

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 3, 2015.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

Jason Richberg - Chief Deputy Clerk of the Legislature
George Nolan - Counsel to the Legislature
Debbie Harris - Aide to Legislator Stern
Robert Lipp - Deputy Director - Budget Review Office
Laura Halloran - Budget Review Office
Katie Horst - County Executive's Office
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 12:37 p.m.)

CHAIRMAN STERN:

Okay. Good afternoon and welcome, everyone, to the committee on Ways and Means. I'm going to ask everybody to please rise and join us in the pledge led by Legislator Browning.

(Salutation)

Please remain standing and join us in a moment of silence as we keep all of our brave men and women fighting for our freedoms overseas in our thoughts and prayers.

(Moment of Silence Observed)

Thank you.

Good afternoon and, again, thank you for joining us, everyone, today. First of all, Mr. Clerk, do we have any cards today?

MR. RICHBERG:

No cards, Mr. Chair.

CHAIRMAN STERN:

Thank you. We will have executive session at the end of the agenda. There is no correspondence placed before the committee. What I would like to do, with the indulgence of the committee, we do have an item; it is IR 1649, Reappoint member to the Suffolk County Board of Ethics (Linda A. Spahr) (McCaffrey). I'm going to make a motion to take 1649 out of order, as Linda's with us today.

LEG. CALARCO:

Second.

CHAIRMAN STERN:

We appreciate you being here with us. Second by Legislator Calarco. All in favor? Any opposed? Any abstentions? IR 1649 is before us. This is a reappointment, so there's no requirement for an appearance but -- and thank you for being with us today and making yourself available to answer any questions. Are there any questions from any of the members for purposes of today and for purposes of the reappointment? Seeing none, then I will make a motion to approve.

LEG. CALARCO:

Second.

CHAIRMAN STERN:

Second by Legislator Calarco. This is on 1649, Reappoint member to the Suffolk County Board of Ethics (Linda A. Spahr) (McCaffrey). I'll call the vote. All in favor? Opposed? Abstentions? **IR 1649 is approved (VOTE: 4-0-0-1, Not Present: Spencer)**. I'm sure my colleagues would agree when I say that, again, because it is a reappointment, there is no requirement to appear before the full legislature coming up on Tuesday, but, of course, I'll leave that to you. If you want to make yourself available as you thankfully did for us today, then it's certainly up to you but no requirement; right, Counsel?

MR. NOLAN:

No, absolutely not.

MS. SPAHR:

Thank you.

CHAIRMAN STERN:

Okay, then. Turning to tabled resolutions.

IR 1187, To create a Gaming Facility Community Advisory Committee (P.O. Gregory).

LEG. CALARCO:

Motion to table.

CHAIRMAN STERN:

Motion to table by Legislator Calarco. I'll second. All in favor? Any opposed? Any abstentions?

IR 1187 is tabled. (VOTE: 4-0-0-1, Not Present: Spencer)

IR 1513, Directing the Suffolk County Traffic and Parking Violations Agency to institute a Payment Plan Program for parking tickets (Hahn). This is going to be tabled at the request of the sponsor, so I'll make that motion to table. Second by Legislator Calarco. All in favor? Opposed? Abstentions? **IR 1513 stands tabled. (VOTE: 4-0-0-1, Not Present: Spencer)**

Moving to introductory resolutions.

IR 1569, Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven - (SCTM No. 0200-611.00-03.00-017.000) (County Executive). We have quite a few resolutions on today that are going to deal with transfer of real estate, so I'll ask Mr. Thompson, you might as welcome on up now.

MR. THOMPSON:

Good afternoon.

CHAIRMAN STERN:

This is land lot property in the Town of Brookhaven. It's going to be -- my notes indicate here it's going to be sterilized and preserved as open space with a six-tenth workforce housing credit that will be placed in the registry of development of workforce housing.

MR. THOMPSON:

Yes, that's correct. This is a win for us all the way around. It's open space. There's town property nearby. There's even some county park nearby, but we're getting reimbursed for all our back taxes plus picking up the credits. It would have gone into open space in ours, otherwise, so win out by getting a little more money.

CHAIRMAN STERN:

And there will be a reverter included here so that if the properties ever developed against policy then there's a --

MR. THOMPSON:

Standard for 72-h.

LEG. CALARCO:

What's the location in Brookhaven town?

MR. THOMPSON:

Say it again.

LEG. CALARCO:

Where in Brookhaven is it? I'm being told it's in Coram. That's okay. Thank you.

CHAIRMAN STERN:

Here, this is actually -- there was a resolution that was adopted by the Brookhaven Town Board.

