

**WAYS & MEANS COMMITTEE**  
**OF THE**  
**SUFFOLK COUNTY LEGISLATURE**

A meeting of the Ways & 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 February 27, 2014.

**MEMBERS PRESENT:**

Leg. Steven H. Stern, Chairman  
Leg. William Spencer, Vice Chair  
Leg. Kate M. Browning  
Leg. Robert Calarco  
Leg. John M. Kennedy, Jr.

**ALSO IN ATTENDANCE:**

Legislator Monica Martinez, District 9  
George M. Nolan, Counsel to the Legislature  
Sarah Simpson, Assistant Counsel to the Legislature  
Renee Ortiz, Chief Deputy Clerk of the Legislature  
Laura Halloran, Director/Budget Review Office  
Deborah Harris, Aide to Leg. Stern  
Lora Gellerstein, Aide to Leg. Spencer  
William Shilling, Aide to Leg. Calarco  
Michael Pitcher, Aide to Presiding Officer  
Lisa Pinkard, Aide to Legislator Martinez  
Tom Vaughn, County Executive's Office  
Amy Keyes, County Executive's Office  
Lynne Bizzarro, County Attorney's Office  
And all other interested parties

**MINUTES TAKEN BY:**

Lucia Braaten, Court Reporter

**CHAIRMAN STERN:**

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

*(\*Salutation\*)*

**CHAIRMAN STERN:**

I'd ask everybody to please remain standing and join us for a moment of silence to keep all of our brave men and women fighting for our freedoms overseas in our thoughts and prayers.

*(\*Moment of Silence\*)*

**CHAIRMAN STERN:**

Renee, no cards, right?

**MS. ORTIZ:**

No cards.

**CHAIRMAN STERN:**

Okay. Good afternoon, everyone. Welcome. I have no correspondence to discuss at the committee today, and there are no cards, so we'll move to the resolutions.

We do have some appointments and reappointments today. What I'm going to ask -- I am going to ask my colleagues to join me in taking ***I.R. 1151 - Appointing member of Suffolk County Board of Ethics (Dennis O'Doherty), out of order.*** Mr. O'Doherty is here, so I will make a motion to take 1151 out of order.

**LEG. CALARCO:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Calarco. All in favor? Any opposed? Any abstention? I.R. 1151 is out of order. ***(Vote: 5-0-0-0)***

I'm going to invite Mr. O'Doherty, who's here, if -- sir, if you can come on up and join us at the table. Good afternoon, sir, and welcome. It's good to have you with us. Mr. O'Doherty, I'm going to have you introduce yourself to the committee, and maybe talk about -- a little bit about your background and why you're seeking an appointment to serve on the Board of Ethics, and then I'll open it up to my colleagues for questions.

**MR. O'DOHERTY:**

Well, there's nobody here that really knows me, so I'll just tell everybody what a wonderful guy I am.

*(\*Laughter\*)*

So I'd start by saying I was born in Ireland. Many people are surprised by that, but I came to this country when I was a baby. My parents had relatives in New York City. We lived in New York City for a while. And then after school, I -- after high school, actually, I went into the Army, I was drafted. I was in Europe for almost three years. I have five Bronze Battle Stars now. And after I got out of the Army, I went back to college and went to Sampson College, Upstate, New York, and then we moved out to Sayville. I've lived in Sayville for well over 50 years.

What else can I say? I've been very active in many of the Town Boards. I'm on the Board of the American Legion in Sayville and the Veterans of Foreign Wars. I have -- I'm also on the Board of Dowling College. I've been there for well over 20 years. I'm still on those Boards. And I took a civil service test many years ago to be Records Management Officer at Suffolk County and I was there for over 10 years, and I retired from the County after that and haven't been doing too much of anything since, except spending much time on these Boards, mainly on Dowling College, which we're having some problems with lately, but I'm sure we'll overcome.

Outside of that, I've been married twice, I have two children. My son's an attorney, I'm sorry to say.

**CHAIRMAN STERN:**

Sorry to hear.

*(\*Laughter\*)*

**MR. O'DOHERTY:**

But my daughter is a --

**LEG. KENNEDY:**

Condolences.

*(\*Laughter\*)*

**MR. O'DOHERTY:**

My daughter is a psychiatrist in Houston, Texas. I don't see enough of her. My first wife, unfortunately, died. I remarried and, as I say, still live in Sayville.

And that's about it. If you have any other questions or anything else you want to know, I'd be glad to answer them.

