

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, August 10, 2011.

MEMBERS PRESENT:

Legislator Steve Stern - Vice-Chairman
Legislator John Kennedy
Legislator Lynne Nowick
Presiding Officer William Lindsay - Ex Officio Member

MEMBERS NOT PRESENT:

Legislator Ricardo Montano - Chairman - Excused Absence
Legislator Sarah Anker - Excused Absence

ALSO IN ATTENDANCE:

George Nolan - Counsel to the Legislature
Gail Vizzini - Director - Budget Review Office
Robert Lipp - Deputy Director - Budget Review Office
Renee Ortiz - Chief Deputy Clerk of the Legislature
Eric Kopp - Deputy County Executive
Dennis Brown - County Attorney's Office
Christine Malafi - County Attorney's Office
Paul Perillie - Aide to Majority Caucus
Linda Bay - Aide to Minority Caucus
Robert Martinez - Aide to Chairman Montano
Justin Littell - Aide to Legislator D'Amaro
Marge Acevedo - Aide to P.O. Lindsay
Jim Peterman - Deputy Commissioner - DPW
Chris Kent - County Executive's Office
Pamela Greene - Division of Real Estate
Dot Kerrigan - AME
All other interested parties

MINUTES TAKEN BY:

Donna Catalano- Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 10:14 A.M.*)

ACTING CHAIRMAN STERN:

Welcome, everybody, and welcome to the Committee on Ways and Means. I'm going to ask everyone to please rise and join in the Pledge of Allegiance led by Legislator Kennedy.

SALUTATION

I'm going to ask everybody to join in a moment of silence as we keep all of the brave men and women fighting overseas in our thoughts and prayers.

MOMENT OF SILENCE

ACTING CHAIRMAN STERN:

Thank you. Welcome, everybody. Good morning. The first item on our agenda that we are going to consider is a memorandum dated August 8th, 2011, from our Counsel. I will turn it over to our Counsel for an explanation.

MR. NOLAN:

Yes, Mr. Chairman, I sent a memo out to all County Legislators about three resolutions that were laid on the table at our August 2nd meeting. They were sponsored by our Presiding Officer, and they all relate to the Code Recodification Project that we started in 2008 with General Code Publishers. And basically, the memo just explains the three resolutions that are going to carry out the recodification changes to our Charter, Administrative Code and our codified laws. I believe the memorandum speaks for itself.

ACTING CHAIRMAN STERN:

All of the committee members have a copy of the correspondence?

MR. NOLAN:

Yes.

ACTING CHAIRMAN STERN:

Yes. Questions? Comments? Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. Just one quick question. George, simplifying the Code, as a matter of fact, or putting it into more logical ordered form makes a tremendous amount of sense.

I want to go to second to the second to last paragraph. We're going to have hardcopies -- obviously, I guess, if some of us are looking for a hard copy sent in our office, we can get that. But also, it talks about making it more user friendly. I am a computer idiot. And when I attempt to go ahead and search phrases or anything as far as an online version, it's not the easiest thing in the world to do from a layman's perspective. Who is making this online version easier or more user friendly? Is that our people or is that the vendor?

MR. NOLAN:

That's the vendor.

LEG. KENNEDY:

Okay. Have you seen the new version?

MR. NOLAN:

I've seen a proposed version. I can probably get you a link to it, because it's not been posted yet because it has not been adopted. But I can get you a link. I'm not a computer guy, as you may know, but people tell me that it is going to be more easily searchable, more user friendly. When I looked at it, it looks pretty good from my perspective, but certainly, we can get that link available to you and any of the other Legislators so they can take a look at it.

LEG. KENNEDY:

Well, if we have requests to modify the software or to make it, you know, more amenable --

P.O. LINDSAY:

Work with our Clerk, Tim Laube. He is the point man on this, and he'll --

LEG. KENNEDY:

Okay. Great.

P.O. LINDSAY:

You know, after you read it, I'm sure he will welcome any suggestions.

LEG. KENNEDY:

Good. Okay. Thank you.

ACTING CHAIRMAN STERN:

Anyone else? Okay. I don't have any cards. Is there anybody here in the auditorium that would like to address the committee? Seeing none, just announce that Chairman -- Legislator Montano will not be with us today, he has an excused absence. Also for the record, Legislator Anker will not be joining us. She is out with an excused absence as well.

I'm going to make a motion to take 1717 out of order. I know we have several members of the administration who are here with us that could speak to 1717 and answer questions.

