

**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, September 4, 2013.

**MEMBERS PRESENT:**

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

**ALSO IN ATTENDANCE:**

George Nolan - Counsel to the Legislature  
Renee Ortiz - Chief Deputy Clerk of the Legislature  
Justin Litell - Aide to Legislator D'Amaro  
Paul Perillie - Aide to Legislator Gregory  
Debbie Harris - Aide to Legislator Stern  
Greg Moran - Aide to Legislator Nowick  
Robert Lipp - Deputy Director - Budget Review Office  
Sharen Wagner - Budget Review Office  
Tom Vaughn - County Executive's Office  
Sarah Lansdale - Suffolk County Director of Planning  
Wayne Thompson - Department of Environment and Energy  
Rick Brand, Newsday  
All other interested parties

**MINUTES TAKEN BY:**

Gabrielle Severs - Court Stenographer

*(\*The meeting was called to order at 10:08 a.m. \*)*

**CHAIRMAN D'AMARO:**

Good morning. Good morning, ladies and gentlemen, and welcome to the Ways and Means Committee of the Suffolk Legislature. Please rise and join the committee in the Pledge of Allegiance led this morning by Legislator Rob Calarco.

*(\*Salutation\*)*

Okay. There will be an executive session immediately following the public portion of the committee meeting today. Also, we have received -- we, the committee, have received correspondence from Adam B. Grossman, attorney at law. That correspondence is dated August 9, 2013, and it relates to Resolution Number 1581. That'll be included in the record.

Next portion of the agenda are public comments. To the clerk, are there any cards this morning?

**MR. SHILLING:**

No.

**CHAIRMAN D'AMARO:**

There are no cards. Is there anyone present who would like to address the Ways and Means Committee this morning? For the record, there is no response.

Turn to **Tabled Resolutions**. Calling the first is **1182 of 2013, Adopting Local Law No. -2013, A Charter Law to strengthen legislative oversight and public participation in lawmaking process**. I'll offer a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

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

The next resolution is Resolution Number **1252 of 2013, Amending the 2013 Capital Budget and Program and appropriating funds in connection with decommissioning and demolition of County facilities and authorizing transfer of property to the Department of Parks, Recreation and Conservation (CP 1665) (Kennedy)**.

**LEG. KENNEDY:**

Mr. Chair.

**CHAIRMAN D'AMARO:**

That's Capital Project 1665. Legislator Kennedy.

**LEG. KENNEDY:**

Yes. Good morning, and thank you for extending the accommodation of the chair. We've invited Deputy Commissioner Berdolt from Public Works. As you know, this resolution concerns the ongoing saga with The Bavarian Inn. Before I make the motion, if I can through the chair, ask Mr. Berdolt to come and just update us and brief us on what the current disposition is about the plan to demolish; and Mr. Vaughn has some important information from the administration as well.

**CHAIRMAN D'AMARO:**

Okay. Very good. Gentlemen, welcome, good morning, and please go ahead, Legislator Kennedy.

**LEG. KENNEDY:**

Well, thank you, Mr. Chair. So, Phil, can you tell us, there's a series of steps we needed to undertake in preparation. We had earlier on thought that we might be down by Labor Day, but there are a few steps that we needed you folks to take, also steps we'll be taking. Legislative Counsel is actually drafting resolution regarding the SEQRA determination on this, but you can just update us on where we're at with the application for the DEC demolition permit and the estimated timeline for actual demolition of the property.

**MR. BELDOLT:**

Because of our proximity to wetlands, we needed a DEC permit for demolition. That has been submitted and it also has been granted. It's in the mail, as they say. Right now, we're waiting to receive it, but it has been issued. The next step is also SEQRA. We did do a presentation to the committee that was accepted and approved, and now it has to be approved by the Leg.

**LEG. KENNEDY:**

My understanding with conversation is, and I've asked legislative counsel to go ahead and prepare the resolution, ratifying or adopting the neg. dec. recommendation by CEO, and I'm hoping that the administration will assist us by introducing a CN at our meeting next Thursday that allow us to go ahead and actually adopt that resolution.

**MR. VAUGHN:**

So I guess that's the part that I can add to this, which is yes, we will be doing that.

**LEG. KENNEDY:**

Very good. Thank you. How quickly, gentlemen, after we get those two administrative steps done do you think we'll be able to have it down? Because I talked to, easily, 40 to 50 constituents on Sunday at Ronkonkoma Day. People, you know, are now starting -- they want a countdown clock for when this thing is coming down.

**MR. BERDOLT:**

Also, because of the -- we did an asbestos hazardous material of the content of the building, and we did determine that there was asbestos in the building, and that has to be abated. Our contractor is getting ready to start the work. Obviously, we cannot start until the CN is approved, and then we'll get on that directly. There were two locations where asbestos was found in the kitchen and also on some plaster walls throughout the building. Once they get in there and they do their abatement, then we'll be able to immediately get in there and start on the demolition process. Because of the asbestos, we did have to notify the Department of Labor. We did a notification to them, 10-day notification to the State, also to Department of Labor. Then also we need a variance, which was filed two weeks ago, and we're still waiting to hear back from them, but that should be within the day or two.

**LEG. KENNEDY:**

And that variance is coming from what: Our state department of labor, our local county department of labor?

**MR. BERDOLT:**

New York State Department of Labor. Okay. And it kind of goes along with many of the other things that we've talked about; obviously, removal of the asbestos will go further towards improving the surroundings. Kind of is right in line with eliminating what has been a known point for illicit

conduct, loitering, illegal activities, and, quite frankly, something that's just sat there deteriorating for the better part of six and a half or seven years now as an eyesore. So that follows inline with the general recommendation from our CEQ, and I thank you for taking those additional steps. So is it safe to say we're down by the end of September?

**MR. BERDOLT:**

As long as all the permitting is in place, absolutely.

**LEG. KENNEDY:**

Good. I'll be on the phone as soon as this meeting concludes.