**CHAIRMAN STERN:**

Again, welcome. And it's good to have you with us today. And, of course, thank you for your service to our nation, and thank you to -- you for your service to our community.

I'm looking here at your resume, Mr. O'Doherty, which is -- which is impressive. Maybe you can talk a little bit about the kinds of things that you're doing now. You had mentioned that you're a member of the Board of Trustees of Dowling College. It says here that you are an Independent Financial Consultant. So maybe you could talk a little bit about your duties.

**MR. O'DOHERTY:**

Well, I've actually given that up. My function as a financial consultant was to visit most of the school districts in the County, part -- some in Nassau and some in Suffolk, to offer bids on bonds, school bonds that they put out for bids. And sometimes I'd sit down with other bankers who sat before the Board of Education in a particular school district and we presented our little spiel as to what our bank will do for the school district. And sometimes we won the bids and most of -- many of the times we didn't, of course, but that was one of the main functions as a financial consultant.

**CHAIRMAN STERN:**

And could you maybe describe for the committee members your understanding of the Board that you're seeking appointment to, its -- your understanding of its responsibilities and duties and what you hope to bring?

**MR. O'DOHERTY:**

Well, the experience I've had on most of these boards has been quite similar. We just try to offer what we knew about the particular entity that we were being considered for. And actually, I don't know too much at all about the Board of Ethics here in the Legislature. I've met some of the Legislators and never had any problems, and I don't know of any problems that are existing right now, but I'm sure there are some, but I'm just not aware of them.

**CHAIRMAN STERN:**

Now I see here in your resume that in addition to serving on the Planning Board and Board of Appeals, is it accurate here that you are a former Assemblyman --

**MR. O'DOHERTY:**

Oh, yes.

**CHAIRMAN STERN:**

-- having represented the Fifth District?

**MR. O'DOHERTY:**

I was in the New York State Assembly for two years during the Watergate years, unfortunately, when Mr. Nixon was having some troubles, and all of the people in my party were voted out throughout the nation. So I was only there for two years, but it was a very interesting experience.

*(\*Laughter\*)*

**CHAIRMAN STERN:**

So certainly you're familiar with your way around reading statutes and regulations, and certainly statutes and regulations that apply to us here in the Legislature, and elected officials, and County employees throughout Suffolk County, is not an issue for you.

**MR. O'DOHERTY:**

No, I'm not familiar with all of them, but I could certainly brush up on it.

**CHAIRMAN STERN:**

Questions?

**LEG. SPENCER:**

Yes.

**CHAIRMAN STERN:**

Legislator Spencer.

**LEG. SPENCER:**

Thank you, sir. I appreciate you coming and sharing your background. And, again, just your military experience and your service to this country is impressive. And I guess I'll ask a question that -- I'm not looking necessarily for personal divulgence, but I think when we talk about the Board of Ethics, a lot of times you're dealing with issues that are not necessarily so readily gleaned necessarily from reviewing reports and things like that. I think there is -- you know, there is ethics, morality and then legality. And so when we look at ethics, and I think your experience speaks to that, is there anything in your background or experience where you had to be in a position of gauging ethical behavior?

**MR. O'DOHERTY:**

No.

**LEG. SPENCER:**

Okay.

**MR. O'DOHERTY:**

Not really, no.

**LEG. SPENCER:**

But I just -- with your experiences, I know that that can be -- you know, I'm sure that you've had a lot -- obviously, just being someone that's served this country and also being an elected official in the past, you understand just really the weight of responsibility that's associated with that. In a sense, the Board of Ethics is our referee, you know, and a lot of times, you know, we'll turn to the Board of Ethics when we have a dilemma that usually a lot of times isn't readily gleaned. Just there's no necessarily legal precedent, and there's also just a lot of, I guess, area where that Board can be influenced.

Do you have any relationships with anyone in our current Legislature or administration that are professional business relationships?

**MR. O'DOHERTY:**

No, I don't know anybody, actually, that I could say I have a personal relationship with.

I didn't mention the fact that I got a medal from Congressman Israel, and I also got a medal recently from Congressman Peter King, which someone called me from their offices and asked me some of these questions before I was given these awards, which, you know, it's done. No monetary act to it, just at different functions you're presented these medals with some of my colleagues that were in the war about the same time I was. But I don't have any relationship with the County Legislature at all, that I can think of.

