

**WAYS AND MEANS COMMITTEE**  
**OF THE**  
**SUFFOLK COUNTY LEGISLATURE**  
  
**MINUTES**

A 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, 725 Veterans Memorial Highway, Smithtown, New York, on Wednesday, February 27, 2013.

**MEMBERS PRESENT:**

Legislator Lou D'Amaro, Chairman  
Legislator Steve Stern, Vice-Chair  
Legislator Robert Calarco, Member  
Legislator John Kennedy, Member  
Legislator Lynne Nowick, Member

**ALSO IN ATTENDANCE:**

Deputy Presiding Officer Wayne Horsley, District No. 14  
George Nolan, Counsel to the Suffolk County Legislature  
Nicole DeLuca, Chief Deputy County Clerk  
Tom Vaughn, County Executive Assistant  
Laura Halloran, Budget Review Office  
Bennie Pernice, Budget Review Office  
Justin Littell, Aide to Legislator D'Amaro  
Ali Nazir, Aide to Legislator Kennedy  
Bill Shilling, Clerk's Office, Suffolk County Legislature  
Paul Perillie, Aide to Legislator Gregory  
Greg Moran, Aide to Legislator Nowick  
Jill Rosen-Nikoloff, Suffolk County Department of Economic Development  
Wayne Thompson, Environment and Energy  
Janet Long, Environment and Energy  
Rick Brand, Newsday  
All Other Interested Parties

**MINUTES TAKEN BY:**

Gabrielle Skolom, Court Stenographer

**MINUTES TRANSCRIBED BY:**

Kim Castiglione, Legislative Secretary

(The meeting was called to order at 10:06 a.m.)

**CHAIRMAN D'AMARO:**

Good morning, and welcome to the Ways and Means Committee of the Suffolk County Legislature. Please rise and join the committee in the Pledge of Allegiance led by our Vice-Chair, Legislator Steve Stern.

***Salutation***

There will be an Executive Session of the committee after we do the public portion of today's committee meeting for the purposes to discuss possible settlement of pending litigation. We'll turn to the public portion. To the Clerk, are there any cards this morning for anyone who would like to address the committee?

**MR. SHILLING:**

No cards.

**CHAIRMAN D'AMARO:**

No? Is there anyone present who would like to address the committee? We have one here. Nicole, come on up, please. Nicole DeLuca, Chief Deputy County Clerk.

**MS. DELUCA:**

Good morning.

**CHAIRMAN D'AMARO:**

Good morning and welcome.

**MS. DELUCA:**

I'm here to speak on three resolutions that the Clerk has before the committee, the first being IR 1072, the annual mortgage tax reimbursement. We need to file an application with New York State to be reimbursed for our mortgage taxes. This year we're requesting 1.7 million.

**CHAIRMAN D'AMARO:**

And that's something that we do every year.

**MS. DELUCA:**

Every year.

**CHAIRMAN D'AMARO:**

Yeah, okay. Very good.

**MS. DELUCA:**

IR 1073, upgrading the Clerk's court minutes. This project was adopted in the Capital Program, allowing the Clerk to comply with the mandatory e-Filing requirements. It will provide an interface with the State's NYSCEF system, the e-Filing system, so we're mandated to do that. Two court case types right now are mandatory in Suffolk County. The Administrative Judge, Gail Prudenti, signed the order and it's all malpractice cases and commercial division.

**CHAIRMAN D'AMARO:**

So that's mandated for e-Filing of all the documents and the court actions.

**MS. DELUCA:**

Correct. We will not accept paper on those two court case types starting in March.

**CHAIRMAN D'AMARO:**

I see. And you're expecting more types of court actions to be subject to the e-Filing as well. And this is the capital project that we had put in the Capital Budget in order to come up to speed so we can comply with that mandate.

**MS. DELUCA:**

Yes.

**CHAIRMAN D'AMARO:**

Okay, good.

**MS. DELUCA:**

So the order was just signed. We were awaiting that last year. So the two court case types are going into effect mandatory in March.

**CHAIRMAN D'AMARO:**

Okay.

**MS. DELUCA:**

And we bring in annually \$1.5 million in our court fund fees, so this \$75,000 will definitely go a long way.

**CHAIRMAN D'AMARO:**

Very good.

**MS. DELUCA:**

And our last project is 1074, the optical disc imaging system, same basis as the court minutes system. This is for our land record side of the County Clerk's Office e-Recording now. The legislation was approved so e-Recording is acceptable. There are two counties that are actually doing e-Recording, so we'd like to venture into the e-Recording also, becoming a paperless department, which is our goal. So last year we brought in 18 million in Clerk fees on the land record side of the County Clerk's Office, and \$250 million was collected overall and was filtered through this system here that we're asking for the \$100,000.

**CHAIRMAN D'AMARO:**

Are we already doing the optical disk imaging?

**MS. DELUCA:**

Optical disk imaging system is the system that the County Clerk uses. We have 50 million images stored into the system.

**CHAIRMAN D'AMARO:**

All right. And how does the e-Recording tie into that?

**MS. DELUCA:**

Well, the e-Recording, because it's on this side and not on the court side, the e-Recording, everything, is going to have to be filed through our optical imaging system to get transmission of these electronic land documents.

**CHAIRMAN D'AMARO:**

Okay. So the e-Recording will actually put the documents into the system.

**MS. DELUCA:**

Correct, and they will be imaged -- everything will be simultaneous.

**CHAIRMAN D'AMARO:**

And that's an existing capital project, again, in our Capital Budget.

**MS. DELUCA:**

It's existing, correct.

**CHAIRMAN D'AMARO:**

Okay, very good. Legislator Stern has a question on that.

**LEG. STERN:**

Thank you. Good morning.

**MS. DELUCA:**

Good morning.

**LEG. STERN:**

You had said that there are two counties in the State that are currently using that system. What counties are those?

**MS. DELUCA:**

Westchester and Albany.

**LEG. STERN:**

And how long have they had those systems in place?

**MS. DELUCA:**

They've had them -- Westchester has been for two years, and Albany just came on board about six months ago.