1717 - Authorizing the lease of premises located at 3500 Sunrise Highway, Great River, NY for use by the Department of Health Services. (Co. Exec.)

I'll make a motion to approve to take 1717 out of order, seconded by Legislator Kennedy. All in favor? Opposed? Any opposed? Any abstention? IR 1717 is before us.

MR. KENT:

Yes, good morning. Thank you for taking it out of order and allowing us to speak on the matter. We believe this is a great opportunity. The Health Department Administration is currently in two buildings on Rabro Drive; 220 and 225. The leases expire December of this year and January of next.

This proposed lease for 3500 Sunrise will allow us to consolidate the two administrative offices into one. It provides us 9500 additional square footage, and it saves us money over the term, a ten-year term, of over \$950,000. We realize in the first two years, 2012 and 2013, about a million one hundred and seventy-five thousand dollars of savings with \$815,000 of savings in the first year, 2012. So this will allow us to decrease the budget for Health Services Administration by 815,000 in 2012 and an additional 360,000 in 2013.

In addition, the building is a new construction, which we will realize some energy savings over the life of the term. And overall, we're going to save in rent alone about \$960,000 over the ten-year term, plus we are going to have additional square footage of about 9500 square feet.

ACTING CHAIRMAN STERN:

This is a consolidating of existing functions. You mentioned administrative functions, any other functions that are going to be consolidated?

MR. KENT:

No, not at this time. The immediate consolidation is the two buildings, 220 -- our presence in 220 and 225 Rabro Drive into 3500 Sunrise Highway.

ACTING CHAIRMAN STERN:

And this would be a lease that would begin formally when?

MR. KENT:

January 1st, 2012.

ACTING CHAIRMAN STERN:

Just briefly, rent escalation, any idea?

MR. KENT:

The rent escalation over time is 3%.

ACTING CHAIRMAN STERN:

Legislator Kennedy.

LEG. KENNEDY:

I apologize, Mr. Chair. I provided reasons why I didn't get a chance to look at this. You may have just mentioned, what's the duration on the lease?

MR. KENT:

I believe it goes through April, 2013 -- excuse me, 2023, April of 2023.

LEG. KENNEDY:

And does it have renewal provisions in it?

MR. KENT:

Beyond April, 2023?

LEG. KENNEDY:

Yeah.

MR. KENT:

Yes, I believe it's an option that we can extend beyond that time.

LEG. KENNEDY:

How much modification is being done by you folks? I presume you represent the landlord?

MR. KENT:

This is Brian Lee, the represents the County.

MR. LEE:

Dan and I are with Newmark Knight and Frank. We represent Suffolk County.

LEG. KENNEDY:

You're the brokers, as a matter of fact, that were able to go ahead and procure this property for us?

MR. LEE:

That's correct.

LEG. KENNEDY:

Okay. Well, then let me go to the other side then. Actually, I should probably go back to you first, Chris. Does this property fit under the normal reimbursement scheme that we have through State Department of Health for our --

MR. KENT:

Yes. This would be a rental, so any type of benefits we receive from the State for administrative office, we'd be entitled to under this new lease arrangement.

LEG. KENNEDY:

Right. We offset, I think, what is it, 30, 35%, somewhere around there?

MR. KENT:

I'm not sure of the percentage on the administrative side. It varies whether it's services being provided to the public and administration. So I don't know the answer to that question, but we can probably get that to the Legislature prior to your consideration next week.

LEG. KENNEDY:

And what is the arrangement, financial arrangement with Newmark {Louis} for the purposes of procuring the property? Is it a flat fee or are you a percentage?

MR. LEE:

We get our standard percentage, which was called for in our services contract with Suffolk County.

LEG. KENNEDY:

And that is how much?

MR. LEE:

It's 7% per annum for the first three years and 3% thereafter. And it's paid by the landlord.

LEG. KENNEDY:

That's a cost that's absorbed by the landlord? Fine.

MR. LEE:

That's correct.

MR. KENT:

That fee is already built into these numbers, because the landlord will be paying it from the monies received.

LEG. KENNEDY:

Okay. So our reimbursement is net of that. That gross amount, I guess, is basically worked out, but it doesn't ultimately wind up being a cost borne by us?

MR. LEE:

That's correct. In addition, these numbers take into account moving costs; so the cost to relocate, the cost to relocate the generator, all of the facilities, it includes furniture, which the landlord is providing us new workstations, and it includes cabling and IT. So it's a comprehensive cost analysis of all the costs go into this deal. So that includes all out-of-pocket costs that the County would incur.

