

**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 November 13, 2014.

**MEMBERS PRESENT:**

Legislator Stern - Chairman  
Legislator Spencer - Vice-Chairman  
Legislator Browning  
Legislator Calarco  
Legislator Kennedy

**ALSO IN ATTENDANCE:**

Presiding Officer Gregory  
George Nolan - Counsel to the Legislature  
Jason Richberg - Chief Deputy Clerk of the Legislature  
Debbie Harris - Aide to Legislator Stern  
Laura Halloran - Budget Review Office  
Tom Vaughn - County Executive's Office  
Lynne Bizzarro - County Attorney's Office  
Wayne Thompson - Real Estate  
Rick Brand, Newsday  
All other interested parties

**MINUTES TAKEN BY:**

Gabrielle Severs - Court Reporter

*(The meeting was called to order at 12:38 p.m.)*

**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 led by Comptroller Kennedy.

(Salutation)

Let's take a moment of silence and keep all of our brave men and women fighting for our freedoms overseas in our thoughts in prayers.

(Moment of Silence Observed)

Thank you. Welcome, everyone. I don't have any cards, correct? Okay. But we are going to begin today with a presentation. Words from Mr. Clerk.

**MR. LAUBE:**

Good afternoon, everyone. Just give me a second. This will pop up on the screen. Here we go. Legislator Lindsay asked me to put together a quick presentation about Procedural Motion 26, which is titled Amending the rules of the legislature to further paperless initiative. First, I'm going to show you a little bit of the history of what we've been doing in the clerk's office since really we started in 2008 when we began to offer resolutions online. First we offer the resolution packet, which is all the resolutions each legislator gets for each meeting cycle. Later, we added late starters and then certificates of necessity. In 2008, we made as many as 54 copies of the resolution packet. The resolution packet is the monster of the budget -- of the meeting cycle that we produce for the legislature. In 2009, the average res packet was about 400 pages. It's grown to about 600 pages in 2014.

Since 2009, if you look at it -- we didn't have that policy in place -- we would have used about 2.6 million pages of paper making copies without having the e-copies policy. Since then, because we're not totally on the -- not every legislator gets e-copies -- some get the hard copies still -- we conservatively estimate we've saved about 1.65 million pages of paper since 2009, which is nearly a 60 percent reduction. That's about 328 boxes of paper, about \$8200 worth of paper and about 21 trees.

Now the tree calculation I come up with just researching on the internet and coming up with a ballpark figure about how many trees it takes to make a box of paper. The real way to quantify this in terms of work hours with our staff -- mostly AnneMarie Pastore; she's our head copy, collation person, organizing all of this through the general meetings and the committees -- we put it about, over five years about 1,050 hours, which if you were to quantify it versus her salary across those five years is about \$50,000.

So if you were to initiate Procedural Motion 26, we'd be looking at saving money, resources, paper, time, reduces the chances of error; and by that I mean a lot of times we distribute on the go during a general meeting, and there'll be resolutions, late starters, CNs at the last second. When you're working under the gun like that before a meeting ends, because things have to be presented to the legislation before the meeting ends, there's changes that can happen, there's mistakes that can happen. When it's just done once, it's scanned, you have a little more time to make one copy as opposed to 19 -- 18 legislators plus counsel -- you can move a little more deliberately and avoid any chances of error.

Third, it creates opportunity to work on other initiatives instead of staff spending time collating and making copies, I can have staff work on other initiatives and issues we have in the office, and, believe me, there's plenty.

And fourth, it allows the clerk's office to respond quickly to requests and changes. Once things are scanned, we have them permanently. If a legislator calls and says, Hey, I need the backup to a certain resolution, I can provide that within a few minutes instead of having to go get copied it, and scanning it over to you, it's ready to go at a moment's notice.

And finally, some of you weren't here for this, but way back in the day under a different administration, we had a bunch of vetoes come in and it looks something like this (indicating). I don't know who was here for that, but that was a bunch of vetoes that came from across the street. That was not only the 18 legislators but counsel, but there were all the other copies we had to make for everybody who got a copy. So this now could be done electronically. We do it electronically, and it's done once and saves a lot of time and a lot of resources. Any questions?

**CHAIRMAN STERN:**

Tim, at this point, you had said some legislators use the electronic system and some don't. What are the numbers at this point? Not a "who" necessarily but a "how many" take it electronically and how many still take it hard copy.

**MR. LAUBE:**

It varies from CNs to late starters to the packet, but we make about 30 copies for CNs at a meeting, 18 for late starters, about 19 for the packet, so down from 54 way back in the day; "way back in the day" being 2008.

**CHAIRMAN STERN:**

And how does that break out in legislative offices? How many legislators still take the hard copy as opposed to the electronic version?

**MR. LAUBE:**

Oh, I'd have to look. For the packet and all that, I'd have to break it down; that's just the total that we put out. It's probably a little more than half.

**CHAIRMAN STERN:**

A little more than half are still taking the hard copy.

**MR. LAUBE:**

Hard copy.

**CHAIRMAN STERN:**

Okay. Legislator Spencer.