**LEG. STERN:**

And do you or anybody in your office have any idea how their experience has been --

**MS. DELUCA:**

They're doing well with it.

**LEG. STERN:**

-- and what we can expect going forward.

**MS. DELUCA:**

Yes. Well, electronic recording is not mandatory as is electronic filing right now. They're doing it on a voluntary basis. So that's usually how we start with these pilot programs. The County Clerk, we've been doing e-filings voluntarily for three years. Now we're mandated to do it, so now the clients must do it electronically. With e-Recording no one is mandated to do it yet. The legislation just passed two years ago for us to venture into it on a consensual basis if we'd like to. So we'd like to start that now. Westchester, we visited the Westchester County Clerk's Office. They have a great system in place and they want to go mandatory. They actually are going to ask for an order, they want to go mandatory over the next year.

**LEG. STERN:**

The County wants to go mandatory? That county wants to go mandatory.

**MS. DELUCA:**

Westchester. Yes, absolutely.

**LEG. STERN:**

What would be the reluctance on the part of other counties not to implement this type of a program?

**MS. DELUCA:**

It's time and money. You know, it's time and money.

**LEG. STERN:**

But everybody knows, I'm sure, that that is the direction that we need to go.

**MS. DELUCA:**

Yes. In the end it will pay off because there will be a reduction in paper, the workflow process will be much better. We can allocate our resources, you know, better in the Clerk's Office. So with electronic anything, filing or recording, it just from a, you know, workflow process it really does help, but the return on investment is a little bit more long-term. Also, it's storage. We have an issue with storage in the County so, you know, this will really help with our storage issues also long-term.

**LEG. STERN:**

Do you feel that because you have experience with e-Filing that implementing e-Recording is going to be a simple process to go through?

**MS. DELUCA:**

Yes.

**LEG. STERN:**

What would be the time period involved if you decided and you had the funding today to implement e-Recording? How long would it take to get that kind of a program up and running?

**MS. DELUCA:**

We're thinking with this capital project over the next two years we would like to do that. Right now we're going to concentrate, because mandatory e-Filing on the other side, on the court side of the house, that now is mandatory and we're going to be adding case types to that. So we're going to concentrate on that, but we do want to get our feet a little bit wet with the e-Recording so we can stay with the other counties.

**LEG. STERN:**

Thank you.

**CHAIRMAN D'AMARO:**

Legislator Kennedy.

**LEG. KENNEDY:**

Hi Nicole. How are you?

**MS. DELUCA:**

Hi, John.

**LEG. KENNEDY:**

Obviously it's been a while since I've been there. So tell me, with the e-Filing, is it beyond the business part now and it's expanded out to all types of court actions or are we still limited just to the business part.

**MS. DELUCA:**

We're limited to the two court case types, which is all med mal cases and all commercial division cases are mandatory starting March 15th.

**LEG. KENNEDY:**

Kate {Renesy's} part. She still with that, the business part?

**MS. DELUCA:**

Yes.

**LEG. KENNEDY:**

Okay.

**MS. DELUCA:**

And we actually had the bar -- we went to the Bar Association last week, Judge Hinrichs and our office, so we did a training session.

**LEG. KENNEDY:**

The e-Record, the city, the ACRIS program --

**MS. DELUCA:**

Correct.

**LEG. KENNEDY:**

And is it kind of mirroring that where we would have the recorders then, they'd actually be inputting all the cover sheet data, and everything like that, front end?

**MS. DELUCA:**

Correct.

**LEG. KENNEDY:**

And then electronic transfer on whatever payment is.

**MS. DELUCA:**

Correct.

**LEG. KENNEDY:**

Through some type of account. Either we have an account account or something along those lines, quick card, electronic debit, something like that, where funds are going to move electronically as well.

**MS. DELUCA:**

Yeah. We accept electronic funds now. We accept all credit cards. We just took American Express on board two months ago.

**LEG. KENNEDY:**

Do we have a credit card swipe through where actually recorders are able to --

**MS. DELUCA:**

We don't have a swipe. They have to do it electronically offsite.

**LEG. KENNEDY:**

Oh, okay.

**MS. DELUCA:**

You put in their credit card information. You can't -- and you won't be able to walk into the County Clerk's Office and hand us a credit card over-the-counter and we're going to swipe your card. Everything will be submitted to us electronically so the user --

**LEG. KENNEDY:**

So like recorders or something like that, for title companies and things.

**MS. DELUCA:**

Yes. And the users will be putting in the information and submitting it to us electronically, so really there won't be much data entry on our part.

**LEG. KENNEDY:**

Wow, that's interesting. What about storage? What are we doing, you know, with the optical disks? Did Peter migrate that over or are we still working on that lag system?

**MS. DELUCA:**

Everything is migrated, and as a matter of fact, we just completed our off-site disaster recovery. So now we have a full mirror of our system in Hauppauge.

**LEG. KENNEDY:**

Okay. All right. Sounds good. Thank you.

**CHAIRMAN D'AMARO:**

Thank you, Legislator Kennedy. Any other questions? Ms. DeLuca, thank you very much. Anything else you wanted to add?

**MS. DELUCA:**

I think that's it.

**CHAIRMAN D'AMARO:**

Okay, thank you again.

**MS. DELUCA:**

Thank you.

**CHAIRMAN D'AMARO:**

Is there anyone else present who would like to address the committee this morning? For the record, there is no response. I'll turn to the tabled resolutions portion of our agenda.

**Tabled Resolutions**

First is resolution *2002-12 - Authorizing Suffolk County to enter into an agreement with the Society for the Prevention of Cruelty to Animals ("SPCA") in connection with the Animal Abuse Offenders Registry. (Co. Exec.)*. I'll offer a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

Resolution *2020-12 - Adopting Local Law No. -2013, A Local Law to maximize use of County funds provided to contract agencies (Cilmi)*. I'll offer a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. *(Vote: 5-0-0-0)*

Resolution *2060-12 - Establishing a permanent Contract Agency Oversight Committee (Cilmi)*. I'll offer a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

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

Resolution Number *2092-12 - Pursuing acquisition of sensitive parcels in the Mastic-Shirley area (Browning)*. I'll offer a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. *(Vote: 5-0-0-0)*

Resolution *2205-12 - Increasing transparency of § 72-h Program (Cilmi)*. I'll offer a motion to table.