**MR. BERDOLT:**

That would be great. Thank you.

**LEG. KENNEDY:**

All right, Mr. Chair, based on that report, then I'm prepared to go ahead and make a recommendation to table this resolution. And again, I thank the administration for the additional specific steps they're taking to achieve this outcome.

**CHAIRMAN D'AMARO:**

Okay. That's a motion to table. I'll second. All in favor? Opposed? Abstentions? Motion carries. **Tabled (VOTE: 5-0-0-0).**

Gentlemen, thank you very much for the update. Appreciate it.

**1292 of 2013, Instituting a six-month moratorium on Requests for Proposals (Kennedy).**  
Legislator Kennedy.

**LEG. KENNEDY:**

I'll make a motion to table, Mr. Chair.

**CHAIRMAN D'AMARO:**

Motion to table. Second by Legislator Nowick. All in favor? Opposed? Abstentions? Motion carries. The resolution is **tabled. (VOTE: 5-0-0-0).**

**Resolution 1561 of 2013, Adopting Local Law No. -2013 A Local Law Adopting a New Chapter in the Suffolk County Code to codify certain fees to be collected by the Traffic and Parking Violation Agency, as approved in the Operating Budget.** Okay. This is going to be codifying the administrative fees for the new violations agency that was already part of the budget, so I guess we just need to get it into the code at this point. I'll offer a motion to approve.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

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

Section Six of the agenda, ***Introductory Resolutions.***

**1571 of 2013, Authorizing certain technical correction to Adopted Resolution No. 107-2012 (County Executive).** This changes a project number in the resolve clause. I'll offer a

motion to approve and place on the consent calendar. Go ahead.

**MR. VAUGHN:**

I apologize, Legislator D'Amaro. We actually have to ask for a tabling on this. Budget Review had a question that I was unable to answer this morning.

**CHAIRMAN D'AMARO:**

That's fine. I'll offer a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

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

**Resolution 1575 of 2013, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Anthony J. Frazzitta and Teresa Frazzitta, his wife (SCTM No. 0800-027.00-07.00-004.003) (County Executive).** This is an irregularly-shaped landlocked parcel in Kings Park appraised for \$600 and sold for \$801. I'll offer a motion to approve. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. ***Approved*** **(VOTE: 5-0-0-0)**

**Resolution 1576 of 2013, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Stephen Panzini and Cheryl Panzini, husband and wife (SCTM No. 0800-099.00-01.00-027.000) (County Executive).** Another irregularly-shaped landlocked parcel in Smithtown, appraised for \$1100 and sold for 1300. I'll offer a motion to approve. Second by Legislator Stern All in favor? Opposed? Abstentions? Motion carries. ***Approved*** **(VOTE: 5-0-0-0)**

**Resolution 1577 of 2013, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Marc Helie (SCTM No. 0300-152.00-02.00-022.000) (County Executive).** This is a small parcel in East Hampton appraised for \$10. Ten dollars? Is that right? And sold for 120,000. It's 1 foot by 1,885 feet long, and I believe it was a parcel that gives access to waterfront. I'll offer a motion to approve. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. ***Approved*** **(VOTE: 5-0-0-0)**

**Resolution 1578 of 2013, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Robert C. McGowin, as Trustee of the Robert C. McGowin Living Trust (50%); Teresa E. McGowin, as Trustee of the Teresa E. McGowin Living Trust (50%) (SCTM No. 0900-077.00-02.00-052.000) (County Executive).** It's 100 by 150 parcel in Southampton. It appraised for \$7,000 and sold for 7100. I'll offer a motion to approve.

**LEG. STERN:**

Second.

**CHAIRMAN D'AMARO:**

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

**Next is Resolution 1581, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Bernadette Parks (SCTM**

**No. 0200-479.00-03.00-011.000) (County Executive).** This is the bill that we had that received correspondence about that I read into the record earlier. I'll offer a motion to approve and place on the consent calendar. Second by Legislator Stern. All in favor? Opposed?

**LEG. CALARCO:**  
Opposed.

**CHAIRMAN D'AMARO:**  
Legislator Calarco is opposed. Abstentions? Motion carries. The resolution is passed. All right. Just note for the record that will not be on the consent calendar due to the opposition. *Approved (VOTE: 4-1-0-0, Opposed: Calarco).*

**1582 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Kwimin Ahn and Sook Hyun Ahn, his wife (SCTM No. 0400-243.00-01.00-079.000) (County Executive).** I'll offer a motion to approve and place on the consent calendar. This is a sale as a matter of right. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. *Approved/ Consent Calendar (VOTE: 5-0-0-0).*

**Resolution 1583 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Granny Road Associates, LLC (SCTM No. 0200-574.00-02.00-002.000).** I'll offer the same motion, same second, and, without objection, same vote. *Approved/ Consent Calendar (VOTE: 5-0-0-0).*

**1584 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Granny Road Associates, LLC (SCTM No. 0200-574.00-02.00-004.000) (County Executive).** Same motion, same second, same vote. *Approved/ Consent Calendar (VOTE: 5-0-0-0).*

**1585 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Paul Wernersbach (SCTM Nos. 0500-290.00-01.00-121.002 and 0500-290.00-01.00-122.001) (County Executive).** Same motion, same second, same vote. *Approved/ Consent Calendar (VOTE: 5-0-0-0).*

**1586 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Ernest Louis Benitez and Frances A. Benitez, his wife (SCTM No. 0500-342.00-02.00-105.001) (County Executive).** Same motion, same second, same vote. *Approved/ Consent Calendar (VOTE: 5-0-0-0).*

**1587 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael Carragher (SCTM No. 0900-144.00-02.00-093.000) (County Executive).** Same motion, same second, same vote. *Approved/ Consent Calendar (VOTE: 5-0-0-0).*

**1588 of 2013, 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 Alfonso Martines (SCTM No. 0200-424.00-01.00-016.000).** Same motion, same second, same vote. *Approved/ Consent Calendar (VOTE: 5-0-0-0).*

1596 of 2013, Authorizing feasibility study for the use of the Foley Facility, Yaphank (Browning). This would authorize the sheriff and the Department of Public Works to study the feasibility of the Foley Center to house DWI offenders and other low-risk inmates.