**LEG. SPENCER:**

Well, I think that that's important. And, you know, being able to stay at arm's length, be able to render an objective sort of decision and have a discussion, because a lot of times the direction that we move our County in and a lot of major decisions in terms of how we shape our offices moving forward, there's a lot of big decisions that are coming down the line. It's great that you, you know, do have the separation, you do have the wisdom and the experience. And I, you know, fully support your nomination, and thank you for your time.

**MR. O'DOHERTY:**

Thank you.

**LEG. KENNEDY:**

I have a question.

**CHAIRMAN STERN:**

Legislator Kennedy.

**LEG. KENNEDY:**

Dennis, how are you? It's good to see you again. And, actually, you know, I think we probably pretty much just kind of crossed over time there in the County Clerk's Office. I came out in '96. You were probably just around that time, I guess, concluding your decade there, right?

**MR. O'DOHERTY:**

Right. It was a difficult time. I got a little publicity, because when a new party came into the County, I was in that position, I was County Records Manager.

**LEG. KENNEDY:**

Yes.

**MR. O'DOHERTY:**

It's a civil service title. I took a civil service test, that's how I got the position.

**LEG. KENNEDY:**

Sure.

**MR. O'DOHERTY:**

And I did get some publicity with the then Head of the County as to being replaced in that position, and I was asked to leave for no reason at all. But because of my civil service status, Ed Romaine --

**LEG. KENNEDY:**

Things get complicated sometimes, for sure. So you served under Juliette, I guess. And who preceded her?

**MR. NOLAN:**

You're going way back.

**LEG. KENNEDY:**

Yeah, I am. I'm trying to remember. Look, my question is very simple, Dennis, and I'm sure it's probably one that is already, for all intent and purposes, been answered. You serve on a number of important Boards, oftentimes you're called on to deliberate sensitive matters, matters that involve personnel, matters that might involve litigation, matters that involve things that require an element of confidentiality on your part. I assume you would be able to go ahead and maintain that same degree of confidentiality with the workings of this Board?

**MR. O'DOHERTY:**

Oh, absolutely. We've had similar problems in relation to what you're talking about at the College, and particular recently. Many reporters have called me and other members of the Board trying to look for something, you know, they could really hang their hat on, make a big story of. I'm very happy to say that the other members, the Trustees of the Board are all extremely legitimate, as far as I know, without being too personal with any of them. And they've all been contributors to the College, and they're doing the best for the institution and for the students that attend the College. But some people are always looking for, somebody said, a hole in the wall somewhere. And so I've had some experience with that type of give and take also.

**LEG. KENNEDY:**

Good. Okay. That's fine. Thank you.

**CHAIRMAN STERN:**

Okay. There being no other questions from members of the committee --

**LEG. BROWNING:**

Can I ask one question?

**CHAIRMAN STERN:**

Oh, yeah. Legislator Browning.

**LEG. BROWNING:**

I want to know, being from Ireland, what part of Ireland did you come from?

**MR. O'DOHERTY:**

That's been a big discussion of family lately, because we have some relatives coming over, but I was born in Limerick, Limerick City, but I actually come from Clare, County Clare.

**LEG. BROWNING:**

Oh, beautiful.

**MR. O'DOHERTY:**

In a little town call Mullagh out there. It's a farming town. We were farmers up there many years ago and we still have some property up there, incidently, but I get back every once in a while.

**LEG. BROWNING:**

Thank you. No, I just -- County Clare is one of my favorite counties, beautiful. Thank you.

**MR. O'DOHERTY:**

There aren't too many people in Suffolk County from Clare. I've met a few, but --

**LEG. BROWNING:**

No, there isn't.

**MR. O'DOHERTY:**

-- it's always nice to meet someone from Clare.

**LEG. BROWNING:**

(Laughter) Sorry. We'll talk another time. We're done

**LEG. KENNEDY:**

Let's make a motion for the gentleman. Motion to approve.

**LEG. CALARCO:**

Second.

**CHAIRMAN STERN:**

Motion to approve 1151 by Legislator Kennedy, second by Legislator Calarco. I'll call the vote. All in favor? Any opposed? Any abstention? I.R. 1151 is approved. **(Vote: Approved 5-0-0-0)**

Congratulations, Mr. Doherty. We are, I guess, going to have a conversation as to whether or not we're going to ask that you come back before the full Legislature this coming general session meeting on Tuesday, so we'll make sure to have someone get back to you, hopefully, today. You'll leave us your contact information so that we can let you know. If we have you come back, we'll look forward to seeing you on Tuesday. If not, congratulations, and we wish you every success.