**LEG. STERN:**

Second.

**LEG. KENNEDY:**

On the motion, Mr. Chair.

**CHAIRMAN D'AMARO:**

Okay. Second by Legislator Stern. Legislator Kennedy.

**LEG. KENNEDY:**

I'm just curious with this one. This resolution -- it seems like -- maybe I should ask George again. George, what does this one do? I forget. I know we've had a couple of these that we've looked at that have tried to revise those processes that we do.

**MR. NOLAN:**

What we do is we require that in all our 72-h resolutions that the resolution contain certain information, including the lot size, the County investment and the appraised value of the property. The resolution has been amended since it was originally introduced to state that the appraisal can be with a range appraisal, okay, have a range of values, that the Division of Real Property will try to perform the appraisals in-house to the fullest extent possible, and finally that the entity we're

conveying the property to will reimburse us for the cost of any appraisal that we perform.

**LEG. KENNEDY:**

Mr. Chair, can I ask then if the Division of Real Estate has had a chance to look at the revisions and if they've got any position on it at this point?

**CHAIRMAN D'AMARO:**

Yeah.

**LEG. KENNEDY:**

Thank you.

**CHAIRMAN D'AMARO:**

Are they here?

**LEG. KENNEDY:**

Thank you, Mr. Chair. Jill, what's your sense with the bill at this point.

**MS. ROSEN-NIKOLOFF:**

My sense of it is that I'm not really certain as to the necessity for it. The bulk of these parcels are transferred for affordable housing, they're transferred for public policy purposes without cost, so I don't know what taking staff time and cost on an appraisal adds to it.

**LEG. KENNEDY:**

The reason I ask is because actually the Chairman will recall that over the course of the years many times we've looked at the 72-h parcels in particular, and we've always had questions when we have lots that appear to be something that might, in fact, be, you know, developable or buildable. You know, a 50 footer or a 60 footer, a couple of us have always wrestled with, you know, is that something that's more appropriate being put out, you know, for the purposes of affordable housing construction or should it really be something that gets to enhance the footprint for, you know, a sump or right-of-way or something along those lines. So I wonder about how burdensome it would be, you know, at least to have the dimensions in. Hold on a second. I want to hear what Jill has to say, but I'll be happy to yield.

**LEG. CALARCO:**

I just wanted to add on that point.

**CHAIRMAN D'AMARO:**

Go ahead, Rob.

**LEG. CALARCO:**

The appraisal process I think is really just a make work thing, and you know, with this program, especially with any of these properties are taxed -- we've acquired through the tax process, we do not reap the benefits if this property -- say the property is worth, you know, \$100,000. We turn it over to the town, the town makes a fall on the taxes. So if we were to say decide we don't want to give it to the town for affordable housing purposes, we think it's a good property for development, somebody out there will build on this lot. Will we sell it at auction? We only get made whole. Any excess moneys go to the previous owner. That's a bill that was passed probably about ten years ago in this body. So we're not getting anything out of it.

So the appraisal process is something that's just going to make our Real Estate Division have do more work, whether it's our in-house appraisers who then can't do other appraisals that they would otherwise be doing. I don't think that they're sitting around doing nothing over there these days,

and it's not something that's adding to the process. All the other things in the bill that Legislator Cilmi is looking for are all things that I've noticed sitting at this horseshoe for the last year in this committee, are questions that are regularly asked, so it makes sense to put those items into it. But to require Real Estate to go out and have appraisals done on each and every one of these properties when even if the, you know, the value of the property in a sense doesn't add into the equation, because we're making a decision to either work with another municipality to enhance the sump or enhance affordable housing purposes, and we're not going to reap any extra benefits if we find that the property appraises out for a higher value than the taxes that are owed to us, which is what we're made whole on the 72-h Program typically.

**LEG. KENNEDY:**

Let me just address that if I can, because I -- my recollection there is that the cap for the auction remittance, that was Legislator Montano's bill I believe, and it went only to improved residential. Jill, when we take something that we take in a tax delinquency, if we've got a vacant lot, if we've got a commercial or a business improved parcel and we sell it out at auction, you don't have to remit proceed or surplus beyond what we realize for delinquent tax and interest back to the former owner, do we? We retain all of whatever is offered.

**MS. ROSEN-NIKOLOFF:**

Yeah, I'm going to --

**LEG. KENNEDY:**

That's limited only to residential improved that that surplus gets remitted. And as a matter of fact, it's incumbent upon former owner to demonstrate owner occupancy. If they've got multiple residences that they were using for rental processes and things like that, we sell it, we keep it. Whatever the, you know, offer is out there.

So I would say to you, Legislator Calarco, in fact -- actually I believe appraisal may have some relevance for us when we look at these. I agree with you, there's no desire, I think, on the part of the sponsor or for that matter certainly not me, to have Division of Real Estate engage in undertaking appraisals wantonly or frivolously. But we don't -- look. Every day we turn around we hear about, you know, our dire economic circumstances. I think the market value associated with the property, whether we are conveying it to a town, village or we're going to make a decision to put it on the inventory is relevant.

**CHAIRMAN D'AMARO:**

Right. Legislator Kennedy, just for informational purposes, Counsel, George, looked up the provision and you are absolutely right. It's only in the case of an owner occupied residence where there's the potential to give back the excess to the prior owner. They have to establish five year owner occupancy.

**LEG. KENNEDY:**

Right. You know, to the extent we're dealing with that, Legislator Calarco, I agree, but that's a limited subset of the broad arrays of properties. I think -- I would make a motion to go ahead and approve the bill, but in the alternative, and I don't know whether it will get a second or not, but I would ask, you know, the department to communicate with the sponsor, because I am -- I would want all the information that's identified in here. And I think that it's something that, you know, those of us who have sat at the committee for a while, I think Legislator Calarco's right. We ask these questions all the time, what's the boundaries, what's the underlying zoning, what's the proximity to, you know, the balance in the neighborhood. At some point we need to make an informed decision how we're going to dispose of it.

