.

**IR 1009, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Hassan and Laila Hito (SCTM No. 0500-382.00-03.00-055.000). (Co. Exec. Levy)**

This is a sale to an adjoining owner for a purchase price of \$1000, which was the successful bid as well as the appraised price. Parcel is located in the Town of Islip, relatively small parcel. I'll offer a motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN D'AMARO:**

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

**APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick).**

**IR 1010, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Grace Hu f/k/a Grace Young (SCTM No. 0800-045.00-01.00-019.001). (Co. Exec. Levy)**

This is a Section 16 conveyance as a matter of right. I'll offer a motion to approve and place on the Consent Calendar.

**LEG. COOPER:**

Second.

**CHAIRMAN D'AMARO:**

Second by our Vice-Chair, Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries.

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

**IR 1011, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Palmerino A. Lupinacci (SCTM No. 0400-214.00-02.00-122.000). (Co. Exec. Levy)**

Again, as a matter of right. I'll offer a motion to approve and place on the Consent Calendar.

Second by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 4-0-0-1 - Not present - Legis. Nowick).**

**IR 1012, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Bayview Property Management Corp., by Robert Stanzoni, President (SCTM No. 0200-852.00-03.00-064.001). (Co. Exec. Levy)**

I'll offer the same motion, same second, and without objection, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 4-0-0-1 - Not present - Legis. Nowick).**

**IR 1013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Laila Petruzziello and Salvatore Baldi, wife and husband (SCTM No. 0400-070.00-03.00-039.000). (Co. Exec. Levy)**

I'll offer the same motion, same second and same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 4-0-0-1 - Not present - Legis. Nowick).**

**IR 1014, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act L & L Real Estate, LLC (SCTM No. 0100-096.00-02.00-037.000). (Co. Exec. Levy)**

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

**IR 1015, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thomas M. Amodeo, as Surviving Tenant by the entirety (SCTM No. 0400-173.00-01.00-028.000). (Co. Exec. Levy)**

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

Okay. We've been informed that the next resolution -- informed by -- from the sponsor that it needs to be tabled, I believe.

**MR. ZWIRN:**

It's being amended, Mr. Chairman.

**CHAIRMAN D'AMARO:**

It's being amended. Thank you, Mr. Zwirn.

I'll call the bill. It's **IR 1016, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael Meyer and Emanuel Termini (SCTM No. 0200-773.00-04.00-027.004). (Co. Exec. Levy)**

I'll offer a motion to table.

**LEG. COOPER:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick)**.

**IR 1017, Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Incorporated Village of Lake Grove) (SCTM No. 0208-015.00-04.00-014.000 et al). (Co. Exec. Levy)**

Property, of course, located in the Town of Brookhaven. It's comprised of four smaller parcels for drainage, highway purposes, things of that like. I'll offer a motion to approve.

**LEG. KENNEDY:**

Second.

**CHAIRMAN D'AMARO:**

Seconded by Legislator Kennedy. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick)**.

**IR 1018, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Ronald R. Raby (SCTM No. 0200-809.00-01.00-030.000). (Co. Exec. Levy)**

Property is located in Brookhaven. It's a landlocked parcel, 85 by 120. It was appraised at 5000 and the successful bid was 10,600. I'll offer a motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick)**.

**IR 1019, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Baron II Realty Corp. (SCTM No. 0500-179.00-03.00-026.000). (Co. Exec. Levy)**

Again, property located in Islip, 25 by 100. The appraisal and the bid price at 2000. I'll offer a motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick).**

**IR 1023, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Calverton Hills Homeowners Association Inc. (SCTM No. 0200-357.00-01.00-001.003). (Co. Exec. Levy)**

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

**LEG. COOPER:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 4-0-0-1 - Not present - Legis. Nowick).**

**IR 1030, Adopting Local Law No. -2010, A Local Law to exempt properties in the Town of Brookhaven from requirements of Local Law No. 3-2009. (Browning)**

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

**LEG. COOPER:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick).**

**IR 1031, Canceling auction sale of property (SCTM No. 0200-960.00-02.00-045.000, 046.000, 047.000). (Browning).**

**CHAIRMAN D'AMARO:**

Legislator Browning.

**LEG. BROWNING:**

Motion to approve.

**CHAIRMAN D'AMARO:**

Motion to approve by Legislator Browning.

**LEG. COOPER:**

I'll second the motion.

**CHAIRMAN D'AMARO:**

Second by Legislator Cooper. I'll call the vote. All in favor? Opposed? Abstentions? Motion

carries. **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick).**

**IR 1034, Adopting Local Law No. -2010, A Charter Law to provide notice of appointments to commissions and boards. (Montano)**

Requires a public hearing. I'll offer a motion to table on that basis, second by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Nowick).**

That concludes the public portion of today's committee meeting. I'll make a motion to -- oh, okay. Good news. Executive Session has been canceled. So I'll offer a motion to adjourn.

**LEG. COOPER:**

I'll second.

**CHAIRMAN D'AMARO:**

Second by Legislator Cooper. All in favor? Opposed? Motion carries. Thank you, everyone. Appreciate your patience.

**(\*THE MEETING WAS ADJOURNED AT 11:40 A.M.\*)**