**LEG. BROWNING:**

Lou, on the motion.

**CHAIRMAN D'AMARO:**

Welcome, Legislator Browning. Please go ahead.

**LEG. BROWNING:**

I have received the information -- I wasn't at last week's meeting -- that the commissioner of corrections was coming, and I guess there was a request from the administration to table. I guess, maybe, we could get an answer as to when the commissioner of corrections is coming. Do we know that, Tom?

**CHAIRMAN D'AMARO:**

Mr. Vaughn, if you wouldn't mind addressing Legislator Browning's question. I appreciate it.

**LEG. BROWNING:**

And thank you, Lou.

**MR. VAUGHN:**

Thank you and good morning. No, ma'am, I do not have an exact date. My understanding is that they will be here in September.

**LEG. BROWNING:**

Okay. Well, my question is of the committee. You know, this is something that the administration talks very highly of, recidivism, alternatives to incarceration, and I know that that sheriff is very passionate about, you know, trying to create more programs and doing what's needed. I was also -- I've received a call from Father Frank Pizzarelli from Hope House who said he would like to be very much involved in whatever we may be doing. I also had a conversation with the Foley Family. It was actually the nursing home was empty, and they took a last walk around, and I talked to them about this, that the sheriff and I had spoken about it, and they said, "Look, alternatives to incarceration, we still," and, like myself, "would support the nursing home." They said they would believe this is something their father would be happy to hear, that we'd at least be considering something like this.

So I'm asking that you pass it out of committee, and, if need be, when it gets to the floor next week, you know, if the commissioner of corrections doesn't come before the next meeting, then table it. But there's a possibility he'll be here so if we get it out of committee and if he's here between now and the next general meeting and says, No, you can't do it, but I would prefer not to delay it, and actually in my conversations with the Town of Brookhaven, even if we sold this property, you're talking at least a year because it's going to require variances because it's a five-story building which is not in compliance with the Town of Brookhaven. It would need rezoning, it would need to be subdivided, so I'm told that that process could take up to a year.

Again, we're looking at a mandate by the state to build a Phase II, which could reach about \$150 million, and if there's a possibility to retrofit the nursing home for programs and reduce the size of our jail with working with the sheriff, I think this would be a no-brainer. You know, why would we want to use a credit card for \$150 million and, you know, maybe save money retrofitting. I don't know. I'm not an engineer. I'm not an architect, but I know this is something that I think we should be seriously looking at. So I would ask that you pass it out of committee, and let's see what happens over the next week. I did reach out to the sheriff; I have yet to hear from him as to when the commissioner is coming, so I think that, you know, get it out of committee. We have a couple more weeks before we have to have our general meeting and maybe we'll have a more definitive

answer when he's coming.

**CHAIRMAN D'AMARO:**

Thank you, Legislator Browning.

Mr. Vaughn, I wanted to ask you, and Legislator Browning refers to the commissioner's office. I guess the department of corrections, we're talking about, is scheduled to review the site and give a preliminary evaluation of the feasibility of using the site?

**MR. VAUGHN:**

That is my understanding, sir.

**CHAIRMAN D'AMARO:**

So that's very similar to what this bill is calling for, anyway, so if this bill were passed out of committee and ultimately passed, I mean, wouldn't -- I think it would be facilitating that review as opposed to somehow working against the review. I'm not sure that I would support -- I think I would be inclined to support Legislator Browning in moving this forward.

However, Legislator Browning, I understand that there's a provision in this bill, your bill, that would repeal the prior resolution that was passed directing the county to move forward with the feasibility of selling or leasing the facility and that concerned me. I want to support your bill because I don't think there's any harm in looking at the feasibility of retrofitting for all the reasons you stated, and correctly stated, in my view. But at the same time, I don't want to then stop in its tracks the other tracks that we've already passed. I think we should be looking at it at the same time. So what I wanted to ask you was what your response to that would be as far as taking out the portion of the bill that would stop the other bill that we already passed.

**LEG. BROWNING:**

Well, I'm not going to become negative on this; however, I think if you go back to the nursing home issue when we talked about selling the nursing versus leasing it or, you know, continuing to run it, we were having meetings with Easter Seals, had no idea what the administration was doing as far as the nursing home was concerned when they were having negotiations with someone to sell it, which is something we knew nothing about. Legislator Kennedy, Horsley and -- I'm trying to think -- and the administration were in the meetings with Easter Seals and never once told us about agreements or discussions with a private entity to sell it. I'm saying that we should -- I don't think we should be running two paths. I think we should be running this one path right now. And again, you know, you're talking about a year before we can even move forward with getting any kind of zone changes or variances with the Town of Brookhaven.

So I would prefer that we look at this as an option before we even consider selling it because in the long-run, while it's not going to be a budget hole filler, I think that what we should be looking at is not passing on the debt to our children, and that would be by not credit carding a new facility. I don't think it's going to take that long. I mean, if all of the options that we have to alternatives -- you know, having the option to look to alternatives to incarceration, we've talked about things like a weekenders' program. I know that the sheriff -- I'm sorry he's not here -- but, you know, we have talked about weekenders' program, which is, instead of sentencing somebody to 30 days in jail -- I don't know if you're familiar with the weekenders' program, what that is; that, you know, somebody would be sentenced to spending their time on the weekends at the jail rather than losing their job. You know, this would certainly reduce the number of people that are going to be sitting in our jail.

**CHAIRMAN D'AMARO:**

All right. Now, so your preference would be to first look at this feasibility with respect to some kind of jail use before we move forward with the other track of the sale or lease or other two tracks.