**MR. DOHERTY:**

Okay. Thank you very much.

**CHAIRMAN STERN:**

All right. Thank you.

**LEG. BROWNING:**

Congratulations.

**CHAIRMAN STERN:**

Okay. ***I.R. 1043 - A Local Law to strengthen policy against dual public salaries (Cilmi).***  
I'll make a motion to table for Public Hearing.

**LEG. SPENCER:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Spencer. All in favor? Any opposed? Any abstention? I.R. 1043 is tabled for Public Hearing. ***(Vote: Tabled for Public Hearing 5-0-0-0)***

***I.R. 1061 - Authorizing the transfer of certain properties to Suffolk County Department of Public Works (SCTM No. 0500-007.00-01.00-008.004 n/k/a Lots 008.099 and 008.100)(Co. Exec.).*** Do we have anybody from Public Works? Anyone?

**LEG. KENNEDY:**

I'll make a motion. I see there's some Smithtown property in here, too.

**LEG. CALARCO:**

Second.

**CHAIRMAN STERN:**

Okay. Motion to approve by Legislator Kennedy, second by Legislator Calarco. All in favor? Any opposed? Any abstention? I.R. 1061 is approved. ***(Vote: Approved 5-0-0-0)***

***I.R. 1062 - Authorizing the transfer of certain properties to Suffolk County Department of Public Works (SCTM No. 0100-053.00-01.00-062.000)(Co. Exec.).***

**LEG. CALARCO:**

Second.

**CHAIRMAN STERN:**

I'll make the motion to approve, second by Legislator Calarco. This is for highway improvement purposes by Department of Public Works.

All in favor? Any opposed? Any abstention? I.R. 1062 is approved. ***(Vote: Approved 5-0-0-0).***

***I.R. 1066 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 JS 136 Sunrise Realty, LLC (SCTM No. 0500-414.00-01.00-114.000) (County Executive).*** I'll make the motion to approve.

**LEG. CALARCO:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Calarco. Any questions? All in favor? Any opposed? Any abstention? I.R. 1066 is approved. ***(Vote: Approved 5-0-0-0).***

***I.R. 1067 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Russell L. Palmer and Tammy L. Palmer, his wife (SCTM No. 0200-447.00-02.00-039.000)(Co. Exec.).*** Same motion, same second, same vote. ***(Vote: Approved 5-0-0-0)***

***I.R. 1068 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven (SCTM No. 0200-637.00-03.00-012.000)(Co. Exec.).***

**LEG. CALARCO:**

Motion.

**LEG. BROWNING:**

Motion.

**CHAIRMAN STERN:**

Motion by Legislator Calarco, second by Legislator Browning. Everybody good? Okay. All in favor? Any opposed? Any abstention? I.R. 1068 is approved. **(Vote: Approved 5-0-0-0).**

***I.R. 1075 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Incorporated Village of Asharoken) (SCTM No. 0401-004.00-01.00-081.000)(Co. Exec.).***

**LEG. KENNEDY:**

That's Dr. Spencer.

**LEG. SPENCER:**

Motion.

**CHAIRMAN STERN:**

Okay. Motion by -- motion to approve by Legislator Spencer, I'll second. Everybody good? All in favor? Any opposed? Any abstention? I.R. 1075 is approved. **(Vote: Approved 5-0-0-0).**

***I.R. 1077 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Andrzej Skobodzinski, as to a 2/3 interest, and Maria Faron, as to a 1/3 interest, as tenants in common (SCTM No. 0600-017.00-02.00-038.000)(Co. Exec.).*** I'll make the motion to approve, second by Legislator Calarco, to place on the Consent Calendar. All in favor? Any opposed? Any abstention? I.R. 1077 is approved and placed on the Consent Calendar. **(Vote: Approved 5-0-0-0).**

***I.R. 1078 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Janice A. Scansaroli (SCTM No. 0900-377.00-01.00-022.000)(Co. Exec.).***

**LEG. CALARCO:**

Motion.