**CHAIRMAN D'AMARO:**

Okay. Let me ask you a question, Jill. The 72-h process usually is being used if we're conveying down to let's say a town for road purposes, drainage purposes or for workforce housing purposes. That's generally how we use this program to another municipality. Is that correct?

**MS. ROSEN-NIKOLOFF:**

Correct.

**CHAIRMAN D'AMARO:**

Right. Now, when -- what initiates that process? Is it the towns usually coming to the County or is that we are analyzing what we have in our portfolio and going to the towns.

**MS. ROSEN-NIKOLOFF:**

Right. Well, on the 72-h for municipal purposes generally the town will approach us with respect to a property, but on the affordable housing side it's more of a proactive conversation that I have with the municipalities and the non-profits if there's a parcel that we think might be suitable for affordable housing.

**CHAIRMAN D'AMARO:**

Okay. Let me ask you this now, and you have been doing this for quite some time. When you're looking at the parcels for workforce housing purposes, is one of your considerations ever what would be the value of this property? Are you analyzing it from that perspective?

**MS. ROSEN-NIKOLOFF:**

Yes.

**CHAIRMAN D'AMARO:**

You are.

**MS. ROSEN-NIKOLOFF:**

Yes. We definitely take a look at it and what it might be worth. We can pretty much --

**CHAIRMAN D'AMARO:**

And what -- that's part of the analysis to decide whether to actually put it through 72-h or maybe put it to auction? What's the purpose of thinking that through.

**MS. ROSEN-NIKOLOFF:**

It's mostly for my informational purposes. I treat the transfer of the properties as an asset of the County, so -- and I treat it as a subsidy for affordable housing. So instead of an outright payment we are giving them a piece of property. What's that property worth? That has a value to the application of affordable housing. So I like to factor that in.

**CHAIRMAN D'AMARO:**

Okay. Now, I understand that. Is there -- would it enter into your thinking and decision making that if the appraisal comes in at a certain number perhaps on the higher end rather than the lower end, that you would not proceed with a 72-h transfer?

**MS. ROSEN-NIKOLOFF:**

Not from my perspective. I would be concerned as to how that would be assessed here around the horseshoe.

**LEG. D'AMARO:**

Right. Right.

**MS. ROSEN-NIKOLOFF:**

But not from my perspective. And, frankly, given the properties in the areas that we tend to transfer, the value of that is not going to be significant in any case.

**CHAIRMAN D'AMARO:**

Now, you said you do consider the cost -- the value of the property. What are you doing, ballpark figuring? I mean --

**MS. ROSEN-NIKOLOFF:**

Yeah, I will speak with our Chief Appraiser and that kind of thing.

**CHAIRMAN D'AMARO:**

Okay. So there is some level of contemplation or analysis going on as to value right now in this program.

**MS. ROSEN-NIKOLOFF:**

Oh, yes, definitely. As I said, you know, we treat these as County assets.

**CHAIRMAN D'AMARO:**

Okay. Who would do the appraisal? If this bill were to pass, who would do the appraisals?

**MS. ROSEN-NIKOLOFF:**

We would most likely try and do it in-house, but I must say that with cuts in staff we're already -- we have two appraisers on staff. They're already quite burdened. We've taken in-house direct sales that we used to go outside for, so there's not a lot of room to take on additional work there.

**CHAIRMAN D'AMARO:**

Okay. Because the bill now mandates that it be done in-house. Oh, I'm sorry, it's not? It says the Division -- Real Property will use in-house staff to the fullest extent possible. I stand corrected.

**MS. ROSEN-NIKOLOFF:**

It also, you know, tags a cost on to the affordable housing in a time when subsidies all around are being cut. We'd be asking the developers of affordable housing to pick up that tab and, you know, it is somewhat problematic.

**CHAIRMAN D'AMARO:**

I don't necessarily disagree that if we're going to be voting on these conveyances that we should not have as much information as possible, and I agree with Legislator Kennedy in that regard. However, is it going to make a difference, I mean, to create more work now for your department and at the end of the day we're not really impacting the program at all. I mean, what's your feel on that.

**MS. ROSEN-NIKOLOFF:**

I agree with your sentiments there. It's not really going to deter this department from making the presentation to this committee or the Legislature.

**CHAIRMAN D'AMARO:**

Right.

**MS. ROSEN-NIKOLOFF:**

I don't think it impacts the determination. I think it would be nice to know, we do ballpark it. I do not think that we should take on additional staff time and cost for it. There's no -- the benefit is not there.

**CHAIRMAN D'AMARO:**

I mean, think about it. Let's say that you, through your work in your department, determined this parcel, parcel A, should go into the Workforce Housing Program and be 72-h to a town. And it comes here and then we look at the appraised value and we'd say, "Well no, you know, it's valued high" whatever it's going to be. We would then be in effect pulling it out of that program and putting it to auction instead.

**MS. ROSEN-NIKOLOFF:**

That is correct.

**CHAIRMAN D'AMARO:**

Right, right. So that could have an impact on the program, you know, maybe it's -- I mean, I appreciate that you're making that initial analysis, but I'm not so sure that by the time it gets to here that we want to start picking out parcels. I mean, how many do we do in a year, roughly.

**MS. ROSEN-NIKOLOFF:**

Well, because we do scrutinize them pretty well and we don't transfer them without consideration, it's not that many anymore. I mean, last year in 2012 it was 12 that came through the Legislature. The year before that it was 11, and prior to that it was only six.

**CHAIRMAN D'AMARO:**

Right. Okay. All right. Legislator Stern.

**LEG. STERN:**

Thank you, Mr. Chairman. When you cite those numbers, are those numbers that you're citing strictly for affordable housing purposes or is that overall.

**MS. ROSEN-NIKOLOFF:**

Strictly affordable housing.

**LEG. STERN:**

Okay. How many other -- can you estimate what the other number is, 72-h transfers not for affordable housing purposes.

**MS. ROSEN-NIKOLOFF:**

I cannot. Hold on one second. Wayne, would you have that number by any chance? I can get back to you because I don't have that number with me, but it's probably equivalent is what I'm told by my staff.