**LEG. BROWNING:**

Yeah, and I think before the end of the year we're going to know --

**CHAIRMAN D'AMARO:**

Well, let me ask you this. A couple things come to mind on that, 'cause I really want to consider this bill because I think we have this building there, this asset, and if it can be utilized in a way that saves the county money and serves that need, I think that's a home run, frankly.

What is the length of time that you would want to stop the sale or the lease process going forward? How long do you want to hold that in its track?

**LEG. BROWNING:**

Well, I don't know that I can give you an exact time. Basically what I'm saying is to allow for us to take this one track to look at the building as a retrofit for Phase II, looking at it as alternatives. I would think before the end of the year, architects and engineers -- I don't think it would take an architect or an engineer too long to walk into the building and say whether it's going to happen.

**CHAIRMAN D'AMARO:**

Right because -- Kate, I'm sorry to interrupt, but I believe the bill talks about 120 days, right? Is that the time limit on doing the feasibility study?

**LEG. BROWNING:**

I would think it may need that.

**CHAIRMAN D'AMARO:**

So you're looking at roughly four months.

**LEG. BROWNING:**

Im thinking that they could have it done within a four-month period.

**CHAIRMAN D'AMARO:**

Which is the end of the year that you were referencing.

**LEG. BROWNING:**

Right, right.

**CHAIRMAN D'AMARO:**

So that raises another question to the administration. Mr. Vaughn, if you know, do you know what steps, if any, have been taken to implement the prior legislation that we passed authorizing sale or leasing or at least trying to figure out what the best route was, the feasibility of all that? I think Legislator Gregory was the sponsor of that bill, if I recall. Do you know where we're at with that process?

**MR. VAUGHN:**

Yes, sir. An RFP on that process has been drafted and has not been released yet, so I believe the finishing touches are still being put onto that. I'd asked as recently as yesterday, I believe, if we had sent that out or advertised for that RFP to go out yet, but we are certainly close to being ready to send that out and -- on that.

The other thing I would just add to this is that Mr. Pollard has been in contact with COC and got a response back yesterday, and I apologize for not being able to share that before now. But he basically asked two questions of COC, and I'm paraphrasing here, and I'll be happy, sir, to provide you with a copy of both Mr. Pollard's e-mail and a copy of what what I'm about to read.

So the two questions were specifically to ongoing operating costs. This is Mr. Pollard.

"The budget rationale for the construction of the new correction facility in Yaphank were operating in staff efficiencies inherent in the direction supervision model. The DWI program was to be moved to the new facility from the trailers to take benefit of this higher 60-to-1 staffing ratios."

And then he asked a second question which said "Can the COC provide any information on how successful other municipalities have been in converting building space to accommodate sheriff-run DWI programs with respect to required correction officer staffing levels?" And the response that he got back on that, sir, was ongoing operating costs. "It should be noted operating another totally independent facility is, at best, cost inefficient for county and the department. The Commission would have to review another hierarchy of command staff, staffing posts that are not as efficient as a 60-to-1 ratio," which is, I believe, the ratio that we're using over at the new facility. "Along with that, other areas of inefficiencies would need to be addressed, such as visitation, food service, health services, laundry services, commissary issues, religious services, packages, outdoor exercise yard, legal services, and other mandated programs which would require staffing and operational expenses."

The second -- to address the second question --

**CHAIRMAN D'AMARO:**

Well, let's -- before you get to that --

**MR. VAUGHN:**

Sure;.

**CHAIRMAN D'AMARO:**

So that is saying that if you open a second facility, such as, for example, the Foley Center, we used in that capacity, as opposed to what are we doing now?

**MR. VAUGHN:**

What I believe the current plan is for now, which was part of the capital budget this year, was to build an extension onto the new.

**CHAIRMAN D'AMARO:**

Okay. All right. Go ahead, please.

**MR. VAUGHN:**

And then as to the question of other municipalities, it says that "Currently, there is only one agency that has utilized another building that's was originally designed as a secure youth facility for alternative -- for expanding their correctional facility, and the staffing at that facility is inefficient at best. The department houses 90 inmates, and the building has a total of 25 staff with additional supervisory staff for operational issues. Services are being provided at the main facility and this creates operational issues," so you're talking about having to transport people from one facility to another for, let's say, lunch or dinner, whatever the case may be.

And then they actually make reference to the agreement. It says "It should be noted that on June 10, a letter to the commissioner from Dennis M. Cohen, chief deputy county executive, the county put forth a plan for the design, development, and construction of Phase II, which the commission agreed to as part of the compromise from the County's original promises."

So I would say that the COC is going to be here to take a look at the facility, but it sounds, based on this e-mail, which I would be more than happy to share, and I apologize for not sharing it earlier, is that right off the bat, they are not thinking that this is the best direction for us to possibly consider.

**CHAIRMAN D'AMARO:**

Well, they're pointing out inefficiencies, but they're not considering the cost to build Phase II. They have a one-sided view and rightfully so. They're looking at, as a corrections department, is this efficient, not efficient, is this the best way to run things. But we're also balancing that against the cost of building the second phase of the jail. But I tend to agree with you; based on what you're reading, it sounds to me like they're coming in at least with not a positive outlook, to say the least.

There are some other questions. Well, before I just turn it over to my colleagues, Legislator Browning, I'm concerned about delaying the other tracks, but I'm going to listen to more of the debate, keep an open mind on that as well.

**LEG. BROWNING:**

Well, I'd just like to say, though, I think the missing link in that conversation is the sheriff, the person who operates the jail. And when they talk about using another facility, they're not saying what the location of that facility. If you go to Yaphank and look at where John J. Foley is in relation to the jail, it's feet away from the jail. I mean, the backyard of the Foley facility is the jail, so I think there's a lot of unanswered questions in there. I certainly can respect Mr. Pollard's questions and some of the comments, but I think the conversation should be happening more with a sheriff than a budget officer to see if there's the feasibility of doing it and also the location of John J. Foley.