**CHAIRMAN STERN:**

Same motion, same second, same vote. **(Vote: Approved 5-0-0-0)**

***I.R. 1079 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jason V. Beck (SCTM No. 0600-076.00-01.00-001.001)(Co. Exec.).*** Same motion, same second, same vote. **(Vote: Approved 5-0-0-0).**

***I.R. 1080 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Kim Y. Vance (SCTM No. 0102-009.00-02.00-077.002)(Co. Exec.).*** Same motion, same second, same vote. **(Vote: Approved 5-0-0-0).**

***I.R. 1081 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Peter Marzo, as Administrator of the Estate of Peter Marzo a/k/a Pietro Marzo (SCTM No. 0100-153.00-03.00-056.000) (Co. Exec.). Same motion, same second, same vote. (Vote: Approved 5-0-0-0).***

***I.R. 1082 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Taramatti Seemangall and Tillak Seemangall, as husband and wife (SCTM No. 0100-204.00-01.00-018.000) (Co. Exec.). Same motion, same second, same vote. (Vote: Approved 5-0-0-0)***

***1083 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Voutsinas Properties Family Limited Partnership and George Voutsinas as tenants in common (SCTM No. 0103-022.00-01.00-014.000) (Co. Exec.). Same motion, same second, same vote. (Vote: Approved 5-0-0-0)***

***I.R. 1084 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sean Wynne, individually as heir and as Administrator of the Estate of Michael F. Wynne, and Megan Wynne and Kathleen Wynne as heirs of the Estates of Kerri F. Wynne and Michael F. Wynne (SCTM No. 0100-026.00-02.00-027.000) (Co. Exec.). It's a big win.***

**LEG. SPENCER:**

It's a win/win.

**(\*Laughter\*)**

**CHAIRMAN STERN:**

Same motion, same second, same vote. **(Vote: Approved 5-0-0-0)**

***I.R. 1085 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Kim A. Voigt n/k/a Kim A. Wiltse (SCTM No. 0800-102.00-03.00-071.002) (Co. Exec.). Same motion, same second, same vote. (Vote: Approved 5-0-0-0)***

***I.R. 1086 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Robert Rosenblatt and Barbara Goodstein, husband and wife (SCTM No. 0900-375.00-02.00-026.007) (Co. Exec.). I'll make the motion to approve.***

**LEG. CALARCO:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Calarco. All in favor? Any opposed? Any abstention? I.R. 1086 is approved. **(Vote: Approved 5-0-0-0)**

***I.R. 1088 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act George Athanasatos (SCTM No. 0200-783.00-06.00-030.000) (Co. Exec.)***

I'll make the motion to approve and place on the Consent Calendar, second by Legislator Calarco. All in favor? Any opposed? Any abstentions? **(Vote: Approved 5-0-0-0)**

***I.R. 1089 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Janet Mulhall (SCTM No. 0800-036.00-02.00-019.004)(Co. Exec.).***

Same motion, same second, same vote. ***(Vote: Approved 5-0-0-0)***

***I.R. 1107 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Eliezer Barrios and Olga Barrios, his wife (SCTM No. 0500-116.00-03.00-043.000) (Co. Exec.).*** Same motion, same second, same vote. ***(Vote: Approved 5-0-0-0)***

***I.R. 1108 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Emil C. Rowland and Marguerette Rowland, husband and wife (SCTM No. 0200-791.00-02.00-013.000)(Co. Exec.).*** Same motion, same second, same vote. ***(Vote: Approved 5-0-0-0)***

***I.R. 1109 - Authorizing the sale, (pursuant to) Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Isaac Abishour (SCTM No. 0200-980.30-05.00-030.000)(Co. Exec.).*** Same motion, same second, same vote. ***(Vote: Approved 5-0-0-0)***

***I.R. 1110 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act James Hanna (SCTM No. 0200-401.00-01.00-004.005)(Co. Exec.).*** Same motion, same second, same vote. ***(Vote: Approved 5-0-0-0)***

***I.R. 1111 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Otis Lawrence (SCTM No. 0100-167.00-01.00-040.001)(Co. Exec.).*** Same motion, same second, same vote. ***(Vote: Approved 5-0-0-0)***

***I.R. 1118 - Reappointing member to the Judicial Facilities Agency (Martin R. Cantor)(Pres. Off.).*** I'll make the motion to approve.

**LEG. BROWNING:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Browning. Anybody on the motion? This is a reappointment for Mr. Cantor. I'll call the vote. All in favor? Any opposed? Any abstention? I.R. 1118 is approved. ***(Vote: Approved 5-0-0-0)***

***I.R. 1150 - (Adopting Local Law No. -2014), A Local Law amending Chapter 818 of the Suffolk County Code to modify the fees which may be applied by the Suffolk County Traffic and Parking Violations Agency(Co. Exec.).*** I'll make a motion to table for Public Hearing.