LEG. KENNEDY:

Okay. My recollection is that this was a former defense site. As a matter of fact, Grumman, at one time was in there. Who is the owner of this property now?

MR. LEE:

Metropolitan Reality Associates.

LEG. KENNEDY:

And they're based out of where?

MR. LEE:

They're based out of Jericho.

LEG. KENNEDY:

Okay. So it's a New York State entity, it's a domestic entity?

MR. LEE:

That's correct.

LEG. KENNEDY:

Okay. Well, you mentioned generator, so we have on-site backup for utility service and things of that nature?

MR. LEE:

That's correct.

LEG. KENNEDY:

Okay. All right. Thank you. All right. I'll yield.

ACTING CHAIRMAN STERN:

Presiding Officer.

P.O. LINDSAY:

Again, forgive me, because I was talking to our Counsel about a legal matter here. This is in the new building? I know there was -- the old Grumman facility they renovated a couple of years ago, now they just built a new building. It's in the new building this space?

MR. LEE:

The majority of the proposed premises is in the new building, and then a portion of it is in the existing building that is next to it.

P.O. LINDSAY:

Okay.

ACTING CHAIRMAN STERN:

Question just regarding procedure that -- I'll defer to our Counsel.

MR. NOLAN:

It says this resolution involves the leasing of property by the County. It's subject to a public hearing under our Administrative Code A 42-8. That public hearing has been set for August 22nd. So we're not going to be able to move this resolution today.

ACTING CHAIRMAN STERN:

George, do we know where the public hearing is scheduled to take place?

MR. NOLAN:

It's within that Legislative District where the property is located. And like I said, it says -- the Code section states that the Legislature cannot act until the public hearing and the other procedure requirements are fulfilled.

ACTING CHAIRMAN STERN:

I would just ask Mr. Kent if there is some- - is there some issue that we need to be aware of that could arise between now and the time that the public hearing is set for? I mean, other than the obvious, is there some pressing issue that we're not aware of on the matter?

MR. KENT:

Well, it is pressing, it's time sensitive. So if earliest we can do is to move it on September 15th in the General Session, we'd ask that that be done, because we are facing an end-of-the-year. End of the year, we have to be relocated to this site.

ACTING CHAIRMAN STERN:

Mr. Presiding Officer.

P.O. LINDSAY:

Did we set that hearing by resolution?

MR. NOLAN:

Those public hearings having to do with the leasing of real estate are set by the Clerk's Office and advertised. We never do that by legislation.

P.O. LINDSAY:

Did we advertise this public hearing already?

MR. NOLAN:

The Clerk has advertised it.

P.O. LINDSAY:

It has been advertised.

MS. ORTIZ:

It's set.

P.O. LINDSAY:

Well, you know, if we move it on September 15th, will that inhibit the plans for the move on the 1st of January?

MR. KENT:

I don't believe that there will be any moving done prior to that. We could probably start scheduling moving in anticipation of an approval with the understanding that we might have to cancel the move if you don't approve it on the 15th. I'm not trying to put a threat or any kind of --

P.O. LINDSAY:

Mr. Kent, I'm not opposed to what is going on here --

MR. KENT:

I know you're not. I know you're not opposed.

P.O. LINDSAY:

We'd approve that. We were unaware -- at least I was unaware of this hearing date. And I know that is a fact that there is a hearing when you're doing a County facility in that district. And so we will have a cycle, and it will be ready -- it should get out of committee. It would ready to be voted on the 15th. I know there is a lot that will go into moving a whole department like that or a big portion of the department. I don't --

MR. KENT:

I was just consulting with our real estate advisor. The build-out is substantial, so it would probably about a 90 day build-out. They will not commence build-out until the lease is fully executed. So we're hoping that we can get this done, the sooner, the better. But if it's going to be September 15th, at we'll go with knowledge that that will be the day that it will be day acted upon, and we can try to get it moving as soon thereafter as possible with the understanding that it's going to take some time to get the build-out completed.

We might be in a hold-over situation at least on one of the buildings. One much them expires in December of this year, and the other expires in January. So we might be in a hold-over situation with at least one of the buildings at Rabro Drive.

ACTING CHAIRMAN STERN:

Just as a side-bar, we're trying to have a discussion to see what, if anything, we might be able to do procedurally, but the requirement is pretty clear. And so the public hearing -- Presiding Officer.

P.O. LINDSAY:

What if we discharge it?