**LEG. STERN:**

I'm sorry?

**MS. ROSEN-NIKOLOFF:**

I don't have the number. We can get back to you, but I just asked Mr. Thompson and he indicated that it's probably equivalent.

**LEG. STERN:**

So about another 12.

**MS. ROSEN-NIKOLOFF:**

Yes, something like that.

**LEG. STERN:**

Okay. I mean, I see two very different things going on here. My first question is at what point, if there is a determination made that there's going to be a 72-h transfer, whether it's for affordable housing purposes or for other purposes that it's going to be used by a municipality. If there was this type of a requirement, at what point would you do the appraisal in the process?

**MS. ROSEN-NIKOLOFF:**

As soon as we knew that we were interested in making the transfer and certainly before we submitted the resolution.

**LEG. STERN:**

Okay. So you know the purpose, you know the purpose before you do the appraisal. You're not doing the appraisal and then determining maybe there might be a purpose. It's only going to come when there's been an identified purpose. Whether it's on the affordable housing side, for whatever reason, or on the transfer for municipal purposes reason you know what the purpose is going to be before you do the appraisal.

So aren't we really talking about two very different things? I might tend to agree with Legislator Kennedy's point on the affordable housing side of it, but as to Legislator Calarco's point, I mean, so many of the other half, roughly the equivalent of these transfers, are for some right-of-ways and other, you know, reasons why the town is going to use them, where we're strictly making a policy decision that it's going to be used for those purposes. I suppose we want as much information as possible, but is there really as much relevance as to the fair market value for those transfers as there might be for others. So doesn't perhaps the better answer lie in taking another look at this and maybe there's room for this type of additional information on those kind of transfers as opposed to others.

**LEG. KENNEDY:**

Mr. Chair, if I can respond, and I think, Legislator Stern, you're right. My questions, my concern and what I'm looking at here is a theme that we've looked at in a variety of iterations, including a bill that the Chairman put forward a couple of years ago, then looked at lots that the County takes through tax default that may be deemed buildable, that we either transfer down to the towns for the towns to go ahead and put forward in their affordable housing program, or we elect to put out there.

Now, perhaps what I may suggest to the sponsor then is, and I would encourage him to do this with you folks, that he put some in some min. A 20 foot gauge strip as you and I know real well, never going to have a house on it, and quite frankly doesn't need to go ahead and be appraised, although we do have to deal with appraisals and things like that as far as conveyances go. I'd go so far as to say absolutely, we should probably be relieving ourselves of those responsibilities while we get to things. Clearly there is no way it's ever going to be something that can be improved. It is only going to be either disposed of for convenience or to relieve the County of responsibility and liability, which can be expensive as you know, or to assist whatever it's going to be, a fire district, a library, a village, anybody else. And as we approach something that has, and I don't want to get into what we tried to negotiate in the past although I commend the Chairman, because a skillful attorney can get parcels deemed buildable, and in fact houses go on them. And we talk constantly about, you know, young people moving off the Island and a need to go ahead and give our veterans an opportunity for homes, you know, to come back to after having served overseas. So I do feel from a policy perspective that's a policy we need to continue to look at, to support and to implement.

So the divide perhaps maybe comes in putting in some type of a either meet and bounds or square footage threshold upon which you'll be relieved of any of these kind of requirements. But if all we looked at was 12 last year, you know, and this -- not to minimize the workload for Fred or anybody else. Your appraisers do an outstanding job, but I don't think, you know, 10 or 11 or 12 appraisals,

or if we looked at that inventory, maybe half of them wouldn't even come close to buildable. Half a dozen appraisals isn't going to kill them. It's not going to put them over the edge, and yet it's going to facilitate our ability to at least look at and make an informed decision.

I don't want to beat a dead horse, we have a long agenda. I'll withdraw the motion, you know, to approve, but I am going to suggest I'm going to take this to the sponsor, I'm going to ask the sponsor to go ahead and work with you and I really do think in our next cycle there's some value and merit with this bill. Thank you.

**CHAIRMAN D'AMARO:**

Thank you, Legislator Kennedy. You're going to talk with the sponsor. You know, we'll table the bill today, but I think that, you know, we're on the right track here. Certainly it doesn't make sense to appraise every parcel, but if there's some kind of cut off --

**LEG. KENNEDY:**

Absolutely.

**CHAIRMAN D'AMARO:**

-- it will cut down work, it will give us the information we need on the larger parcels, and I think we can find a nice compromise there. All right. There is a motion pending, it has received a second to table. I'll call the vote. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

**Introductory Resolutions**

All right. The next section on the agenda are Introductory Resolutions. The first -- and there's a lot of resolutions coming up that are going on to the Consent Calendar, so please bear with me.

The first is Resolution Number **1024-13 - Authorizing certain technical corrections to the 2013 Adopted Operating Budget for Gallery North, Inc. Wet Paint Festival (Hahn)**. I'll offer a motion to approve and place on the Consent Calendar.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

Resolution **1028-13 - Authorizing certain technical correction to Adopted Resolution No. 1135-2012 (Co. Exec.)**. I'll offer the same motion, same second, and without objection, same vote. **(Vote: 5-0-0-0)**

Resolution **1029-13 - Authorizing certain technical correction to Adopted Resolution No. 1099-2012 (Co. Exec.)**. Same motion, same second, same vote. **(Vote: 5-0-0-0)**

Resolution **1040-13 - Authorizing the transfer of certain properties to Suffolk County Department of Parks, Recreation and Conservation (Co. Exec.)**.

**LEG. KENNEDY:**

What is this?

**MR. NOLAN:**

Sixty-five acres.

**CHAIRMAN D'AMARO:**

Okay. This is a series of properties being conveyed to the Parks Department, 65.9 acres made up of various parcels. We have a list of them here. I'm going to offer a motion to approve. Is there a second?

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Stern. Is there anyone here from Parks that would like to address this bill? Conveyance over to the Parks Department; what's the purpose? They're already in County hands, so.