So also the programs that they are talking about at John J. Foley, that the sheriff has talked about, I think would be very beneficial to us, and so we can't answer those staffing questions until the commissioner of corrections gets to look at the building, has a conversation with the sheriff who operates the jail and not the county executive's office. I think that's what we should be looking at first. And again, when I'm talking about timelines, like I said, engineers and architects will be able to tell us before the end of this year, and, like, I said, I'm sure within 120 days, we'll know -- those engineers are the experts who will be able to tell us whether it can be retrofitted.

**CHAIRMAN D'AMARO:**

I agree, and again I think -- I support that, but I also supported the prior bill, and that is the policy of the County to go forward, and the RFP is just about ready to go.

**LEG. BROWNING:**

Right, and the RFP process, I mean, really, when you look at the timeline on the RFP process, by the time that RFP gets out, by the time we get the responses, that 120 days will already be exceeded.

**CHAIRMAN D'AMARO:**

Right, but that's my point. I'd rather keep my process moving. But let me turn to some of my other colleagues at this point. Legislator Stern, you were next. Please go ahead.

**LEG. STERN:**

Thank you, Mr. Chairman. So the commissioner is coming, whether that's in a couple of weeks or within the next month, but there's going to be a tour, there's going to be an inspection, and there's

going to be a determination made, at least preliminary, whether or not it's feasible. Does anyone know when we hear from the commissioner as to whether or not the commissioner believes that this is a viable plan that's worth pursuing? Is it at the conclusion of that tour? Does there need to be a feasibility study done at that level before we receive a response? Does anybody know how that process works?

**LEG. BROWNING:**

The most I can say to you is that the sheriff has already toured the facility. He was very impressed with it and said, you know, obviously not being an engineer or an architect, you know, not being 100 percent sure that it can be done, but I think the commissioner of corrections and with all the right people at the table and not just somebody from a budget office is the people who should be making that decision. And until the commissioner of corrections comes and actually sees the facility because, you know, like Tom said, you know, being asked about efficiency and, you know, another county using another building, you know, we don't know where that building is in relation to the current jail that they have. So there's a lot of blanks in the questions between Mr. Pollard and the commissioner.

**MR. VAUGHN:**

Thank you, sir. I would just add in, for example, one of the concerns in speaking to Mr. Pollard this morning that he brought up was the fact that you would be -- you're talking about moving items from a controlled facility that have to be checked. So let's say, for example, you were going to feed people at Foley. One of the items that Mr. Pollard brought up this morning was the fact that you'd have to do a security check on the way out, and then, because Foley is not secured facility currently, you would either have to build a fence that extends from the current jail facility to Foley or build a fence around Foley and then check those items once they arrive because they would be being transported across a non-secure facility.

The other item that I would add, though, is that this fourth Resolve clause does quite clearly say that the Department of Real Estate, Acquisition, and Management will take no action to advance the sale or lease of the Foley facility to any entity until such time as the sheriffs and public works do the report. My concern would be that just releasing the RFP would be in violation of that, and, you know, we agree with the position that the legislature took, which was to go forward with this RFP process to try and sell the facility as it is right now.

**LEG. STERN:**

Well, this resolution calls for a study to be done, right, an analysis that we would undertake to determine feasibility. So if we begin that process, if we have our public works department, if we have our engineers, if we have our architects, and they start to do that analysis, and the commissioner from COC determines, for whatever reason, after hopefully giving it this analysis its due process and taking a look at some of the pros and some of the cons that are mentioned and determines that it is not feasible, where does that leave us, then? We are -- this resolution would not only freeze the current process, but it still calls for a feasibility study to be conducted. I guess my concern here is that we would be in the middle of conducting a feasibility process that the commissioner has unilaterally determined is not feasible. So where does that leave us? Does that leave us with, then, just continuing our feasibility study because it would appear to serve no purpose? But at the same time we have this other track that has now been stalled for some period of time. Where does that leave us if the commissioner comes and determines unilaterally that it's not feasible?

**LEG. BROWNING:**

George, just out of curiosity, because it does, you know, it does say to prohibit the sale of the facility during this process. Does -- you know, I'd like to know, in your opinion, does that prohibit

them from putting out an RFP?

**MR. NOLAN:**

Yes, I would say it would stop -- it says that the Division of Real Property will take no action to advance the sale or lease of the Foley facility during this 120-day period, so I don't think they could release the RFP.

**LEG. BROWNING:**

Okay. And, you know, like I said, I think it's very clear, you know, we talk about our debt, and I think that the timeline that we have -- no matter what you want to do, I think this time next year, we're probably still going to have this building even if you sold it because you're still going to have to deal with the zoning, you're still going to have to deal with variances, unless, Mr. Vaughn, you have a confirmation from the Town of Brookhaven that they're going to fast track zoning changing, that they're going to fast track variances, that they're going to fast track anything.

So I don't see what the issue is. You know, if there's a possibility that we can do it, it's 120 days. I don't think it's going to delay anything. If we look at this building and it's nothing is feasible, you know -- I think to sell the building, I mean, we were -- the opportunity was there, the plan was to sell it for \$23 million with a license. I can't imagine what you're going to be able to sell it for now without a license, without the nursing home license. I'm sure that has dramatically dropped the value of the property, and, especially in this economy, why would you want to even consider selling it instead of considering retrofitting and saving us on the credit card?

**MR. VAUGHN:**

Mr. Chairman, can I address that for a moment, please, sir?

**CHAIRMAN D'AMARO:**

Sure. Please go ahead.

**MR. VAUGHN:**

So while I don't have confirmation from the Town of Brookhaven, what I do have is confirmation from this Legislature, which says that we should proceed to RFP to address and go ahead to sell the building, release the RFP; that's what we do have confirmation of at this point in time. I would further add that correction law states that -- requires that any plan specifications for the construction or renovation of detention facilities must be submitted for review to the New York State Commission of Corrections, so they are also going to make a determination. So that also means that we have to submit plans to them if that's what we choose -- if we were to choose to use this building for.