MR. NOLAN:

It says the County Legislature will not act. So to me, that means the County could discharge it if it likes, but we would have to table it on the floor. It's up to the committee. I don't think it makes --

P.O. LINDSAY:

That doesn't help us, because it's still September 15th. I wish we had picked this up earlier, and we would have insisted on an earlier hearing in the district. What Counsel has just explained to me is we did set it in a timely matter; it's supposed to be 20 days after it's laid on the table. Okay.

ACTING CHAIRMAN STERN:

Any other comments? All right. We don't have motions on 1717 yet. I will make a motion to table.

LEG. KENNEDY:

Second.

ACTING CHAIRMAN STERN:

Seconded by Legislator Kennedy. All in favor? Opposed? Abstentions? **1717 is TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

Okay. Going to Tabled Resolutions.

IR 1246 - Adopting Local Law No. -2011, A Local Law mandating compliance with financial disclosure requirements. (Cooper)

This was withdrawn on July 27th by the sponsor. So 1246 has been withdrawn.

P.O. LINDSAY:

I might point out that the reason it was withdrawn is it's incorporated into the whole reformation of the disclosure statutes.

ACTING CHAIRMAN STERN:

So this as an issue is going to come before us as a more comprehensive set of reforms?

P.O. LINDSAY:

Yes.

ACTING CHAIRMAN STERN:

Okay. **IR 1267 - Dedicating certain property in Yaphank as County parkland and authorizing its transfer to the Suffolk County Department of Parks, Recreation and Conservation for open space preservation. (Browning)**

P.O. LINDSAY:

I make a motion to approve.

ACTING CHAIRMAN STERN:

Motion to approve by the Presiding Officer, I'll second. Any discussion? Is there anybody from the administration that wants to comment? No? Okay. I'll call the vote. All in favor? Opposed? Abstentions? IR 1267 is **APPROVED (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1313 - Adopting Local Law No. -2011, A Local Law to enact a Campaign Finance Reform Act to limit campaign contributions from County contractors. (Schneiderman)

LEG. KENNEDY:

I make a motion to table.

ACTING CHAIRMAN STERN:

Motion to table by Legislator Kennedy, seconded by Legislator Nowick. All in favor? Opposed? Abstentions? 1313 is **TABLED (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1314 - Adopting Local Law No. -2011, A Charter Law to establish a truth and honest zone for clean campaign practices in Suffolk County by banning improper fundraising. (Romaine)

LEG. KENNEDY:

Motion to table.

ACTING CHAIRMAN STERN:

Motion to table by Legislator Kennedy for a public hearing, I'll second for the public hearing. All in favor? Opposed? Abstentions? IR 1314 is **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1464 - Declaring as surplus and authorizing the sale and/or lease of real property in Selden pursuant to County Law Section 215. (Lindsay)

LEG. KENNEDY:

Motion to table.

P.O. LINDSAY:

I'll second that. Counsel, would you explain? There is a problem with us moving forward at this time.

MR. NOLAN:

Yeah. We need to get a new description of property, because since this was originally introduced, there was a five or six acre carveout, I think, for the Empire State College. And once that's done, we also have to do SEQRA on it, so I'll have to prepare and Environmental Assessment Form to submit to CEO.

P.O. LINDSAY:

The revised bill also carves out ten acres for the Community College.

MR. NOLAN:

So there's quite a bit of work that has to be done on that resolution.

LEG. KENNEDY:

Thank you, Mr. Presiding Officer.

ACTING CHAIRMAN STERN:

I'll call the vote on the motion to table on 1464. All in favor? Opposed? Abstentions? **1464 is TABLED (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1468 - Adopting Local Law No. -2011, A Charter Law creating a program for public financing of County campaigns and the banning of certain donations to curb potential conflicts of interest. (Co. Exec.)

LEG. KENNEDY:

Motion to table.

ACTING CHAIRMAN STERN:

Motion to table for public hearing, I'll second. All in favor? Opposed? Abstentions? **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1477 - Adopting Local Law No. -2011, A Local Law to require companies doing business with the County to certify utilization of the Social Security Number Verification Service (SSNVS) and the E-Verify Program. (Co. Exec.)

LEG. NOWICK:

Motion to table.

ACTING CHAIRMAN STERN:

Motion to table for a public hearing by Legislator Nowick.

LEG. KENNEDY:

Second.

ACTING CHAIRMAN STERN:

Seconded by Legislator Kennedy. All in favor? Opposed? Abstentions? 1477 is **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1556 - Adopting Local Law No. -2011, A Local Law in Relation to Disposition of Auction Properties. (Co. Exec.)