**MR. VAUGHN:**

Good morning, Legislator D'Amaro. No, the Parks Department is not here today, however, we did bring Real Estate. And I have spoken with the Commissioner of Parks and his staff in Real Estate have been working together on this resolution and we have Real Estate here to explain what the purpose of conveying those parcels.

**LEG. D'AMARO:**

Great. Thank you. Thanks, Tom.

**MS. ROSEN-NIKOLOFF:**

These parcels are in the core, the Pine Barrens core --

**CHAIRMAN D'AMARO:**

I don't think you're on the mic.

**MS. ROSEN-NIKOLOFF:**

These parcels are in the Pine Barren core and so as a matter of course and in consultation with our Planning Department and our Parks Department we transfer them there for -- where they keep them.

**CHAIRMAN D'AMARO:**

Legislator Stern?

**LEG. KENNEDY:**

Do we own them already?

**CHAIRMAN D'AMARO:**

Yeah, I think so.

**LEG. KENNEDY:**

So we're just changing the status.

**MS. ROSEN-NIKOLOFF:**

Yes.

**LEG. CALARCO:**

We're making them unbuildable.

**LEG. KENNEDY:**

What happens with the development credits?

**MS. ROSEN-NIKOLOFF:**

They remain on the parcels.

**LEG. KENNEDY:**

So we own them now in general holding purpose and they have a development credit on it. We're flipping them into Parks. We're going to continue -- we'll still have the benefit of holding whatever that aggregate of the development credits are, but now they'll be with Parks.

**MS. ROSEN-NIKOLOFF:**

Correct.

**MS. HALLORAN:**

If I may. I had just questioned the department on that and it's my understanding at least that because it's Pine Barrens core, that there aren't development credits on it because they can't be built upon. That was my understanding from my contact in the department.

**LEG. KENNEDY:**

Though the Chair. Yes, you are correct in the core, unless you have extreme relief you can't do any improvement or development, but nevertheless the property does have -- help us out here, what's going on.

**MS. ROSEN-NIKOLOFF:**

They do have development rights, we just don't assess them and take them off for other purposes, so they remain attached to the fee.

**LEG. KENNEDY:**

We have them sitting in a shelf for some potential use in the future?

**MS. ROSEN-NIKOLOFF:**

No, they stay with the property, whatever the value is. They're not segregated, stripped, harvested and stored for development in other areas. I believe that's required by New York State law because they're in the core.

**LEG. KENNEDY:**

Okay, but my recollection -- and maybe I'm confused. My recollection at a recent meeting on the fourth floor, which is confidential in nature, there is some discussion about the fact that a Pine Barrens credit has a value of what, 75 to 80 grand, I believe. Wasn't it, Janet?

**MS. ROSEN-NIKOLOFF:**

I'm going to let Janet address that, okay?

**MS. LONGO:**

These properties are in the Core Pine Barrens and we took them by tax deed.

**LEG. KENNEDY:**

Okay.

**MS. LONGO:**

We took the full fee interest by tax deed. Pine Barrens credits are separate animals. In order to get a credit you need to put a conservation easement on it to get a Pine Barrens credit certificate that can be sold, it's consideration, can be sold to a developer, and they can only land in certain receiving areas in each town, and it's all spelled out in the Pine Barrens plan.

**LEG. KENNEDY:**

What's a Pine Barrens credit go for these days.

**MS. LONGO:**

It's different prices in different towns, but in the Pine Barrens plan, in the law, Section 6.3.3.1 I think it is, it states that no allocation can be made for any property owned by or held by a public agency, municipal corporation or governmental subdivision, including property held by reasons of tax default. Pine Barrens credits and the TDR can only be used for private land owners. The purpose and intent of the Pine Barrens Law was for the government to purchase full fee for drinking water protection, not just redirect development wherever. Only a limited amount of Pine Barrens credits can be turned into credits and land in a receiving area. So the bottom --

**CHAIRMAN D'AMARO:**

So in the case where a municipality is taking title you're pretty much wiping out the credit, but if it was a private owner you'd have the opportunity to capitalize on your property by selling the credit.

**MS. LONGO:**

That's correct, yes.

**CHAIRMAN D'AMARO:**

Okay.

**MS. LONGO:**

Whether we purchase it or take it by tax default, if it's in a government agency, even somebody like TNC, you know, if it's purchased for preservation credits cannot be stripped from them.

**LEG. KENNEDY:**

Is it the mere fact that we took it by tax default, Janet, or is it the fact that now we're going to -- we just got approval on the land bank. The land bank is basically a separate entity to handle various types of properties that are challenged properties. Has the credit extinguished in value just by virtue of the fact we took a tax default or is it still attached at this point?

**MS. LONGO:**

No, it gets extinguished.

**LEG. KENNEDY:**

It's gone.

**MS. LONGO:**

Yep. It's gone.

**LEG. KENNEDY:**

So we're not eliminating hundreds of thousands of dollars worth of potential value, we don't have it. The moment we took it we didn't have it.

**MS. LONGO:**

That's correct. I took it upon myself out of curiosity to look at this list, and some of them already had the Pine Barren credits stripped off, so what we took was the underlying fee by tax default. A couple of them, six of them, are in overlays and they wouldn't be eligible for Pine Barrens credit anyway because they don't have clear title. The large one, the 57 acres, is in an overlay, so even if it's in the core Pine --

**LEG. KENNEDY:**

What do you mean overlay? You mean its got multiple tax map numbers?

**MS. LONGO:**

Yeah.

**LEG. KENNEDY:**

Did it change?

**MS. LONGO:**

It's got multiple ownership.

**LEG. KENNEDY:**

Dual trades, dual change of title.

**MS. LONGO:**

It's got -- it doesn't have clear title. It's on an overlay map, so in order to be eligible for Pine Barrens credit it has to have clear title. So many of these don't have clear title. They wouldn't be able to get a credit anyway.

**LEG. KENNEDY:**

If there's no value with it and all we're doing is just transferring it and putting it into a category where it can't be built up and it's got no underlying value, that's fine. Okay. Thank you.

**CHAIRMAN D'AMARO:**

So taking -- looking at that 57.8 acre parcel, what's the policy driving it. What policy is driving, putting it into Parks as opposed to just keeping it where we have it now, title wise.