And while I do understand the pressing need of our debt and the debt service and those concerns, I would also say that our foremost concern at this point in time is our operating budget, and I do think that there are concerns specifically raised in this letter that we have from state COC that says that using this facility in this manner even if it was possible, which we don't even know if it is possible, would certainly add to that burden that we are experiencing right now.

**CHAIRMAN D'AMARO:**

Yeah, and that's -- Legislator Stern and I both have the concern that as we come up into our budget season and we're looking for revenue and we already have a stated policy in place to try and get revenue to the county for this facility that's been closed, I'm not sure that it would be in the best interest of the county to stop that process at this point, and that's my point to Legislator Browning.

Legislator Stern, were you finished?

**MR. STERN:**

Yes.

**CHAIRMAN D'AMARO:**

Okay. I'm going to go to a couple more folks. Legislator Kennedy, please go ahead.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Listen, you know, we can go on and on and talk about what's happened, you know, as far as the past with best use of Foley and no need to go ahead and go down that road right now. You know, I think Legislator Browning's resolution does have merit to it. I just checked with legislative counsel, and I think I need to clarify one thing. I was a little uncertain, but the clause or provision, George, just suspends for 120 days, is that it, whatever the impacts were associated with the prior resolutions that we've adopted directing that we look at sale and or alternative uses of the property?

**MR. NOLAN:**

Right. It basically states during the period when we're exploring the feasibility of retrofitting the Foley facility, the Division of Real Estate will not move forward a sale or lease of the facility. It suspends the application, really the effect of the earlier resolution for about 120 days.

**LEG. KENNEDY:**

So we really would not be inconsistent for those of us who did vote for or approve that authorized an RFP to explore sale; in essence, it's really almost as if we're just talking about a short pause or a slice or a timeout, which I think is important. Legislators, every one of us try to go ahead and be consistent in our positions and have harmony in what we ultimately embrace and articulate.

But I want to go to Tom Vaughn, if I can, Mr. Chair with the RFP because my understanding is -- and I don't want to overly complicate this, but, Mr. Chair, you know this very, very specifically. Because of the unique nature of this property as a municipal property in an area in a town that's zoned for residential use where the administration sought the special use permit, which was turned down unanimously by the Brookhaven Town Zoning Board of Appeals, in some respects, this subsequent RFP really obviates an extremely important element of the law as to any anticipated alternative type of use.

You know, we could have a venture that might come in and say, gee, we'd like to open it up as, oh, I don't know, a Marriott or a long-term residence or a corporate headquarters for some entity. The whole universe of uses, though, at this point still don't have any legal sounding within the Brookhaven Town use or code. My understanding is, and, Tom, is this the case that the administration has actually brought a legal challenge to the Brookhaven ZBA's rejection of the application for the special use permit.

**MR. VAUGHN:**

Legislator Kennedy, I think that you know that I'm not a lawyer. I have absolutely no idea.

**LEG. KENNEDY:**

No, I'm not asking you to go ahead -- I'm just asking you -- well, that's my understanding.

**CHAIRMAN D'AMARO:**

I don't want to speak out of turn, but I believe there was an appeal, and Article 78 was brought to review the ZBA denial, and my recollection is that the county was not successful on that appeal, but I could be wrong.

**LEG. KENNEDY:**

I'm not -- you know, as a matter of fact, I guess I'll have to call Mr. Brown to find out. I thought it was still pending, Mr. Chair.

Look, my point is -- my point is that even if we were on the cusp of the release of an RFP tomorrow to solicit alternative uses, either through lease or purchase, we still have a very basic fundamental underlying matter that has to be resolved with the local entity that controls anything other than our use, county municipal use of that property. So I see no harm in doing at least some exploratory type work as far as what Legislator Browning's proposed. And can I ask to the clerk, is there a motion on this resolution yet?

**MR. SCHILLING:**

No.

**LEG. KENNEDY:**

Okay. I'll make a motion to approve, and I would leave it at that based for those factors.

**CHAIRMAN D'AMARO:**

All right. There's a motion to approve by Legislator Kennedy. Legislator, just to respond to you I agree with you about Brookhaven and their zoning procedure, but I'm not talking at that level at this point. What I'm talking about is we have an empty facility. We have budget concerns. We should be exploring every avenue at this point is my point of view, and, to me, we passed the prior resolution that said possibly sale, possibly lease. Now, if that happens, the Town of Brookhaven will have to make an independent decision whether or not they want to support -- its various boards want to support the proposed use; I don't control that, but what I do control is I think we should be looking at that.

I also agree with Legislator Browning that we should very seriously be looking at the feasibility of other uses including this particular jail use. So I understand your point about the Town of Brookhaven, but I can't control that, so at this point in considering this bill -- in considering this bill, I would prefer not to stop the other tracks that are going forward that are policy, already approved, already have time and effort put into them. I don't think that in any way hinders what this bill tries to do.

**LEG. KENNEDY:**

Well, and that is a good point. And look, maybe ultimately what we need to do is revert back to the sponsor, then, to see whether or not to consider allowing for this process to evolve as the RFP or explorer -- exploration for private use is underway. I can't speak to the sponsor, but she's here.

**CHAIRMAN D'AMARO:**

Okay. Legislator Browning, I'm going to ask you to respond to that, and then I have Legislator Nowick and Legislator Gregory.

**LEG. BROWNING:**

Sure. I can respond to that, and I know there's a level of discomfort with prohibiting real estate to move forward and do anything. I'll ask George now if he will amend the bill and rescind that language, and if the committee is willing to discharge without recommendation and I will -- I believe I can amend it today and pull that language out so that we can do both tracks.

And the other thing is the commissioner of corrections, you know, even if we were to put it to the floor next week and approve it even -- well, it's not next week, it's two weeks from now. Isn't it 30 days before the county executive has to sign it, anyway? So I'm assuming that by the time the

county executive will be signing it, the commissioner of corrections will have been here, will have made a determination whether we can move forward with it or not, and then it would be up to county executive whether he wants to sign it to look at using the building for alternatives and reduce recidivism or go ahead and sell it. That would be his decision 30 days from the time that we approve it, so I would think that the commissioner of corrections will be here by then.