ACTING CHAIRMAN STERN:

Presiding Officer.

P.O. LINDSAY:

Counsel, can you just review what this does?

MR. NOLAN:

What it does is, as everyone knows, there's a restriction when we do a sale of habitable properties at auction that there's a homeownership requirement for ten years after the purchase. Division of Real Estate has indicated that this has caused a problem in moving certain properties.

So what this law does is if a property is auctioned -- offered at auction twice and doesn't sell, then on the third sale, the third attempt at auction, that the ten-year homeownership requirement would be waived at that point. And the Division represented and stated at the last meeting that this would help, they believe, to move these properties.

ACTING CHAIRMAN STERN:

Legislator Nowick.

LEG. NOWICK:

Did I remember at the meeting when we has the public hearing that we talked about -- and I don't know how Real Estate feels about it -- but it was going to be maybe rather than no requirement, three years? Did that not happen on the third try? Nobody considered that?

MR. NOLAN:

Well, what happened was, I think the Chairman at the last meeting discussed a possible compromise, a different resolution that would lower the ten years to two for all properties at all auctions. But I'm surmising that there wasn't agreement among all the Legislators on that particular change, so no revised version or new version came forward at our last meeting as a CN. And I believe anything's been filed since then on the topic. I think it's just right now, all we have is this law.

LEG. NOWICK:

Wasn't the fear with this that somebody could buy it and flip it over or was that -- I thought I remembered that, and I'm just trying to --

P.O. LINDSAY:

See, the intention here is what's happened to a lot of these properties at auction is they're bought by speculators. And they become absentee landlords and they become slumlords. So the original legislation was to -- with the requirements that there would be homeownership for ten years was really good intentioned. But the net result, what I'm understanding -- and Ms. Green could certainly verify this -- is because of those covenants, sometimes our homeowners are having a hard time getting mortgages on the property.

MS. GREENE:

We have not had any sell that have been financed with a mortgage. Again, there's a reverter clause in the deed.

P.O. LINDSAY:

Right. So, you know, as a result of it, the properties aren't moving, they remain vacant, they remain the County's responsibility to maintain it, and nobody is paying taxes on them.

MS. GREENE:

We are.

P.O. LINDSAY:

We are. Yes. So it's obvious we have to do something to solve the problem. I don't know whether this reso is going to solve the problem. There were some other ideas kicked around. I just went through the agenda, no other bills have been filed.

LEG. KENNEDY:

Question.

ACTING CHAIRMAN STERN:

Legislator Kennedy.

LEG. KENNEDY:

Thank you. Pam, can you refresh my recollection again? Were these properties offered to Brookhaven Town for, you know, first-time housing or homeless housing or any of the other different programs that get operated through CDC or some of the different first time -- 72-H, I guess it would be the 72-H Program.

MS. GREENE:

72-H transfers are made available to other municipalities when the homes are not habitable. All County Law states that all habitable properties must be offered at auction first. So we are expending great funds to remain their habitability in order to bring them to auction.

LEG. KENNEDY:

So let's stay on that word for a moment. Today, are these dwellings habitable or not?

MS. GREENE:

The law before you is not specifying certain properties. The law before you is saying for those properties that are habitable that are sold now with the ten-year restriction, if they have not sold at two auctions with the ten-year restriction, that restriction be removed for habitable properties.

LEG. KENNEDY:

Okay. But what prompts the administration, I believe, to bring this forward is these five properties or six properties have been the subject of two previous auctions. And so I'll go back again, if they're habitable, then they weren't offered for 72-H purposes; is that correct?

MS. GREENE:

Correct.

LEG. KENNEDY:

Okay. If they weren't habitable, they would be.

MS. GREENE:

Correct.

LEG. KENNEDY:

Okay. So what determines right now whether they're habitable or not? I mean, if we have a missing drain pipe, they're not habitable. Okay. So let's not play with the word "habitable," let's go back to have they been offered to Brookhaven under the 72-H Program or not?

MS. GREENE:

The five that we'd be putting forward?

LEG. KENNEDY:

Yes.

MS. GREENE:

No, because they're habitable, they're not inhabitable. Something that is missing a roof, something that has no plumbing inside --

LEG. KENNEDY:

Habitability is a term that spans --

MS. GREENE:

Right, would be considered inhabitable.

LEG. KENNEDY:

-- a whole wide -- and I have no desire to go ahead and discuss that at this point. But the question -- the answer is, no, they have not been offered to Brookhaven yet because our -- we are categorizing them as habitable dwellings.