MR. THOMPSON:

Yes. In order to transfer, we always request a town board.

CHAIRMAN STERN:

Here, it indicates it's on Hyatt Street in Coram.

MR. THOMPSON:

The entire area is inundated with open space property, either mixed within Suffolk County or the town.

CHAIRMAN STERN:

Everybody good?

MR. THOMPSON:

And where we can transfer it to the town, it's easier on our park system.

CHAIRMAN STERN:

I'll call the vote. All in favor? Any opposed? Any abstentions? Did I have a motion, Mr. Clerk? I'm sorry. Motion to approve by Legislator Calarco, and I'll second. All in favor? Any opposed? Any abstentions? **IR 1569 is approved (VOTE: 4-0-0-1, Not Present: Spencer)**

IR 1574, Sale of County-owned real estate pursuant to Local Law No. 13-1976 U.S. Bank National Association, as trustee, successor in interest to Wachovia Bank, N.A., as trustee for Park Place Securities, Inc., asset-backed pass-through Certificates, Series 2004-WWF1 (SCTM No. 0209-021.00-03.00-004.001 f/k/a 0200-978.90-03.00-004.001) (County Executive). I'll make a motion to approve.

LEG. CALARCO:

Second.

CHAIRMAN STERN:

Second by Legislator Calarco. Mr. Thompson, can we get an explanation on this?

MR. THOMPSON:

It's policy in our office to, where a lot is not buildable, to try to assemble it to the adjacent owners so that we don't have the property to handle and yet it's not in an environmentally-sensitive area at this point, so it gives a larger lot to someone down in the village.

CHAIRMAN STERN:

And it's appraised at \$2,500 and it will be sold for \$2,501 plus they'll pro-rate our share of taxes at closing, so it's going to the adjoining landowner with restrictive covenants.

MR. THOMPSON:

Yes.

CHAIRMAN STERN:

Thank you. Legislator Trotta.

LEG. TROTТА:

Does this go to bid? So this hasn't happened yet?

MR. THOMPSON:

Yes. They all get notices.

LEG. TROTТА:

This hasn't happened yet?

MR. THOMPSON:

What hasn't happened yet?

LEG. TROTТА:

So someone went to bid and someone bid on it?

MR. THOMPSON:

Right.

LEG. TROTТА:

Right. Because there was one in my district where it was worth \$2500 and it ended up selling for 50,000.

MR. THOMPSON:

Well, that's when we call it in the office. If there's two or more bids come in, we call it into the office and have them work it out to the highest bidder and highest bidder, you'll see that before you in the near future as a direct sale.

LEG. TROTТА:

So this was only one person showed up, I guess?

MR. THOMPSON:

They may have been, and I'm not looking at the particulars, but when we send out notices to all the adjacent owners that about it, if only one answers, then they're the winner.

LEG. TROTТА:

Just out of curiosity, you started at 2500; what if the guy offered 1,000?

MR. THOMPSON:

Wouldn't take it. This is an outside -- this is an appraised amount. It's not a set amount that we dig up, but it's outside appraised, and that's the minimum we'll accept. If they do not accept that amount, we get no bidders, it would go to public auction at which time we might put it up for \$1,000 because I'm not restricted by an appraisal at the auction.

LEG. TROTТА:

Okay.

CHAIRMAN STERN:

Yeah. What it will show here, and it's in our backup material, it has a list of those who were notified and then it also lists what the bids were, so in this case there were three parties that had been notified and only one had bid. The others did not bid at all, but they did receive notification.

MR. THOMPSON:

Yeah. If there was an auction in my office, you would see that others had put forth bids and the

higher one would get it unless they don't pay up all that money; then we give it to to next one.

CHAIRMAN STERN:

Okay. Everybody's good? I'll call the vote. All in favor? Any opposed? Any abstentions? **IR 1574 is approved (VOTE: 5-0-0-0)**

IR 1580, Authorizing the County Executive to enter into an Intermunicipal Agreement with the Town of Brookhaven for the demolition of undesirable, unsafe or uninhabitable structures on property taken by the County by Tax Deed (County Executive).

LEG. BROWNING:

Motion.

CHAIRMAN STERN:

Motion by Legislator Browning. Second by Legislator Spencer. I'll call the vote. All in favor? Any opposed? Any abstentions? **IR 1580 is approved (VOTE: 5-0-0-0)**

IR 1582, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Dominic Soranno and Carmela Soranno, his wife (SCTM No. 0600-014.00-01.00-048.000) (County Executive). I'll make a motion to approve and place on the consent calendar. Second by Legislator Spencer. This is pretty straightforward.