**LEG. CALARCO:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Calarco.

**LEG. SPENCER:**

On the motion.

**CHAIRMAN STERN:**

On the motion, Legislator Spencer.

**LEG. SPENCER:**

Just briefly, George, would you tell me just what these modifications are, just -- or Tom, if somebody could give me an explanation. George, what's your understanding?

**MR. NOLAN:**

Well, I think these are all new fees where they're seeking to enforce, you know, the collection of tickets and fines they're administering. So it's adding late fees for parking tickets, administrative fee for judgments, which that, somebody could explain. I'm not exactly sure what that means, but administrative fee for defaults, fee for failure to timely pay fine, a fee for booting if they -- if a vehicle has to be booted. In order to enforce something, there's a fee for that, 250 bucks. There's a \$350 fee for towing, and then fee for storage, \$75 per day on any part thereof. So a lot of new fees.

**LEG. KENNEDY:**

Whose bill is this?

**MR. NOLAN:**

County Executive's bill.

**LEG. KENNEDY:**

Good. There'll be plenty of time to beat that up.

*(\*Laughter\*)*

**CHAIRMAN STERN:**

Let's go to Mr. Vaughn, and then Legislator Browning.

**MR. VAUGHN:**

I guess I'll save my -- what I think to be my funny answer until after the committee is over, Legislator Kennedy, speaking of things getting beaten up. However, I would say that we will have Mr. Margiotta here in two weeks to speak to the full extent of the bill, why he feels that this is necessary for the efficient running of the Traffic Violations Agency, and how -- what were part of the considerations that he presented to the Administration and that we agreed with going forward on this. So we will be -- we will be going through this and having him available here for questioning, as well as what would amount to a presentation in two weeks as to the full extent as to why it's necessary, if that helps.

**LEG. SPENCER:**

Tom, I understand what is going on and I -- with what they're trying to do, and I want to get this on the record just again. I know Legislator Calarco took on with his legislation one piece with regards to the administrative fees that were being charged. I'm still -- in my Legislative office we're still getting story after story after story of people that are getting fines, and they come in and the amount of the fine is being pushed up to usually several hundred dollars in exchange for not having points. And I think my concern is that I'm not seeing enough parity and enough separation.

And I'm mentioning this now so that you'll have time to prepare, Mr. Margiotta will have time to prepare. And I think what I'm talking about is that someone who gets a speeding ticket 20 miles over the limit, and they go in and they plea and they pay \$500. Someone who gets stopped for

rolling through a stop sign, which is \$100, plus two points, but then the deal that they're given is also \$500 and no points. And it seems that \$500 seems to be the magic number, no matter what you're doing. And I think my concern is that I appreciate what Mr. Margiotta is doing, the Administration is doing, and I understand the economic impact of it, but I'm still getting a lot of complaints. And I plan, as a Legislator, to push very, very hard that, really, our primary responsibility has to be safety, and there has to be parity.

And when I look at just a variety of new fees and things of that sort, it's great to be able to generate some revenue, but if we're forgetting our mission of safety, and if we are just implying high levels of punitive fees on our young people and our taxpayers, I have some genuine concerns then. So I hope that you can pass that message on, and, you know, it would mean a lot to me. Thank you.

**MR. VAUGHN:**

I certainly hear that, Legislator. And the one thing that I would add, and I'm sure Mr. Margiotta can do a very valiant job championing this, this -- the bill, as it stands, and will -- there'll be plenty of time to debate, is really a bill that is focusing on making sure that people who have been convicted of various infractions are being held accountable for what -- for what we have -- for what they have been convicted of, or agreed to pay, and that really -- accountability is really what this piece of legislation at this point in time is about.

I know that, for example, on the -- just on the parking violations one, as someone who has managed to rack up more than his fair share of parking tickets in various municipalities throughout this fine County --

*(\*Laughter\*)*

-- it is mirroring, and I can say this by practice, it is mirroring what the Village of, for example, Patchogue, or the Village of Babylon does, where if you have not paid, the fee doubles or doubles again after you forget the second time to pay it. So this is really -- this bill really is about collections, that's what Mr. Margiotta will be talking about. As to your concerns, he will also be able to address those when he comes in in two weeks.

**LEG. SPENCER:**

Thank you.

**CHAIRMAN STERN:**

Legislator Browning.