MS. GREENE:

Correct. And the law requires they be sold at auction first.

LEG. KENNEDY:

Okay. All right. Got it. Thank you.

P.O. LINDSAY:

If I might, Mr. Chairman. There is a bill, for some reason it's in Labor, that changes the income requirements. Do you think that would be helpful?

MS. GREENE:

The bill that has been filed by Legislator Browning, which will be before the Labor Committee, would merely state that should the County have a first-time home buyer's auction, which requires pre-qualifying all bidders that they meet those standards, that the standards, which they have to meet now change.

P.O. LINDSAY:

So the properties that are addressed in this aren't necessarily first-time home buyer's auctions.

MS. GREENE:

The Local Law before you is not specifying certain properties. The reason we were so anxious to bring it before you is in order to allow the law to go into effect for this upcoming auction.

P.O. LINDSAY:

Let me reverse it. What do you think we have to do here? I mean, you know the intent of the

Legislature; we're trying to keep the speculators and the slumlords from profiteering off of our auctions and ruining our communities. And we haven't been successful in anything we have done. Evidently, the covenants aren't helping, otherwise they would have been scooped up.

MS. GREENE:

I would suggest that your summation is entirely correct; that this law, while very well intentioned, needs to now become fluid with the economic times and the reality we're facing. People interested in buying homes have their pick right now of any home on the block. Every single home -- every single block we drive down has four or five "For Sale" signs on it.

The homes the County is offering are going to need less restrictions in order for them to be desirable to the open market. So the suggestion would be for this auction to perhaps at least see how it turns out with having this law go into effect. And we can revisit the issue if they don't sell at all or they do sell. I mean, at least you'll have evidence of whether or not this law is impeding interest from individuals who are looking to become homeowners in Suffolk County.

P.O. LINDSAY:

So really what we're saying is all of -- there's, what, five parcels now that have went through the auction process twice with no bidders?

MS. GREENE:

At this time, yes.

P.O. LINDSAY:

And we want to just put it up without any covenant and see who buys it?

MS. GREENE:

We want to sell them, yes.

P.O. LINDSAY:

Okay.

MR. KOPP:

I would just like to speak about the process from last week, because I know Legislator Nowick just raised that question. Here in committee, it was suggested by the Chairman that we develop some kind of a bill, and he came up with something with a two-year requirement instead of a ten. And he went and talked to Legislators, and I think we determined collectively that there were not 12 votes. And it was our feeling at the time that we had enough CNs at the last meeting without getting one of this nature.

P.O. LINDSAY:

There were a number of discussions at the last meeting. There was a discussion about the two-year, which, to me, I don't favor, because that isn't much of a covenant, you know? And I'd rather abandon the policy altogether than to say we have a policy to keep the slumlords out of our auction process.

The other thought that came forward is if it wasn't picked up. Mitch Pally was here from the Builders about we gave them a property to build for returning Vets. And there was a thought process, you know, would a non-for-profit accept these. Because my main goal is to get them back on the tax rolls. The amount of money we get at auction for them a lot of times isn't substantial. I want to get us out from underneath that rock of maintaining the property and getting people paying taxes on them again.

I would be all for, you know, having these properties turned over to not-for-profits for returning Vets, but I don't see the bill. The bill never materialized. And it wasn't my idea. What I would suggest is maybe we discharge this, and we can have a full debate on the floor before the General Meeting about it. And by then, maybe -- we're going to have a public hearing that day on the other bill about the limits, the income limits, which maybe we -- I just think a further discussion on this should be vetted. So I will make a motion.

ACTING CHAIRMAN STERN:

Motion to discharge without recommendation by the Presiding Officer, I'll second. All in favor? Opposed? Abstentions? **DISCHARGED WITHOUT RECOMMENDATION (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1576 - Sale of County-owned real estate pursuant to Section 215 New York State County Law Stony Brook Medical Park Condominium (SCTM No. 0200-418.00-04.00-004.000 (Co. Exec.)

MS. GREENE:

Mr. Chairman, if I may. The Law Department had advised us that there were errors in our original 1576 that we submitted. We've corrected those errors. We've submitted that bill to be laid on the table at your next meeting. Once that happens and we get a new IR number, we will be requesting that this be withdrawn.

P.O. LINDSAY:

Motion to table.