**LEG. SPENCER:**

While you were giving your presentation, I was just having a little side conversation while listening to you, and we were trying to get to some of the reasons why some of the legislators still use the hard copies as opposed to the online copies, and some of the concerns that we could address, it's kind of the way that the information is presented on our laptops where you kind of go in and you search for the bill, then it pulls it up. And as far as being able to quickly get into the bill or the resolution and be able to find different sections, it's a little cumbersome to be able to do that, and I think that there's an opportunity here -- I know that looking at some of the current hardware that we have that we're shifting things around -- but I'm seeing some of the functionality with some of

the tablets and things that are touchscreen and literally where they almost set it up where it looks like on your computer where you'll see like a stack of papers like that you can touch and it will pull out different things, and you can instantly go in and out of bills, and I'm wondering if we could save a lot more money if we, maybe, worked on a project with IT to be able to kind of get that information on the fly where we could quickly scan and look at resolutions similar to like what we do with hard copies.

**MR. LAUBE:**

What we hope to launch in January is the ability where you can grab a bill off our network from your laptop there and get the associated backup with it at that moment. Right now, when we make the resolution packet available to you with the backup lined up with each resolution. So if it's a 600-page PDF that you download off our website and look at on your screen, it's done by number, so if you're looking for IR1926 and it starts with 1827, you're just going to scroll down until you get there. We're working on making it so you can just access each bill and then get the backup, which will speed things up for you at the horseshoe. If you're sitting at your desk and not under a deadline, like you would be here, it only takes a few minutes to scroll down through. But what I'm trying to do is create a versatility (sic) for legislators during meetings so they can find the information quickly because there's a lot going on at the horseshoe during any general meeting. You don't want to spend time looking for a page on a PDF when you're paying attention to conversation at the horseshoe.

**LEG. SPENCER:**

I think that's wonderful, and I'm hoping that as we are updating our hardware that we kind of plan ahead to make sure that we'll implement a new system with, you know, whatever -- we have the laptops now but whether or not we switch to a surface or something. I hope that we think ahead in terms of what our needs are as we're making those changes.

**MR. LAUBE:**

Well, a lot of these changes that we're going to do here are just changes to logistics. It's not a change in equipment we need to purchase or anything like that, but I do have data on what legislators receive, electronically and hard copy. Eight legislators get hard copies of the resolution packets, 10 legislators get copies of late-starters -- that's what you get at the meeting -- and then all the legislators get copies to have CNs.

**CHAIRMAN STERN:**

And so, Tim, this would cover CNs as well. CNs would, then, be strictly in electronic form.

**MR. LAUBE:**

Yes. Now, I've had legislators come to me and say, Tim, I like to look at the hard copy when I'm at the horseshoe, and I completely understand that. I prefer sometimes, especially after a long meeting, looking at hard copies is a little easier than looking at the screen. What I'd recommend is to staff and to legislators is just to print the page that you need in this case, because I've seen instances where we produce these voluminous packets and packages of information, only to find them in the garbage later, not legislators throwing them out but other staff just getting them, they take what they need, and the rest gets recycled. I think we could reduce that quite a bit by just if you opened up a PDF, like I need everything on a certain resolution, you just print those pages out at that time.

**LEG. SPENCER:**

Yeah.

**MR. LAUBE:**

Because I don't think every legislator is looking at every single resolution that we have. They might read it -- of course they're reading it, but it's not something they need -- it's not on their primary agenda.

**CHAIRMAN STERN:**  
Legislator Calarco.

**LEG. CALARCO:**  
Tim, this is -- the proposal that's being put out there, and I know you've worked on it -- this is, though, while it's going to have us go primarily paperless, it's still going to give some us -- like I have not transitioned to the e-book yet -- the ability to still keep paper and get the paper copies if we want. In fact, I know for my particular office, because we have some additional responsibilities that other offices don't have, the paper packet is quite helpful for them to get their responsibilities covered.

**MR. LAUBE:**  
Is that a question or?

**LEG. CALARCO:**  
Yeah. Are we still going to get paper, should we choose to get paper?

**MR. LAUBE:**  
Well, looking at the procedural motion in front of me, I'm under the impression that no, you'd print out the ones you wanted on your own. It's something we can produce in our office.

**LEG. CALARCO:**  
Well, my office, I will admit I'm one of the offices that takes the full packet and takes all the late starters, and quite honestly, it's more for the ease of my office to be able to cover some of the additional responsibilities they have as myself being the majority leader, so it is an issue that I would want to make sure that should we want paper for those legislators who maybe don't use their computer, don't want to read, if they still rely on paper, that they have that option to still rely on paper, but it's going to make the underlying policy to go away from paper if we can.

**MR. NOLAN:**  
I think what this will change, the obligation to print it out would probably shift to your office as opposed to the clerk doing it.

**LEG. CALARCO:**  
Well, I understand, but when we're talking about 600 pages of ink, you're going to burn out my printer, we're going to be spending more money on toner for my printer in the office than you're going to spend on just printing out -- you know, having this thing printed out.

**MR. LAUBE:**  
And the resolution packet, the big packet, the main one that you get every committee, every meeting cycle is printed at the print shop in Yaphank where they have more of the tools to do such an option.