**LEG. BROWNING:**

Okay. I think what I would prefer is that he come and maybe might -- may agree or disagree, but we do have a Public Hearing, and I think it would be nice to have a presentation in front of all of us before we decide to close or recess the bill, because there might be something in there that I would say, you know, I can support this, but I don't support that, and they'd have to amend it. So, before we'd close it, give them an opportunity to hear from us.

And, you know, Tom, when you say about it's mirroring other villages, that's all well and good, but just because they do it, it doesn't mean we have to do it. And, you know, remembering the days when my husband and I were living paycheck to paycheck and when he was unemployed, you know, granted, if you break the law, you have to pay the price, but when you start tacking on fees upon fees and you can barely afford a loaf of bread or a gallon of milk, it becomes very, very difficult and very hard for those people who can't afford those additional fees. That's my concern.

Granted, I say, you know, if there's a fine, there's a fine, but to continually tack on and tack on

because you didn't pay within the time period, you know, everybody's circumstances are different. Try filling up your oil tank right now, you know, home heating oil, and I can tell you many calls I've received, people who just don't have the money. So, you know -- you know yourself, you're paying for the same bills.

**MR. VAUGHN:**

I was going to say, Legislator, I may be cold-blooded, but I still do have to warm my home.

**LEG. BROWNING:**

You're not cold-blooded.

*(\*Laughter\*)*

No, you're here doing your job and -- but, again, us as a body have to make that decision, do we want to be that cold-hearted? That's the way I look at it. And, again, I think we need some more information from Mr. Margiotta before we would make a decision. That's why I don't know if the body here would disagree, that maybe he should come on Tuesday and speak to us on this, so we can decide whether we want to close it or not.

**CHAIRMAN STERN:**

Perhaps what we can do is send a message to the Presiding Officer as he's developing the agenda. Mr. Margiotta could be given the opportunity to make a presentation after Public Portion prior to Public Hearing, and we can have that back-and-forth dialogue, as you're suggesting. Maybe the Presiding Officer can reach out to the Administration and see if they'd be able and willing to make that arrangement.

**LEG. BROWNING:**

And maybe Mr. -- you know, again, maybe at the Public Hearing, we may have people come and speak on it, and it would be good for him to hear that.

**CHAIRMAN STERN:**

Okay. Legislator Kennedy.

**LEG. KENNEDY:**

Yes, thank you. All humorous comments aside, Tom, my request for Paul would be that -- and I will admit that I haven't had much time to go ahead and look at the bill. Maybe some of it's in there, but, nevertheless, I'm going to ask for it anyhow. There really should be three things that we're looking at here. First of all, statutory authority, of course, whether it's, you know, VTL, or whatever, that's giving us the ability to even contemplate.

You know, it's one thing when we talk about the fee structure and fine structure associated with operating a motor vehicle. Seizure of the vehicle and booting are absolutely two of the things that drive people most insane. You know, if you walk out and your car is gone, or you have this big yellow thing sticking off the side, some people are -- they'll attempt to drive with the boot on. So the very first thing should be statutory authority.

Then, secondly, we should look at what's prompted the policy determination in each of the either institution of fee or fee increase area.

And then third, we really do need to see some of the metrics regarding what rate of collection we're achieving. You know, if we're at 90 and 95%, yeah, maybe we should put in something that's, you know, a little bit more of a persuasion for a chronic offender. You know, if we're down to 50%, maybe then there's a different question or a different view that we have to look at. But the

surcharges and some of the other things absolutely are inflammatory, and, quite frankly, vehicle seizure and/or booting are extreme measures, and I certainly would want to hear about the specifics when that would be utilized. Okay. Thank you.

**CHAIRMAN STERN:**  
Legislator Calarco.

**LEG. CALARCO:**

Just to follow up on it, Tom, I think probably what would be most productive is if you can also have Mr. Margiotta bring to us comparables for other municipalities, what Nassau County does, what the villages are doing in terms of parking fees and what New York City does.

If my memory serves me correctly, Nassau County ran into quite a dilemma with their Bureau a couple of years back in that they were literally losing money on this operation, because they weren't collecting their fines, they weren't collecting the fees. They finally had to decide if they were going to start booting cars. It wasn't something originally giving them authority to do. And the last thing we want to have is take on a new responsibility such as this and have it start costing the County money.