ACTING CHAIRMAN STERN:

Motion to table by Presiding Officer, seconded by Legislator Nowick. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1605 - Adopting Local Law No. -2011, A Local Law to extend prompt payment policy to attorneys providing services pursuant to Article 18-B of New York County Law. (Montano)

This needs to be tabled for a public hearing, so I will offer a motion to table, seconded by Legislator Nowick. IR 1605 is **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1617 - Adopting Local Law No. -2011, A Local Law to strengthen motor vehicle reporting requirements for County departments. (Kennedy)

LEG. KENNEDY:

Motion to table, Mr. Chair, because there's an amendment beyond the time. So are we going to be subject to public hearing on it again?

MR. NOLAN:

I haven't decided.

LEG. KENNEDY:

Haven't decided. We're working on that. But in any event, we need to work out those details. Thank you.

ACTING CHAIRMAN STERN:

Motion to table by Legislator Kennedy, I'll second. All in favor? Opposed? Abstentions? 1617 is **TABLED (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1626 - Authorizing certain technical correction to Adopted Resolution No. 457-2011. (Co. Exec.)

I will make a motion to approve and place on the Consent Calendar, seconded by Legislator Nowick. I'll call the vote. All in favor? Opposed? Abstentions? **APPROVED AND PLACED ON THE CONSENT CALENDAR (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1630 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Percy Hemans (SCTM No. 0100-228.02-01.00-148.000). (Co. Exec.)

Same motion, same second, same vote. IR 1630 is **APPROVED AND PLACED ON THE CONSENT CALENDAR (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1631 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Patrick Sinram (SCTM No. 0200-276.00-05.00-037.000). (Co. Exec.)

Same motion, same second, same vote. 1631 is **APPROVED AND PLACED ON THE CONSENT CALENDAR (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1632 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Kevric Development Corp. (SCTM No. 0600-123.00-04.00-042.000). (Co. Exec.)

Same motion, same second, same vote. 1632 is **APPROVED AND PLACED ON THE CONSENT CALENDAR (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1633 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Gilbert Aponte (SCTM Nos. 0200-565.00-03.00-002.001 n/k/a 0200-565.00-03.00-002.003 and 0200-565.00-03.00-002.004). (Co. Exec.)

Same motion, same second, same vote. 1633 is **APPROVED AND PLACED ON THE CONSENT CALENDAR (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1634 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Carlo Lonardo, as to a ½ interest and D & A Sand and Gravel, Inc., as to a ½ interest (SCTM No. 0200-769.00-02.00-027.002). (Co. Exec.)

Same motion, same second, same vote. 1634 is **APPROVED AND PLACED ON THE CONSENT CALENDAR (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1636 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Edward J. Noll, Sr. (SCTM Nos. 0200-852.00-06.00-074.001 and 0200-852.00-06.00-074.002). (Co. Exec.)

Same motion, same second, same vote. 1636 is **APPROVED AND PLACED ON THE CONSENT CALENDAR (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1638 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 King Associates Holding LLC (SCTM No. 0200-973.60-01.00-005.012). (Co. Exec.)

I will make a motion to approve, seconded by Legislator Nowick. Anybody on the motion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1639 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Robert I. Toussie (SCTM No. 0200-959.00-02.00-010.000). (Co. Exec.)

P.O. LINDSAY:

Motion to approve.

ACTING CHAIRMAN STERN:

Motion to approve by the Presiding Officer, I'll second. I'll call the vote. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1640 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Karen Mahoney (SCTM No. 0204-004.00-05.00-027.000). (Co. Exec.)

I'll make a motion to approve, second by Legislator Nowick and place on the Consent Calendar. I'll call the vote. All in favor? Opposed? Abstentions? **APPROVED AND PLACED ON THE CONSENT CALENDAR (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1643 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Mimar LLC (SCTM No. 0200-973.90-03.00-007.000). (Co. Exec.)

I'll make a motion to approve.

LEG. NOWICK:

Second.

ACTING CHAIRMAN STERN:

Seconded by Legislator Nowick. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1644 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Anna Lerouge (SCTM No. 0200-400.00-05.00-039.000). (Co. Exec.)