**LEG. CALARCO:**  
Yeah, and that's my point. I mean, prior to my current position, we didn't take the packet, and it wasn't necessary and we printed out the bills we needed for the specific committees I sat on, and it wasn't much of a big deal, but at this point in time, it's a little bit different. My staff goes through each and every resolution and needs to have that resolution and that backup available so that they can do their jobs, and as such I don't think it's something I want to do where I have to tell them,

Okay, every cycle now you have to print out 600 pages on our printer.

**MR. NOLAN:**

The way the rule is now is it basically talks about electronic, but a legislator can waive his right to receive the packet or not. That language is going with this rule change, so this is basically -- the clerk's obligation, under our rules, would be able to give it to you electronically. Now whether Tim is, in practice, still, you know, for the people who want that packet, he's going to produce it for you --

**MR. LAUBE:**

Well --

**LEG. CALARCO:**

I guess that's why I'm saying. If I need to be given, and this is what it was portrayed to me from the sponsor, was that I would be given to opt back into paper if that be so the choice that myself or my office needed to do. If you're telling me that's not the case, I don't know if I could support this right now.

**MR. LAUBE:**

No, no. In terms of the clerk's office, we put it together, but we're not producing the resolution packet. That would be -- It'd be as simple as we give it to them and they would make whatever copies the legislature needs. In terms of impact on the clerk's office, the resolution packet, it's minimal in terms of making multiple additions of each one, but there's still a cost factor for sure, as opposed to in the old days of doing 54 of those.

**LEG. CALARCO:**

Sure. No, I understand that, and I completely support the concept of getting rid of as much paper as we can, and there's a large part of it that we probably don't need and even my staff doesn't need, but I want the option to opt into paper, I guess is what I'm saying, and if that option is not being made available, then I have concerns. I don't think that's just me. I think there's some of my colleagues that just aren't computer savvy and don't use them, their computers, often.

**MR. NOLAN:**

Yeah. I mean, the way I interpret the rules right now is you have an option: You can opt in or you can opt out, and this proposed rule change, actually, there is not that language anymore, a waiving or not.

**LEG. CALARCO:**

Yeah. My understanding right now you have the option to waive --

**MR. NOLAN:**

Yeah, you have to waive your ability to get a hard copy.

**LEG. CALARCO:**

And I'd be comfortable with a policy that says you have to be opt into paper, but I don't want a policy that says there is just no paper anymore, and I'm not going to say we're printing 600 pages, whatever, in my office. It's just insane.

**MR. LAUBE:**

I mean, I have a suggestion we could -- that would probably meet this, that if the legislator needs the resolution packet, they would just have that file sent to -- we would already have it at the print shop. They would just order one from the print shop, and it could be delivered straight to them.

Our courier would deliver that as he makes his rounds.

**LEG. CALARCO:**

So my staff would have to call a print shop or? Because we're not even -- we don't deal with a print shop. We go through Meghan. It goes to the print shop. I mean, it's just -- why couldn't we just say the clerk's office still maintains a list of those legislators who still want the paper packet and you guys --

**MR. LAUBE:**

That is one way.

**LEG. CALARCO:**

Affirmatively, we want an "opt back into paper option," and I feel the same way about CNs. I don't think I could look at the computer in the middle of a meeting and read those CNs while trying to pay attention to everything else going on.

**CHAIRMAN STERN:**

That would be my concern as well, specifically the CNs. I suppose if there was a way I agree with Legislator Calarco that as we're going through the meetings that's when we usually have the opportunity to take a look at the CNs, so I don't see there being a real meaningful opportunity to turn the electronic version into print form any time during the meeting, especially if we're out in Riverhead, say, and the infrastructure really isn't there to do that. But perhaps if it is going to be in electronic form, and at the very least not just producing the substance and having us go find each one, but there have to be at least some kind of a cover page, at least some kind of a summary as to how many CNs, what the substance of the CNs coming that we're going to need to consider much sooner rather than later, you know, during the course of the meeting. There would have to be a way to be able to find them and to be able to start to consider them in a meaningful way like we usually do if it's in paper form and it's right there in front of us. That would be my concern, but I'm sure there's a system.

**MR. LAUBE:**

During the general meetings currently, as soon as a CN is filed with our office, we make an electronic copy and we post it to the web within a few minutes. It's as fast as it goes to the scanner, I merge it with whatever PDF we have for CNs at that time, and as fast as staff can post it to the internet, it's available.

**CHAIRMAN STERN:**

Then someone from your office would have to alert everybody that it's now there for our review. It would have to go up on a scoreboard someplace because usually we get notified when the red folder comes before us.

**MR. LAUBE:**

Yes.

**CHAIRMAN STERN:**

This being done differently, there'd have to be another way to let us know to now go to where you've posted them to take a look.

Legislator Kennedy.

**LEG. KENNEDY:**

While I won't have the opportunity to deal with this anymore effective January and I appreciate an

effort that looks like it is an effort promoted towards continued efficiency and savings, I will tell you, you know, that I've been one of the guys that keeps the hard-copy packet, and in some respects I'm just a dinosaur. We sit there and we bust out the resos, we assign the resos out, and I would agree with the chairman; I personally would have a real hard time while we're dealing with what's going on to try to absorb what's in a CN. I mean, you see many of us; we're scanning and we're grabbing a line here or there as we're even beginning to get to whatever the discourse is on the matter. I, for one, couldn't do it on the screen. I couldn't do it, for what it's worth.