**CHAIRMAN D'AMARO:**

Thank you. Legislator Nowick.

**LEG. NOWICK:**

And I think that's a good idea, Legislator Browning, to take out that portion of it, but I can't help thinking that we're doing a feasibility study on whether or not this can be used for the purposes of your legislation, but at the same time, feasibility means it may or may not be an appropriate place. But I wonder if at this point, and the county executive might know, are there any type of studies or RFPs with regard to using that building, keeping it within the government so it can be used and we don't have to -- I want to say, deal with Town of Brookhaven, for lack of anything else.

I know that a few years ago we created the heroin opiate advisory panel. One of the suggestions and one of the needs, as everybody know, is I'll say a hospital of some sort with beds for detox. Now to me -- and I give to you first, of course, the jail is a great idea, but there is a chance that that's not an appropriate area, would it be -- and legislative counsel may be able to help here -- could we at the same time do a feasibility study on the use of that building for either, one, the whole building being used, because there is an incredible need, and I'm sure you could work with Dr. Reynolds and all the drug and advocacy groups. But I also wonder if there is a chance that that large building could be broken in two because many of the people that are in that building would be -- if it was a jail -- are there because of drugs. Maybe both of those studies could be done, and it might be a good idea to do it that way, to have two sections. It's a large building, and for something like that, possibly we could work with a state organization; I don't know, maybe Stony Brook, maybe Easter Seals, but there is a need, and I would ask -- oh, George just left. I would ask that we do some type of a feasibility study on that if anybody is interested in cosponsoring with me.

**CHAIRMAN D'AMARO:**

Just to respond to that, Legislator Browning, I think that if you're amending the bill anyway -- it's your prerogative whether you want to consider any further amendments, but if you were inclined to do that, maybe you put into the legislation that it's looking at the feasibility of what you site as well as other related uses or come up with some language that might include some other ideas that come up along the way.

**LEG. NOWICK:**

Would I have to put in separate legislation for -- by the way, I don't have 120 days, so we have to work fast.

*(\*Laughter\*)*

**CHAIRMAN D'AMARO:**

Right. You only have 120 days.

**LEG. BROWNING:**

Lynne, if you want to be a cosponsor on it and we can certainly add your language to this, absolutely we could, because --

**LEG. NOWICK:**

You want to add that to it, absolutely. I would love to see that opportunity for detox and/or jail and/or combination, and this way the days don't click away just for one thing, and I know you're very much in support of that type of thing, so maybe we could work together on it. Fast.

**LEG. BROWNING:**

Like I said earlier, Father Frank Pizzarelli from Hope House had contacted me too and said the dire need of places for people that are going through drug and alcohol problems. You know, he has already called and said, Look, I really want to support this. The DWI trailers, when you talk about the DWI trailers, yes, the sheriff was told to close those DWI trailers. He told me that that's going to create a major problem with overcrowding in the Phase I already so -- 'cause he's going to have to move prisoners around to move -- because the people in the DWI trailers, they're not hardened criminals. And so now to move them into Phase I, he says it's going to take some major moving around, and he says it's going to create a bad space problem for him in the jail. Again, if we were able to retrofit -- if we could retrofit -- and, Tom, you talked about security and stuff like that; that's what retrofitting would be is you have to retrofit it to make it secure.

Again, he feels that -- he said, you know, by the time we'd get a shovel in the ground, he's talking 2016. He said if there's a possibility of retrofitting John J. Foley and creating the programs and doing what's needed, then he said maybe the commissioner of corrections would be more amenable to it because he knows that we could move things faster with Foley. It's already a building, you know, to retrofit it. But again, you know, having the conviction with Father Frank, and, you know, with Jeff Reynolds, the serious need here, the opiate problem we have, I can amend it and put the language in.

**LEG. NOWICK:**

Legislator Browning, I think that would be a wonderful idea, and if we could bring something like that to fruition in four months, I would be very happy.

**CHAIRMAN D'AMARO:**

Okay. Thank you, Legislator Nowick. I just want to point out that that's wonderful that the sponsor is willing to make that amendment as well. I appreciate that. However, let's just bear in mind that this is just the feasibility study. This has to make economic sense down the road as well. So it's one thing to talk about foregoing the construction of Phase II of the jail, which is hundreds of millions of dollars, as opposed to something that wouldn't save us money or generate revenues. So we have to look at -- I'm not saying it wouldn't --

**LEG. NOWICK:**

No, no. I understand the money savings. I'm just looking to -- because we've been talking about this for so long, I think let's not waste any days. Maybe it's not appropriate for a jail, maybe it's not appropriate for a detox, but maybe it's one or the other or a combination, so let's just do it all.

**CHAIRMAN D'AMARO:**

Okay. All right. Next on the list is Legislator Gregory.

**LEG. GREGORY:**

Thank you, Mr. Chair, for allowing me an opportunity to speak. I'm not a member of the committee, as you know, but, you know, I'm interested, obviously, in this discussion. I think there's been a lot of fruitful things that have come out of the conversation. I'm glad that the sponsor of the bill is willing to amend the bill and allow both my prior legislation to put the Foley Center out for sale or lease or at least explore those options as well as to explore the feasibility study. I'm glad she's willing to accept that.

But to Legislator Nowick's point about the detox center, I think my bill would allow for the opportunity to force an operator that wants to operate a detox facility to show an interest and submit a proposal. Because what would happen is an RFP would go out, anyone that sees some potential use for this facility would have an opportunity to tour the facility, investigate the facility, investigate any opportunities, and make a proposal based on their visits and their internal feasibility studies, and that will be reflected in their proposal, so we don't necessarily need a separate resolution to do that, and that may be something that people pick up right away.