I'll make a motion to approve and place on the Consent Calendar, seconded by Legislator Nowick. All in favor? Opposed? Abstentions? **APPROVED and placed on the Consent Calendar (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1645 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Mona Venssa (SCTM No. 0400-245.00-03.00-025.000). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the Consent Calendar
(VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1646 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Middle Country Road Properties, Inc., by Arsilio Donofrio (SCTM No. 0200-351.00-02.00-003.000). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the Consent Calendar
(VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1647 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Robert Ferri (SCTM No. 0200-417.00-01.00-017.000). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the Consent Calendar
(VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1648 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Manuel Gomez (SCTM No. 0500-223.00-03.00-109.000). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the Consent Calendar
(VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1649 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Yacht Club Realty Corp., by Larry O. Stoddard, Jr., President (SCTM No. 0200-453.00-03.00-010.000). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the Consent Calendar
(VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1650 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jeffrey A. Otto and Jeanne L. Otto, his wife (SCTM No. 0500-356.00-01.00-027.000). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the Consent Calendar
(VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1651 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act All Island Home Builders, LLC, by Alex Cutrone, President (SCTM No. 0200-882.00-04.00-008.002). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the Consent Calendar
(VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1659 - Authorizing the distribution of proceeds from auction sale, pursuant to Suffolk County Administrative Code Section 42-4(L) Mary Michaelis (SCTM No. 0200-421.00-04.00-030.000). (Co. Exec.)

I'll make a motion to approve, seconded by Legislator Nowick. All in favor? Opposed?
Abstentions? **APPROVED** (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1686 - Adopting Local Law No. -2011, A Local Law amending the Charter of Suffolk County. (Lindsay)

I'll make a motion to table for purposes of a public hearing, seconded by Legislator Nowick.
TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1687 - Adopting Local Law No. -2011, A Local Law amending the Administrative Code of Suffolk County. (Lindsay)

Same motion, same second, same vote. **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1688 - Adopting Local Law No. -2011, A Local Law to provide for the codification of the Local Laws and certain resolutions of the County of Suffolk into a Municipal Code to be designated the "Code Of Suffolk County". (Pres. Off.)

This needs to be tabled for a public hearing. Same motion, same second, same vote. **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1704 - Adopting Local Law No. -2011, A Local Law to prohibit elected officials from publishing or allowing the publication of their names in advertisements for any County funded or sponsored program or event. (Co. Exec.)

This needs to be table for a public hearing. Same motion, same second, same vote. **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1708 - Authorizing certain technical correction to Adopted Resolution No. 1024-2010. (Co. Exec.)

I'll make a motion to approve and place on the Consent Calendar, seconded by Legislator Nowick. All in favor? Opposed? Abstentions? **APPROVED and placed on the Consent Calendar (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1717 we did earlier.

1719 - Adopting Local Law No. -2011, A Local Law to save taxpayer dollars on County signs and printed publications. (Romaine)

This needs to be tabled for a public hearing. I'll make a motion to table, seconded by Legislator Nowick. All in favor? Opposed? Abstentions? **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1721 - Authorizing the issuance of a Certificate of Abandonment of the interest of the County of Suffolk in property designated as Town of Brookhaven, Suffolk County Tax Map No. 0200-545.00-01.00-003.000, pursuant to the Suffolk County Tax Act. (Browning)

LEG. KENNEDY:
Motion.

ACTING CHAIRMAN STERN:

Motion to approve by Legislator Kennedy, I'll second. Anybody? There is a motion to approve before us, everybody is good. I'll call the vote. All in favor? Opposed? Abstentions?

APPROVED (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)

1723 - Adopting Local Law No. -2011, A Charter Law to update and strengthen Ethics and Disclosure Rules. (Lindsay)

This needs to be tabled for a public hearing. Motion to table by Legislator Nowick.

P.O. LINDSAY:

Second.

ACTING CHAIRMAN STERN:

Seconded by the Presiding Officer. All in favor? Opposed? Abstentions? **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

1724 - Adopting Local Law No. -2011, A Charter Law establishing a new Board of Ethics. (Lindsay)

This needs to be tabled for a public hearing. Same motion, same second, same vote. **TABLED FOR PUBLIC HEARING (VOTE: 4-0-0-2 Not Present: Legislators Montano & Anker)**

Motion to go into Executive Session to discussion litigation, I will make the motion, seconded by Legislator Nowick. We are going to Executive Session.

(*AN EXECUTIVE SESSION WAS HELD FROM 11:02 A.M. UNTIL 11:16 A.M.*)

ACTING CHAIRMAN STERN:

Okay. Back on the record returning from Executive Session. We discussed and approved a settlement in regard to a legal matter, Kristine Rios v. David Verrelli, Suffolk County Police Department and the County of Suffolk. That's it. Motion to adjourn by Legislator Kennedy, I'll second. We are adjourned. Thank you.

(*THE MEETING WAS ADJOURNED AT 11:17*)

{ } DENOTES BEING SPELLED PHONETICALLY