**LEG. CALARCO:**

I need paper. I still buy books because I need paper.

**CHAIRMAN STERN:**

Well, I guess that would be the concern, so while I understand and appreciate someone like Legislator Calarco who is saying at this point, you know, he needs the paper, if there's a system where it can go to the print shop and he can receive the paper in advance of the meeting, that's great. The CN would be the concern because I don't see that being able to be done in quite the same way. There is no advance warning. You can't send it off to the print shop. You can't have members of your staff in the back room for a period of time, especially if we're out in Riverhead, say, producing all of that paper for those that are going to probably wind up requesting it all at the same time. If there's a substantial CN that's coming before us sooner rather than later, my bet is that more often than not, everybody's going to want a hard copy in front of them, and that's, I think, going to put more of a burden on you in a short period of time. Perhaps we can look at a --

**MR. LAUBE:**

That's what we're doing now.

**CHAIRMAN STERN:**

-- system for the CN. Right, but right now the system is you're producing hard -- but at least you know. At least you know it's going to everybody, you're setting the printer, but I guess what I can see is throughout the day, as you're posting, as you're posting, as you're posting CNs as they're coming in, more and more are going to say, Timmy, can you make me copies, can you make me copies, can you make me copies; and then that's going to send your staff back and forth. That's probably less efficient than even hitting them all at the same time. But again, I'm sure a system --

**MR. LAUBE:**

Well, actually, you can do it right from your laptop at the horseshoe. You could just call up what you want on the screen and just print and it comes out right in front here.

**LEG. CALARCO:**

You do, but then you pass your CN back to your staff so they could take a look at it as well. They don't look at your laptop. I mean, it's just, I would need the paper CN. I mean, I'll tell you just flat out, I need the paper. For that matter, given the size of the late starters that came in through the last budget meeting when we didn't used to do laid on the tables at budget meetings, we had late starters, that thing was almost as big as a regular packet, and it's the same issue for my staff, so then we're going to be printing out 500 pages. That thing was big, and we've had that issue lately, where our late starters are quite sizable, and they're printing that out, and it's just difficult.

**MR. LAUBE:**

Agreed. Our late starters at the June 4 meeting last year was 433 pages. That's just late starters.

**LEG. CALARCO:**

That's a lot. Maybe we need to trim down on our late starters.

**MR. LAUBE:**

Well, that's out of my control.

**CHAIRMAN STERN:**

Anybody else for the clerk? All right, Timmy. Thanks.

**MR. LAUBE:**

Thank you.

**CHAIRMAN STERN:**

Okay. Going, then, to the agenda, beginning with *tabled resolutions*.

**IR 1558, Amending the rules of the Legislature to maximize public participation in the Legislative Process (Cilmi).**

**LEG. CALARCO:**

Motion to table.

**CHAIRMAN STERN:**

Motion to table by Legislator Calarco. I'll second. All in favor? Opposed? Abstentions? IR 1558 is **tabled**. (VOTE: 5-0-0-0)

**IR 1636, Adopting Local Law No. -2014, A Local Law to increase transparency and fairness of the County's property leasing process (Schneiderman).** Motion to table. This is a public hearing. It's still in public hearing. Motion to table by Legislator Spencer. Second by Legislator Calarco. All in favor? Any opposed? Any abstentions? 1636 is **tabled for public hearing**. (VOTE: 5-0-0-0)

**IR 1658, Adopting Local Law No. -2014, A Charter Law to strengthen and streamline lobbyist registration and reporting requirement (Lindsay).** This is also subject of a public hearing that is still open. I'll make a motion to table. Second by Legislator Calarco. All in favor? Opposed? Abstentions? **Tabled for public hearing (VOTE: 5-0-0-0)**.

**IR 1726, Adopting Local Law No. -2014, A Charter Law to update the County's ethics statute (Gregory).**

**LEG. SPENCER:**

Motion to approve.

**CHAIRMAN STERN:**

The public hearing has been closed. This is now before us. Motion to approve by Legislator Spencer.

**LEG. KENNEDY:**

On the motion.

**CHAIRMAN STERN:**

I'll second the motion to get it before us. Legislator Kennedy.

**LEG. KENNEDY:**

George, can you just -- what do we do with this?

**MR. NOLAN:**

Two changes that were requested by the Board of Ethics. Right now, the members are entitled to receive \$200 for each meeting but not to exceed \$400 per month. What the board requests is that we leave it at \$200 per meeting but cap it at \$4800 per year so that if they need to have three meetings in a month and one meeting the next month, they can get paid for the meetings they attend.

The other change is it's making clear -- the language of the statute right now talks about, you know, the board can penalize people who don't file a financial disclosure form. That's in chapter 77 of the code, most of the financial disclosure requirements, but there are some disclosure requirements in other sections of the code. So it just broadens the language to say that if any person is required to file a financial disclosure form under any section of the county law and they fail to do so, the board has jurisdiction to penalize those people.

**LEG. KENNEDY:**

And that penalty, refresh my recollection, is it just a financial penalty or?

**MR. NOLAN:**

250 bucks. They're subject to a fine not less than 250 or more than \$1,000.

**LEG. KENNEDY:**

Okay. Fine.