**MS. LONGO:**

Well, title wise we took it for a tax deed, so it's held in Real Estate, still owned by the County, but it's in the core Pine Barrens. We own all the property around it. Everything that we purchase for preservation we transfer it to the Parks Department because they manage it. Real Estate doesn't manage the land, we just kind of hold it until we can transfer it.

**CHAIRMAN D'AMARO:**

Okay. Deputy Presiding Officer Horsley. Go ahead, please.

**D.P.O. HORSLEY:**

Hi, good morning. I just wanted to -- are there any improvements to any of these properties or any houses on these?

**MS. LONGO:**

No. These are all vacant core Pine Barrens properties.

**D.P.O. HORSLEY:**

They are all empty property, okay. Yeah, I know, but I just didn't know if there were past old houses that are hanging about.

**MS. LONGO:**

No.

**D.P.O. HORSLEY:**

Okay. Good. Thanks.

**CHAIRMAN D'AMARO:**

All right. Any other questions? Okay, Janet. Thank you.

**MS. LONGO:**

You're welcome.

**CHAIRMAN D'AMARO:**

Is there a motion pending?

**MR. SCHILLING:**

There is a motion and a second to approve.

**CHAIRMAN D'AMARO:**

All right. Motion pending to approve, it has received a second. I'll call the vote. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

Resolution **1051-13 - Authorizing a certain technical correction to Adopted Resolution No. 1147-2012 (Co. Exec.)**. I've been advised by Counsel that there's a correction needed on this resolution, so I'll offer a motion to table.

**LEG. CALARCO:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Calarco. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

Resolution **1052-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act David Presto and Lori Ann Presto, husband and wife (SCTM No. 0200-975.40-05.00-024.000)(Co. Exec.)**. I'll offer a motion to approve and place on the Consent Calendar.

**LEG. CALARCO:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Calarco. All in favor? Opposed? Abstentions? Motion carries. **(Vote 5-0-0-0)**

Resolution **1053-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Marco G. Bitetto and Irene H. Bitetto, his wife (SCTM No. 0800-112.00-04.00-041.000)(Co. Exec.)**. I'll offer the same motion, same second, same vote. Approved and placed on the consent calendar. **(Vote: 5-0-0-0)**

Resolution **1054-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act La Ruth Henry a/k/a La Rue Henry (SCTM No. 0500-189.00-01.00-003.002)(Co. Exec.)**. I'll offer the same motion, same second, and same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1055-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thomas W. Casey, Jr. (SCTM No. 0200-054.00-01.00-010.000)(Co. Exec.)**. Same motion, same second, same vote.

Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1056-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John Johanson (SCTM No. 0200-073.00-06.00-004.000)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1057-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Ernest E. Wilson and Robin Kreisberg, as joint tenants with rights of survivorship (SCTM No. 0204-017.00-06.00-025.000)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

**1058-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Wyandanch PO, LLC (SCTM No. 0100-011.00-01.00-003.002)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1059-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Stephen Gumbs and Claudia Gumbs, his wife (SCTM No. 0200-121.00-02.00-027.000)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

**1060-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Estate of Gaetana M. Rattazzi (SCTM No. 0400-150.00-03.00-049.000)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1061-2013 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Meadow Farm Estates, LLC (SCTM Nos. 0500-424.00-01.00-051.006, 0500-424.00-01.00-051.008, 0500-424.00-01.00-051.009)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1062-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Robert A. Lund and Patricia Lund, his wife (SCTM No. 0204-006.00-01.00-001.000)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1063-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act George Deabold and Amy Deabold, his wife (SCTM No. 0500-253.00-02.00-080.000)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1064-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Cynthia Riddick (SCTM No.0904-001.00-01.00-007.001)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1065-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Dale Robert Javino (SCTM No. 0900-258.00-05.00-025.000)(Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1066-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Estate of June Donovan (SCTM No. 0500-247.00-01.00-076.000) (Co. Exec.)**. Same motion, same second, same vote. Approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

Resolution **1067-13 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Kammerer, LLC (SCTM No. 1001-004.00-02.00-029.000) (Co. Exec.)**. Same motion, same second, same vote. **(Vote: 5-0-0-0)**

Next is Resolution **1072-13 - Authorizing the County Clerk to file an application for additional state mortgage tax reimbursement (Pres. Off.)**. This is one of the bills Ms. DeLuca spoke to at the beginning of the meeting. I'll offer a motion to approve.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

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

Next is Resolution **1073-13 - Appropriating funds in connection with upgrading of the Court Minutes Application (CP 1681) (Pres. Off.)**. Again I'll offer a motion to approve. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

Resolution **1074-13 - Appropriating funds in connection with the Optical Disk Imaging System (CP 1751) (Pres. Off.)**. I'll offer a motion to approve. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

Resolution **1075-13 - Adopting Local Law No. -2013, A Local Law to revise Suffolk County's Financial Disclosure Statement (Pres. Off.)**. Requires a public hearing. I'll offer a motion to table. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

Resolution **1092-13 - Authorizing certain technical corrections to the 2013 Adopted Operating Budget for Gallery North, Inc. (Hahn)**. I'll offer a motion to approve and place on the Consent Calendar. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

Resolution **1112-13 - Authorizing certain technical corrections to Adopted Resolution No. 1183-2012 (Co. Exec.)**. Same motion, same second, and without objection, same vote. **(Vote: 5-0-0-0)**

Resolution **1120-13 - Authorizing certain technical corrections to Adopted Resolution No. 947-2012 (Co. Exec.)**. Same motion, same second, same vote. **(Vote: 5-0-0-0)**

Resolution **1126-13 - Approving list of Title Insurance Companies as designated by the Division of Real Property Acquisition and Management (Co. Exec.)**.

**LEG. KENNEDY:**

On the motion, Mr. Chair. Well, I'll make a motion to approve, but if I can then --

**CHAIRMAN D'AMARO:**

I'll second.