MR. THOMPSON:

Improved property paid. All the money's been paid by the owner.

CHAIRMAN STERN:

All in favor? Any opposed? Any abstentions? **IR 1582 is approved and placed on the consent calendar. (VOTE: 5-0-0-0)**

IR 1583, 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 Muriel Knell, Mark S. Eghrari administrator (SCTM No. 0200-174.00-08.00-010.000) (County Executive). Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 5-0-0-0)**

IR 1584, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jason Scarth (SCTM No. 0200-294.00-03.00-008.035) (County Executive). Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 5-0-0-0)**

IR 1585, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joel W. Wyman, Jr. And Dona M. Wyman, his wife (SCTM No. 0400-140.00-01.00-054.000) (County Executive). Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 5-0-0-0).**

IR 1586, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Leroi D. Brown (SCTM No. 0100-102.00-02.00-023.000) (County Executive). Same motion, same second, same vote. All right. So IR 1586, motion by Legislator Calarco. I'll second. All in favor? Any opposed? Any abstentions? **IR 1586 is approved and placed on the consent calendar. (VOTE: 4-0-0-1, Not Present: Browning).**

IR 1587, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael Toth (SCTM No. 0400-175.00-01.00-019.001). Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 4-0-0-1, Not Present: Browning).**

IR 1588, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Anthony Arson (SCTM No. 0102-022.00-03.00-040.000) (County Executive). Same motion, same second, same vote. **Approved and placed on the consent calendar. (VOTE: 4-0-0-1, Not Present: Browning).**

IR 1622, Authorizing certain technical corrections to Adopted Resolution No. 330-2013 (County Executive). I'll make a motion to approve and place on the consent calendar. Second by Legislator Spencer. All in favor? Any opposed? Any abstentions? **IR 1622 is approved and placed on the consent calendar. (VOTE: 4-0-0-1, Not Present: Browning).**

IR 1623, Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Alice Cruz Soto a/k/a Alice Soto Rodriguez (SCTM No. 0100-200.00-03.00-045.001) (P.O. Gregory). I'll make a motion to approve.

LEG. SPENCER:
Second.

CHAIRMAN STERN:
Second by Legislator Spencer. Everybody has the explanation? Everyone's good? I'll call the vote. All in favor? Any opposed? Any abstentions? **IR 1623 is approved (VOTE: 4-0-0-1, Not Present: Browning).**

IR 1633, Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Virgilio Vaden and Mary Jo Vaden, his wife (SCTM No. 0200-032.00-04.00-019.005) (Anker). I'll make a motion to approve. Second by Legislator Spencer. Again, everybody's got the facts on this? I'll call the vote. All in favor? Any opposed? Any abstentions? **IR 1633 is approved (VOTE: 4-0-0-1, Not Present: Browning).**

IR 1647, Adopting Local Law No. -2015, A Local Law to clarify Suffolk County's Real Property Redemption Process for property interests transferred to the Suffolk County Landbank Corporation (County Executive).

LEG. SPENCER:
Motion.

CHAIRMAN STERN:
This needs to be tabled for public hearing, so that motion is made by Legislator Spencer. I'll second. All in favor? Any opposed? Any abstentions? **IR 1647 is tabled for public hearing (VOTE: 4-0-0-1, Not Present: Browning)**

IR 1648, Adopting Local Law No. -2015, A Local Law to clarify Suffolk County's Hardship Conveyance of Property Procedure for property interests transferred to the Suffolk County Landbank Corporation (County Executive). Same motion, same second, same vote. **Tabled for public hearing (VOTE: 4-0-0-1, Not Present: Browning)** .

We did 1649 previously.

IR 1660, Adopting Local Law No. -2015, A Local Law authorizing the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility (County Executive). This also needs to be tabled for public hearing, so we can make that same motion, same second, and same vote. **Tabled for public hearing (VOTE: 4-0-0-1, Not Present: Browning).**

Next item on the agenda is executive session, so I'll make that motion to recess for purposes of executive session to discuss litigation. Second by Legislator Spencer. All in favor? Any opposed? Any abstentions? We stand recessed.

(The committee met in executive session from 12:53 p.m. until 1:23 p.m.)

Back on the record having come from executive session, the purpose of which was pending litigation. So for the record, the members of the committee in executive session had discussion with the county attorney and discussed ongoing litigation. That is all, so there being no other business before the committee, we are adjourned. Thank you.

(The meeting was adjourned at 1:25 p.m.)