**CHAIRMAN STERN:**

Okay. I'll call the vote. All in favor? Opposed? Abstentions? IR 1726 is **approved. (VOTE: 5-0-0-0)**

Going to *Introductory Resolutions*.

**IR 1857, Authorizing a certain technical correction to Adopted Resolution No. 200-2014 (County Executive).** I'll make a motion to approve and place on the consent calendar. Second by Legislator Calarco. All in favor? Any opposed? Any abstentions? IR 1857 is **approved and placed on the consent calendar (VOTE: 5-0-0-0)**

**IR 1858, Authorizing a certain technical correction to Adopted Resolution No. 107-2013 (County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar (VOTE: 5-0-0-0).**

**IR 1862, Directing the County Attorney to determine the feasibility of Suffolk County bringing an action against manufacturers of prescription opiates (Calarco).**

**LEG. SPENCER:**

Motion to approve.

**CHAIRMAN STERN:**

Motion to approve by Legislator Spencer. Second by Legislator Calarco.

**LEG. SPENCER:**

It should be reversed. It's his bill.

**CHAIRMAN STERN:**

Switch it.

**LEG. SPENCER:**

Yeah, it's his bill.

**CHAIRMAN STERN:**

Legislator Calarco.

**LEG. CALARCO:**

In short, what this is is I've asked the county attorney's office and I know that they've actually already begun some work on this and are hoping to have something for me sooner than later, but what this will do is ask them to take a look at the feasibility of commencing a lawsuit against the pharmaceutical companies for the way that they have marketed and pushed their opiate-based painkiller products.

We have two counties in southern California, Santa Clara and Orange Counties, have both already commenced lawsuits, as has the City of Chicago, against big Pharma. And the basic premise of these lawsuits is legitimate in our instance as well is that the pharmaceutical companies have not exactly been straight with the public and certainly not about doctors, either, about the addictive nature of these products or with the proper use of the product to treat chronic pain and that these products have led to many people becoming addicted to opiates, which has led to heroin problems, among other things. We had the shootings in Medford that were based upon somebody shooting -- looking for access to those pills, and it's time that we started asking these peoples who produce the pills to be responsible for it.

And quite honestly, at the same time that we had the opiate epidemic raging, they're pushing stronger medications that have more potential effect for addiction and not even being willing to create that product in a fashion that has a slow release to it to prevent it from being able to be utilized for people looking to get a quick high, so that's what we're trying to deal with, and we have faced a lot of cost to this county to deal with the negative effects of the overdose of the prescription epidemic; and through Medicaid, through having to have Narcan in the cop cars, there's so many other things that this is looking to make sure that they're held responsible and hopefully give us some resources to help deal with the problems that was created by those.

So I'd ask everyone to support us, and, you know, it's just a feasibility study at the end to have day. The County Attorney will give us their opinion.

**CHAIRMAN STERN:**

Legislator Kennedy, then Legislator Spencer.

**LEG. KENNEDY:**

Thank you, Mr. Chair, and through -- to the sponsor and to the chair, we do have somebody here from the county attorney's office. My only question would be, you know, does the office have the ability to go ahead and do this review or do this study? Is it something that can be done inhouse?

**LEG. CALARCO:**

They're in process at the moment. They have already started work. I've talked to them a while ago, so they are --

**LEG. KENNEDY:**

You're going to handle it inhouse?

**MS. BIZZARRO:**

Yes, absolutely.

**LEG. KENNEDY:**

Okay. Fine.

**LEG. SPENCER:**

This is really important. We're a pretty big county, but compared to the resources and when you look at research and development, with the big pharmaceutical companies, they have profited billions of dollars for a long time and this is a major problem that we've had to kind of really absorb the burden and I understand the need to have great, strong Pharma too create cutting-edge, drugs but I think they need to be responsible for just the impact of their drugs and the impact of their marketing. And I think at the very least this feasibility will allow us to send a message and wake up and make them wake up and be more responsible, so that's why I second the resolution. I plan to fully work with, I guess, Majority Leader Calarco and make sure that this happens, so thank you for doing it.

**LEG. CALARCO:**

Thank you, doctor.

**CHAIRMAN STERN:**

We have a motion and a second. I'll call the vote. All in favor? Opposed? Abstentions? 1862 is approved. **Approved (VOTE: 5-0-0-0)**

**IR 1865, Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Jose L. Campos (P.O. Gregory).** I will make a motion to approve.

**LEG. BROWNING:**

Second.

**CHAIRMAN STERN:**

Second by Legislature Browning. Anybody on the motion? All in favor? Opposed? Abstentions? 1865 is **approved. (VOTE: 5-0-0-0)**

**IR 1867, Adopting Local Law No. -2014, A Charter Law to modify charter commission requirements (Browning).** This needs to be tabled for public hearing. I'll make a motion to table for public hearing.

**LEG. SPENCER:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Spencer. All in favor? Opposed? Abstentions? **1867 is tabled for public hearing. (VOTE: 5-0-0-0)**

**IR 1890, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Gary M. Gerns and Pamela Liguori (SCTM No. 1000-104.00-12.00-008.001) (County Executive).** Motion to approve and place on the consent calendar. Second by Legislator Calarco. All in favor? Opposed? Abstentions? 1890 is **approved and placed on the consent calendar. (VOTE: 5-0-0-0)**

**IR 1891, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act MBB Estates, Inc. (SCTM No. 0200-910.00-01.00-025.000)(County Executive).** Same motion, same second, same vote.