**LEG. KENNEDY:**

Just through the Chair. I don't have the resolution in front me, I guess so to the department how many companies do we have that are going to be on the list and did we go through a -- what process did we get to assemble the list, Jill?

**MS. ROSEN-NIKOLOFF:**

We now have 11 title companies that we're asking you to approve for the list, and we sent out a letter to them and asked them to qualify themselves through certification, licensing and good standing with the State of New York.

**LEG. KENNEDY:**

Well, that's good for those 11, but did we send a letter to anybody else?

**MS. ROSEN-NIKOLOFF:**

No, we were satisfied with the list, the ten that we used previously, so we recertified them, and we happened to get two inquiries from other companies and they passed the test and we're asking you to add them to the list. We are not required to procure this or advertise this if that's what you're getting at.

**LEG. KENNEDY:**

Actually I need to go to the Chair, because I recall didn't we actually pass some legislation that required the department to at least do some open solicitation? That was a couple years ago, wasn't it, Lou?

**CHAIRMAN D'AMARO:**

Well, certainly I recall that we needed to go into approving a list and having the assignments revolving on the list, but I don't recall the actual vetting process or whether or not did they have to proactively reach out to all title companies or some title companies. I just don't recall. Maybe Counsel can take a look at that.

**LEG. KENNEDY:**

Nor do I. What do you see, George?

**MR. NOLAN:**

Give me a moment.

**LEG. KENNEDY:**

Okay.

**CHAIRMAN D'AMARO:**

Or, Jill, if you know.

**MS. ROSEN-NIKOLOFF:**

It's Resolution 653-2010, George, if that helps.

**CHAIRMAN D'AMARO:**

And what responsibility did that impose on the department in coming up with a list?

**MS. ROSEN-NIKOLOFF**

It essentially says that the Director of Real Estate will designate a minimum of ten title companies,

and so I've designated 11.

**CHAIRMAN D'AMARO:**

Okay. And is that required for annual approval or is it just when you want to change the list that it comes back here.

**MS. ROSEN-NIKOLOFF:**

Every two years.

**CHAIRMAN D'AMARO:**

Every two years.

**LEG. KENNEDY:**

Okay. And the revolving process for assignment occurs too? I mean, I know that different companies have different levels of capability and they have different levels of insurance, so you don't take a hundred acre transaction and give it to, you know, postage stamp title. I understand that part. But is there some process of revolving assignment.

**MS. ROSEN-NIKOLOFF:**

Yes. We follow the requirement to go through revolving basis.

**LEG. KENNEDY:**

Who are your big ticket insurers?

**MS. ROSEN-NIKOLOFF:**

What do you mean by big ticket?

**LEG. KENNEDY:**

For large transactions. Are you working with Chicago, you working with Fidelity, you working with --

**MS. ROSEN-NIKOLOFF:**

Yes, yes and yes. But we have to rotate the list so we don't always get to, you know, we don't match up the title company with the acquisition necessarily, although that probably would be a more efficient way to proceed.

**LEG. KENNEDY:**

Let's agree to disagree there. Okay. As long as we've gotten some range and we're having some revolving process, that's fine.

**CHAIRMAN D'AMARO:**

Jill, there are abstract companies and there are also insurers on this list, is that correct?

**MS. ROSEN-NIKOLOFF:**

Yeah, that's correct. Yes.

**CHAIRMAN D'AMARO:**

The insurers look like Chicago Title, Fidelity, I believe is an insurer.

**MS. ROSEN-NIKOLOFF:**

Exactly.

**CHAIRMAN D'AMARO:**

Yeah. Are those the only two?

**MS. ROSEN-NIKOLOFF:**

Yes.

**CHAIRMAN D'AMARO:**

Okay. And generally speaking, in the last two years the department's experience with all of these title companies has been sufficient and to your satisfaction?

**MS. ROSEN-NIKOLOFF:**

Yes.

**CHAIRMAN D'AMARO:**

Okay. All right. Any other questions? Okay. There's a motion pending to approve. It has received a second.

**MR. SCHILLING:**

No second.

**CHAIRMAN D'AMARO:**

I'll second. Okay. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**

***1130-13 - Consenting to the acquisition of additional land at Sea Breeze Avenue, Town of Southampton, County of Suffolk, State of New York, by the Westhampton Cemetery Association for cemetery expansion purposes (Schneiderman).*** I'll offer a motion to approve.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 5-0-0-0)**. That completes the Introductory Resolutions portion of the agenda. Mr. Vaughn, did you want to add something?

**MR. VAUGHN:**

Legislator D'Amaro, I apologize. Mr. Nolan, I thought that at the beginning of the meeting you said that one of our technical corrections needed to be tabled and I thought that we might have inadvertently adopted it. Did I --

**MR. NOLAN:**

We tabled it.

**CHAIRMAN D'AMARO:**

We tabled it.

**MR. VAUGHN:**

Now I really embarrassed myself and I apologize for the interruption.

**CHAIRMAN D'AMARO:**

That's okay.

**MR. VAUGHN:**

Thank you very much.

**CHAIRMAN D'AMARO:**

All right. So I'll offer a motion to go into Executive Session for the purposes of considering possible settlement of pending litigation. Second by Legislator Stern. All in favor? Opposed? Abstentions? The committee is now in Executive Session and we will come back on the record in just a few moments. Thank you.

*(An Executive Session was held from 10:58 a.m. to 12:02 p.m.)*

**CHAIRMAN D'AMARO:**

Okay, back on the record from Executive Session. The committee has voted to settle three cases as follows: Melissa Salcedo against the County of Suffolk; the second case is Christopher Bergianti as Administrator of the Estate of Gabriel Bergianti and Christopher Bergianti, Individually against the County of Suffolk, et al; and the third case is Gage Kenneth Albrecht, an Infant under the age of 14 by his Mother and Natural Guardian, Sheri Grella, and by Sheri Grella, as the duly appointed Limited Administrator of the Estate of John Albrecht, Deceased against the County of Suffolk, et al. Those three cases the committee has voted to settle.

No further business before the committee, we are adjourned. Thank you for your patience.

*(The meeting was adjourned at 12:30 p.m.)*

{ } Denotes Spelled Phonetically