Unfortunately, people only respond to certain things, and if you get a ticket and you don't pay it and there's no penalty for that, well, why are they ever going to pay it? You're just going to throw the ticket out and say, "Ah, who cares?" And then what? We get down to a point where we have scofflaws all over the place who just don't pay their tickets. And people learn pretty quickly, trust me. They figure the stuff out pretty quick, that if the County can't charge you more and can't really do anything to make you pay, they're not going to pay, they're just going to -- they're going to laugh it off.

So we need to make sure there is consequences for failure to pay. We're not talking about consequences for doing things that are not of your fault, not of your making, and not really illegal, and we've already dealt with that issue here and taken care of people who are really not in violation of laws. But when you break a law, there's a penalty, whether it's speeding or any other law, and you have to pay the consequences. And to allow people to just laugh it off I think will just get us in a bad spot.

**LEG. KENNEDY:**

Well, it's not so much -- I agree with you, Legislator Calarco, absolutely. As a matter of fact, you have to have a full range of remedies. But seizure and booting are really only two of a wide range of remedies. Sometimes you can actually have violations that over a period of time left unpaid will convert to a judgment, and actually they can be docketed against the offender or the violator. There's other types of remedies.

What I'm hoping they'll bring to us is what prompts them to seek the ability to utilize those remedies, and whatever -- what's the range and what prompts selection of these?

**LEG. CALARCO:**

Well, I guess we could ask them how they prompt each, but the resolution's pretty clear. You have a fee for a not timely payment, an extra penalty that comes to that. One of the fees is for a judgment, which is what you just mentioned, going out and getting a judgment, and then there are fees for booting and fees for towing. So, yeah, it sounds to me they're looking for the full gamut of range of enforcement mechanisms.

**LEG. KENNEDY:**

And we should be able to go ahead and see what's our track record been so far. As I said, you

know, if we've got a whole host of chronic offenders, I agree with you, we don't want to go, you know to an expense for the agency's operation. But, conversely, you know, if this is something that's going to be employed after multiple efforts, maybe it's got to be out there as a potential threat. I think we just need to see a little bit about what was the decision-making process that brought them to seek this.

**CHAIRMAN STERN:**

So Mr. Margiotta will come prepared to have the conversation. We'll leave it to the Presiding Officer. He's putting together the agenda to determine where and how that conversation will take place. Sounds good?

**MR. VAUGHN:**

Sounds like a plan.

**CHAIRMAN STERN:**

Thank you. Okay. Renee, do we have a motion?

**MS. ORTIZ:**

We do.

**CHAIRMAN STERN:**

We have a motion to table for Public Hearing --

**MS. ORTIZ:**

Public Hearing.

**CHAIRMAN STERN:**

-- with a second. I'll call the vote. All in favor? Any opposed? Any abstentions? I.R. 1150 is tabled for Public Hearing. **(Vote: Tabled for Public Hearing 5-0-0-0)**

I.R. 1151 is the one that we did.

***I.R. 1156 - To reappoint member of Suffolk County Board of Ethics (Richard F. Halverson) (Co. Exec.).*** This is a reappointment. Everybody had the opportunity to review Mr. Halverson's information. Everybody's ready to go on that? So I'll make the motion to approve, second by Legislator Spencer. All in favor? Any opposed? Any abstention? I.R. 1156 is approved. **(Vote: Approved 5-0-0-0)**

***I.R. 1157 - To reappoint member of Suffolk County Board of Ethics (Robin L. Long) (Co. Exec.).*** This is also a reappointment. We have her information before us. Any questions? Seeing none, I'll make the motion to approve, second by Legislator Spencer. All in favor? Any opposed? Any abstentions? I.R. 1157 is approved. **(Vote: Approved 5-0-0-0)**

We have some business before us in Executive Session, so I'll make the motion to go to Executive Session; second by Legislator Calarco. All in favor? Any opposed? Any abstentions? We are going to Executive Session.

***(Executive Session: 1:29 p.m. - 2:07 p.m.)***

**CHAIRMAN STERN:**

Okay. The Ways and Means Committee is out of Executive Session and we are back on the record.

Could we please add to the record that the committee has approved a settlement in the matter regarding Mary Hollman, individually and as the Administrator of the estate of Samuel A. Cox, and

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the estate of Samuel A. Cox on behalf of decedent John Cox, the County of Suffolk, et. al. I'll also note that Legislator Kennedy did not participate.

Okay? Anybody else? Anybody else? Okay. The committee is adjourned. Thank you.

***(The meeting was adjourned at 2:08 p.m.)***