**Approved and placed on the consent calendar. (VOTE: 5-0-0-0)**

**IR 1893, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Donna Davis, n/k/a, Donna Houck (SCTM No. 0200-403.00-09.00-080.000) (County Executive).** And a half same motion, same second, same vote.

**Approved and placed on the consent calendar. (VOTE: 5-0-0-0).**

**IR 1894, Approving list of Title Insurance Companies as designated by the Division of Real Property Acquisition and Management (County Executive).** I'll make a motion to approve.

**LEG. BROWNING:**

Second.

**CHAIRMAN STERN:**

Second by Legislature Browning. Is there anybody here that can speak on it?

**MR. THOMPSON:**

Good afternoon. Wayne Thompson from Real Estate.

**LEG. KENNEDY:**

Anybody besides Advantage.

(LAUGHTER)

**MR. THOMPSON:**

The current list expires on December 31 of this year. We're required to do an RFQ for a new list and get it approved by the legislature. We did, in fact, do RFQ and this is the list of 14 title companies, and we're required to have a minimum of 10.

**CHAIRMAN STERN:**

Legislator Browning.

**LEG. BROWNING:**

For the life of me, I cannot think exactly who it was, but there was somebody who called my office. I believe one of my aides might have sent it to you, a company that said they weren't aware because of poor advertising or something to that effect, and I think it was to do with the title companies. I can follow up with him.

**MR. THOMPSON:**

I'm not aware of that.

**LEG. BROWNING:**

Yeah. I think it was that they said, you know, they didn't see the advertisement, where was the advertisement.

**MR. THOMPSON:**

It may have gone to Jill.

**LEG. BROWNING:**

Yeah, it might have gone to Jill.

**MR. THOMPSON:**

We don't talk that much, you know.

(Laughter)

**LEG. BROWNING:**

I hope you're not talking about work when you go home.

**MR. THOMPSON:**

The county gets 24 hours of work out of me, believe me.

**LEG. BROWNING:**

I bet. But I know there was something that came up with regards to not having seen the advertising and now not being able to apply all in a title company. I think they were a small company or something. I'll have to get somebody in the office to get back to you.

**MR. THOMPSON:**

I don't know if they can add to the list, but it has to be approved here. Right, but I guess it was advertising that went out or something. Would it have been the title company? Maybe I'm thinking about something different.

**MR. THOMPSON:**

It was done the usual way we do all our RFQs, which is fairly done through purchasing.

**LEG. BROWNING:**

Okay. I'll get the office. I didn't speak with him directly. They spoke with one of my aides, and I know they kind of give me a little FYI. It was quite a few weeks ago.

**CHAIRMAN STERN:**

Any others questions? I'll call the vote. All in favor? Opposed? Abstentions? IR 1894 is **approved. (VOTE: 6-0-0-0, P.O. voting)**

**IR 1921, Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Smithtown - (SCTM No. 0800-164.00-02.00-046.002 f/k/a part of 0800-164.00-02.00-046.000)(County Executive).** This is a 72-h transfer to the Town of Smithtown, a 200 square foot right of way, consideration of one dollar. I'll make a motion to approve.

**LEG. KENNEDY:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Kennedy. All in favor? Opposed? Abstentions? Approved. IR 1921 is **approved. (VOTE: 6-0-0-0, P.O. voting)**

**IR 1926, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Raymond Winslow and Deborah Winslow, his wife (SCTM No. 0800-164.00-02.00-046.006 f/k/a part of 0800-164.00-02.00-046.000)(County Executive).** I'll make a motion to approve.

**LEG. SPENCER:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Spencer. All in favor? Opposed? Abstentions? **Approved. (VOTE: 6-0-0-0, P.O. voting)**

**IR 1927, Sale of County-owned real estate pursuant to Local Law No. 13-1976 Joseph D. Iamartino (SCTM No. 0400-257.00-02.00-012.005)(County Executive).** I'll make a motion to approve. Second by Legislature Browning. All in favor? Opposed? Abstentions? **IR 1927 is approved. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1954, Authorizing the Town of East Hampton to utilize a parcel, Suffolk County Tax Map No. 0300-162.00-01.00-010.002, for municipal purposes (Schneiderman).** I'm going to make a motion to table. This is at the request of the sponsor. Second by Legislator Spencer. All in favor? Opposed? Abstentions? **IR 1954 is tabled. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1964, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Aslam Chaudhry (SCTM No. 0500-290.00-01.00-002.000)(County Executive).** I'll make a motion to approve and place on the consent calendar. Second by Legislator Spencer. All in favor? Opposed? Abstentions? **IR 1964 is approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1965, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Friendship Beach Land, Inc. (SCTM No. 0209-025.00-02.00-029.000)(County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1966, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Harold Firestein and Judith Firestein. (SCTM No. 0100-191.00-02.00-022.000)(County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1967, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Harold Firestein and Judith Firestein (SCTM No. 0100-191.00-02.00-022.000)(County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1968, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Rafael Fernandez (SCTM No. 0200-589.00-02.00-005.001)(County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1969, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Roberta L. Perry (SCTM No. 0100-066.00-02.00-050.000)(County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1981, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Christy Renee Tolbert (SCTM No. 0100-083.00-04.00-036.000)(County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1982, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Chris Blissett Executor of the Estate of Clarence T. Jolley (SCTM No. 0100-093.00-01.00-047.001) (County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1983, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joseph Gentile (SCTM No. 0400-273.00-03.00-028.000) (County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1984, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joseph Gentile and Cathy Moriarity-Gentile (SCTM No. 0100-015.00-04.00-001.000) (County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1985, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joslyn W. Rogers (SCTM No. 0500-111.00-03.00-010.000) (County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1986, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act The New Beginning Church, Inc. (SCTM No. 0100-078.00-02.00-004.000) (County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1987, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Tina R. Newsome (SCTM No. 0500-274.00-01.00-104.000) (County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 1997, Directing the Board of Elections to post referendum propositions online (Cilmi).**