But I certainly recognize Legislator Browning's efforts and concerns about increasing our debt, our capital budget debt, as we all are concerned in this whole back and forth with the COC, and we got a building extension, not a building extension, is it big enough, not big enough, whatever the case may be.

But something that was brought to my attention, I think most of us met with the county executive within the past few months, and we were asked to come up with, you know, ideas that we thought that may be able to address the budget as we look to a very difficult year in 2014. And one to have ideas that came to my mind was after the sheriff came to the Public Safety meeting, he had brought to our attention that the DWI facility and those that are offenders there, that's a program that we started. We don't have to do that. That's something that was started back in the late '70s, if not early '80s. Most of them, if not all of them, are felony offenders. We decided to make a local program which, in turn, has incurred the COC to say, Well, you have this program you're going to build \$100 million facility that's on top of the operating costs. If we decide to go to the state and say, Well, we want you guys to take care of these people, we put this program, we no longer can afford, it will cut our debt as well as our operating expenses. So that was one of the things I was thinking about approaching the county executive with, so I don't know, not to mention if the COC is willing -- thinks that the facility is feasible for this purpose, I don't know. We have to get -- Mr. Vaughn has to work very hard in getting a date for when the COC is going to be here.

But I certainly think that's an option. We're certainly in a tough budget crisis, and if it's a program that we don't have to operate and we're, you know -- I don't know what the numbers are. I'll reach out to John Ortiz to find out what the numbers are. But I'm sure it's a significant dollar amount, and that's another option. There's lots of options.

But to the point, I think if we're going to move forward with this legislation, we should at least go for it on a dual track and not prohibit my prior legislation, which this body has supported, to put it in a timeout, if you will. Okay. Thank you, Mr. Chairman.

**CHAIRMAN D'AMARO:**

Thank you, Legislator Gregory. Okay. Any further discussion at this time? Legislator Browning, you've indicated on the record a willingness to make those various amendments. The deadline, I believe, is today; is that correct?

**LEG. BROWNING:**

I believe today is the deadline.

**CHAIRMAN D'AMARO:**

5:00.

**LEG. BROWNING:**

Right.

**CHAIRMAN D'AMARO:**

Right. Okay. So I appreciate you working with Counsel on that. Legislator Kennedy, you had made a motion to approve.

**LEG. KENNEDY:**

And what I'll do, Mr. Chair, I guess to hopefully put in something that the majority of the committee may feel is a better position for us to take based on the sponsor's representation, I'll withdraw that motion to approve and instead substitute a motion to discharge without recommendation reflective of the fact that, you know, the sponsor has indicated she will take some of our dialogue into place. It indicates that, obviously, we have the element of trust there; and for whatever reason it doesn't happen, none of us are bound, then, if we go forward.

**CHAIRMAN D'AMARO:**

Okay. So that is a motion to discharge without recommendation from the committee. Second by Legislator Nowick. If there's no further discussion, I'll call the vote. All in favor? Opposed? Abstentions? Motion carries. The bill is ***discharged without recommendation (VOTE: 5-0-0-0)***.

Legislator Browning and Legislator Gregory, thank you.

**1598 of 2013, Approving payment to General Code Publishers for Administrative Code Pages (Lindsay).** I'll offer a motion to approve and place on the consent calendar. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. ***Approved/Consent Calendar (VOTE: 5-0-0-0)***.

**Resolution 1608 of 2013, Authorizing certain technical correction to Adopted Resolution No. 387-2013 (County Executive).** This changed a fund number in a resolved clause. I'll offer a motion to approve and place on the consent calendar. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. ***Approved/Consent Calendar (VOTE: 5-0-0-0)***.

**1641 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Winston Pettaway, Jr. A/k/a Winson Pettaway (SCTM No. 0904-008.00-02.00-035.000) (County Executive).** Same motion, same second, same vote. ***Approved/Consent Calendar (VOTE: 5-0-0-0)***.

**1642 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael L. Hawk and Sally Ann Hawk, his wife (SCTM No. 0200-389.00-09.00-012.000) (County Executive).** Same motion, same second, same vote. ***Approved/Consent Calendar (VOTE: 5-0-0-0)***.

**1643 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act William Comer (SCTM No. 0500-323.00-02.00-075.000) (County Executive).** Same motion, same second, same vote. ***Approved/Consent Calendar (VOTE: 5-0-0-0)***.

**1644 of 2013, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Rocco Logozzo (SCTM No. 0200-939.00-02.00-026.002) (County Executive).** Same motion, same second, same vote. ***Approved/Consent Calendar (VOTE: 5-0-0-0)***.

**1672 of 2013, Authorizing certain technical corrections to Adopted Resolution No. 1183-2012 (County Executive).** Changes an organization code in the resolve clause. I'll offer a motion to approve and place on the consent calendar. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. ***Approved/Consent Calendar (VOTE: 5-0-0-0).***

**1693 of 2013, Adopting Local Law No. -2013, A Charter Law to accelerate legislative consideration of resolutions to accept and appropriate grant funds (County Executive).** Requires a public hearing. I'll offer a motion to table. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. ***Tabled/public hearing (VOTE: 5-0-0-0)***

1694 of 2013, Adopting Local Law No. -2013, A Charter Law to implement performance measurement to increase accountability and enhance service delivery by contract agencies (Gregory). Requires a public hearing. I'll offer a motion to table. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. ***Table/public hearing (VOTE: 5-0-0-0).***

That completes the public portion of the agenda. I'll offer a motion to convene into executive session for the purposes of considering possible settlement of litigation against the county. Second by Legislator Stern. All in favor? Opposed? Abstentions? Motion carries. We'll be back shortly. Thank you.

***(\*The committee met in executive session  
from 11:09 a.m. until 11:28 a.m. \*)***

Okay. We're back on the record. For the record, the committee has agreed in executive session to the settlement of the following action. Catherine McLean against the County of Suffolk, et al. No further business before the committee. We are adjourned. Thank you.

***(\*The meeting was adjourned at 11:28 a.m. \*)***