**LEG. SPENCER:**

Motion.

**CHAIRMAN STERN:**

Motion by Legislator Spencer. Second by Legislator Browning. All in favor? Opposed? Abstentions? IR 1997 is **approved (VOTE: 6-0-0-0, P.O. voting).**

**IR 2002, Authorizing the renewal of the lease of premises located in the Town of Islip, NY for use by Suffolk County District Attorney's Office (County Executive).** I'll make a motion to approve. Second by Legislator Spencer. All in favor? Opposed? Abstentions? IR 2002 is **approved and placed on the consent calendar. (VOTE: 6-0-0-0, P.O. voting).**

**IR 2003, Approving a settlement agreement to a class action relating to the right to counsel of indigent defendants (County Executive).** Motion by Legislator Browning. Second by Legislator Spencer. The County Attorney's Office is here.

**LEG. KENNEDY:**

Is this the settlement? We didn't have this in executive. We haven't done it.

**MR. KAPSALIS:**

Good afternoon, Members. I'm Len Kapsalis from the general litigation bureau of the County Attorney's Office. I'd be happy to answer any questions you might have about the settlement.

**LEG. BROWNING:**

I just wanted to double check --

**CHAIRMAN STERN:**

Hold on. Hold on, Kate. Anticipating some of the questions that might be coming your way, do you believe that it would be best to ask and answer these questions in an executive session?

**MR. KAPSALIS:**

Possibly that might be preferable.

**CHAIRMAN STERN:**

All right. Let's do that, then.

**LEG. GREGORY:**

Spoken like a true lawyer.

(Laughter)

**CHAIRMAN STERN:**

We'll do that. We did not have an executive session scheduled, but we'll do that at the end of the agenda. So we'll do that in executive session when we're concluded with the agenda.

**MR. NOLAN:**

We'll skip over this one and come back.

**CHAIRMAN STERN:**

Let's do that now. I'm going to -- because the remainder of the agenda deals with this issue and we're going to have the opportunity to ask questions and get answers in executive session, I'm going to make a motion to adjourn as we go to executive session. Second by Legislator Spencer. All in favor? Opposed? Abstentions? We are adjourned for executive session.

*(The committee met in executive session  
from 1:21 p.m. until 1:35 p.m.)*

We are back on the record having returned from executive session. Mr. Clerk, do I have a motion and a second on 2003?

**MR. RICHBERG:**

Yes, you have a motion and a second.

**CHAIRMAN STERN:**

Okay. I will call the vote on IR 2003. All in favor? Opposed? Abstentions? Approved. IR 2003 is approved (**VOTE: 5-0-0-1, P.O. voting, Not Present: Kennedy**)

**IR 2009, Accepting and appropriating a grant in the amount of \$299,526 from the New York State Office of Indigent Legal Services under the Upstate Quality Improvement and Caseload Reduction Project for improvement to Indigent Legal Services provided by Suffolk County through the Legal Aid Society of Suffolk County and the Suffolk County Bar**

**Association assigned Counsel Defender Plan with 100% support (County Executive).** I'll make a motion to approve and place on the consent calendar.

**LEG. BROWNING:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Browning. All in favor? Opposed? Abstentions? IR 2009 is **approved and placed on the consent calendar. (VOTE: 5-0-0-1, P.O. voting, Not Present: Kennedy)**

**IR 2010, Accepting and appropriating a grant in the amount of \$2,106,258 from the New York State Office of Indigent Legal Services, to improve the quality of services provided under Article 18-B of the County Law by the Legal Aid Society of Suffolk County and the Suffolk County Bar Association Assigned Counsel Defender Plan with 100% support (County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 5-0-0-1, P.O. voting, Not Present: Kennedy)**

*Procedural motions.*

**PM26, Amending rules of the Legislature to further paperless initiative (Lindsay).**

**LEG. BROWNING:**

Motion.

**CHAIRMAN STERN:**

Motion by Legislator Browning.

**LEG. CALARCO:**

Motion to table.

**CHAIRMAN STERN:**

Motion to table by Legislator Calarco.

**LEG. SPENCER:**

I think he's expressed a genuine concern. I'll support the tabling.

**CHAIRMAN STERN:**

All right. Doc Spencer is going to second the tabling motion, and I'm going to second the motion to approve.

**LEG. CALARCO:**

Since this is a procedural motion, we can actually amend this before Tuesday and just have a new procedural motion on Tuesday; correct, Counsel?

**MR. NOLAN:**

You could amend it and we could consider it.

**LEG. CALARCO:**

Because technically, we don't need to come through committee with a procedural motion, and all I'm looking for is an "opt-in" clause so that I can opt in to paper.

**LEG. BROWNING:**

Do you want to do a discharge without recommendation?

**MR. LAUBE:**

I've got some suggestions.

**LEG. CALARCO:**

The clerk has some suggestions, and since this is something he's been really working towards laudably, maybe we can hear him out.

**CHAIRMAN STERN:**

Mr. Clerk.

**MR. LAUBE:**

I mean, we could sit down and discuss some changes that I would suggest. But this initiative -- we're functioning very well right now. This would definitely give us an opportunity to be more efficient down the road.

**CHAIRMAN STERN:**

So the question before us, as I see it, the real question before us is do we table it here and give everybody the opportunity to come up with suggestions and work with the clerk to come up with maybe some fine-tuning changes to provide for efficiency yet make sure that you have the opportunity to get a little paper in front of you; or do we send it out of committee here, send it to the full legislature to be considered in some form or another between now and Tuesday?

**LEG. SPENCER:**

Discharge without recommendation.

**LEG. BROWNING:**

Can I ask -- I mean, I can withdraw my motion to approve and motion to discharge without recommendation, and, if you want -- because anybody that has recommended changes can send it to you before Tuesday, and if it's not ready by Tuesday, we'll have another week.

**CHAIRMAN STERN:**

And we can always table. Let's do this: Legislator Browning is going to withdraw her motion to approve. I'll withdraw my second on the motion. Legislator Browning is going to make the motion to discharge without recommendation.

**LEG. SPENCER:**

Second.

**CHAIRMAN STERN:**

Legislator Spencer is going to second that motion. Legislator Calarco is going to withdraw his motion to approve -- to table. Sorry. We'll have it in its current form ready to go before the full legislature come Tuesday; however, everybody will take advantage of the opportunity between now and then to work with the clerk to see what, if anything, we might be able to come up with in the interim, but at least this way, it keeps it moving and keeps all of us focused on coming up with the solution that works for everyone.

**LEG. CALARCO:**

That works for me, and I think the easiest solution is just to give legislators an opt-in if they want to opt in.

**MR. LAUBE:**

And I'd like to talk to the bill's sponsor.

**LEG. CALARCO:**

In all fairness to the sponsor, he represented to me in the conversations that the opt-in was still there and we're hearing opposite from the counsel. That's what made me confused.

**CHAIRMAN STERN:**

I have every expectation that everybody's input is going to be valuable here. I'm sure that with the sponsor's assistance, we'll be able to make the clerk that much better, that much more efficient. I'm sure the clerk's office is going to be able to come up with a way that works for everybody.

**LEG. BROWNING:**

You know, I like the idea because we're -- actually my office, we have started to cut back on the paperwork. The only papers that I bring with me is my committee, my committee that I chair. Everything else, I just -- you know, the agenda I pick up here. That's it. And I think we should give it an opportunity. I like your idea, and I would like to take an opportunity to see how it works, and if we were to let it run the way Tim has recommend and the sponsor's recommended, I'd like to try it out and then if it's not working for everybody, then maybe say, okay, let's tweak it afterwards. But I think the way it is right now, we should try it. What's it going to hurt? You can always change it if it's not working.

**LEG. CALARCO:**

I'm going to need the paper, and if you're telling me I can't get the paper, then I'm going to have a problem. It's as simple as that.

**LEG. BROWNING:**

And you're younger than me.

**LEG. CALARCO:**

In all fairness to my staff, Kate, my staff is expected to turn around a report on the packet and it's just not easily done for them to read through those packets online and switch back and forth. They've expressed this to me. We've already tried it at the beginning of the year, and it didn't work, and that's why we did take the packet back. I didn't used to get it.

**LEG. BROWNING:**

We can make the exception.

**LEG. CALARCO:**

That's all I'm asking for is the ability to ask in to paper.

**LEG. BROWNING:**

Right, I'm just saying but we can make the exception because your staff prepares the caucus stuff.

**LEG. SPENCER:**

I have one comment. I think that in order to make any sort of progress, you need to be able to have something that we all have to follow, and if we -- I think that if we just have a general opt-in, then that prevents the progress we're trying to make. But I think what the majority leader needs, there used to actually be a majority aide that we cut out, so I think maybe providing maybe an option for the majority leader and the minority leader to opt in, that would cover it. We could always give him another aide. I'm sure he wouldn't mind that.

**LEG. GREGORY:**

Oh, jeez.

**LEG. CALARCO:**

I would happily take another aide in the office. My staff would be very pleased by that. It might avoid some of those late nights.

**CHAIRMAN STERN:**

All right. Everybody good? So before us, we have a motion to discharge without recommendation, and we'll continue that discussion. Thank you to the clerk for all of your assistance today. I'll call the vote. All in favor? Opposed? Abstentions? Procedural Motion is discharged without recommendation. (VOTE: 5-0-0-1, Not Present: Kennedy).

There being no other business before the committee, we are adjourned.

*(The meeting was adjourned at 1:43 p.m.)*