

WAYS & MEANS COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE
MINUTES

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 October 1, 2015 at 12:30 p.m.

MEMBERS PRESENT:

Legislator Steven H. Stern - Chairman
Legislator William Spencer - Vice Chair
Legislator Kate M. Browning
Legislator Robert Calarco
Legislator Robert Trotta

ALSO IN ATTENDANCE:

Legislator Leslie Kennedy - District No. 12
George Nolan - Counsel to the Suffolk County Legislature
Jason Richberg - Deputy Clerk of the Suffolk County Legislature
Robert Lipp - Director/Budget Review Office
Debbie Harris - Aide to Legislator Stern
Greg Moran - Aide to Legislator Trotta
Bill Shilling - Aide to Legislator Calarco
Ali Nazir - Aide to Legislator Kennedy
John Kennedy - Suffolk County Comptroller
Beth Guerriero - Audit and Control
Sarah Lansdale - Director of Planning
Robert Braun - County Attorney's Office
Jason Smagin - County Attorney's Office
Wayne Thompson - Land Specialist/Environment and Energy
Katie Horst - County Executive's Office
Douglas King
All Other Interested Parties

MINUTES TAKEN BY:

Gabrielle Severs - Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione - Legislative Secretary

*(*The meeting was called to order at 12:35 p.m.*)*

CHAIRMAN STERN:

Welcome to the Ways and Means Committee. I'm going to ask everybody to please stand and join us in the Pledge of Allegiance led by Legislator Calarco.

*(*Salutation*)*

I'm going to ask you to 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. Again, thank you everybody for being with us today. First item on the agenda is our Public Portion and, Mr. Clerk, I do have a card. We are joined today by Douglas King. Mr. King, always good to see you. Welcome.

MR. KING:

Good afternoon. I know that IR 1660 is tabled for the Public Portion, but I do have a major question for this committee. If you go ahead and you sell the Foley Nursing Home, what's going to happen to people with special needs that need a shelter during a hurricane. I'm demanding that that answer be done before you go to the next portion before the full Legislature. Thank you.

CHAIRMAN STERN:

Thank you. Thank you for your comments and I for one, I'm sure I speak for hopefully everyone, when I say that that is a critically important question, one that all of us would want to have the answer to, to make it at least part of the conversation as we go forward and make that part of the question for information during the hearing process as we go forward. So certainly that is a question that I have and would want to have the answer to, so I appreciate your comments today.

LEG. SPENCER:

Me, too.

CHAIRMAN STERN:

Doc, too. Okay. I have no other cards. Does anybody else wish to address the committee? Seeing none, it is my pleasure to welcome Comptroller Kennedy, who is with us today. Comptroller Kennedy.

COMPTROLLER KENNEDY:

Good afternoon, Mr. Chair, members of the committee. Thank you very much for the opportunity to be in front of you today. I have asked the Chair for some time before you today because I have requested and been granted the opportunity to have a Certificate of Necessity associated with a series of closeouts on capital projects that are involved in the second refunding that we are undertaking this calendar year. I just wanted to take a quick moment to remind the committee that the total amount of outstanding debt that we will have succeeded in buying down or securing a better interest rate for by the end of this calendar year will be about \$180 million. That represents basically 10 to 12% of our total existing debt portfolio at this time.

Much of our debt over the course of the years has been at interest rates that have gone as high as six, seven percent. Today we are issuing our long-term debt at about 2.5, 2.6%. Our notes that are going out are still going out in the neighborhood of about .5, .6, somewhere in that neighborhood. So we have an extremely favorable economic environment when we go into the market. Mindful of that, it is a place where my office can go ahead and be effective in realizing both

short-term and long-term savings for the County.

The debt issuance that you have before you, we actually have a combined debt issuance, and if you look at the handout you'll see the face page. It is combined between \$107 million that reflects buy down of three prior issues; one being a 2005 issue, one being a 2007 and one being a 2008. In addition, you will also see 100 million that's being issued for delinquent tax anticipation note. I will point out to the committee that it's five million less than what we issued last year. And then finally, and now I got to take a look at it, we are at 51,385,000 for our B construction bond. And let me just stay on the construction bond for a moment, because I think it's a very important contrast for the committee to take in. In the spring we issued 62 million in construction bonds; we're doing 51 million in the fall. Is that it, 62? Right. For a combined 113 million this year.

And by the way, I'm sorry. I'm joined by my Director of Municipal Finance, Beth Guerriero, and we also have an assistant, Tom Zouzakis, who is here with us as well, who have been helping us with the bond activity.

Last year cumulatively we issued 133 million in construction debt, so we were down roughly 18 million this year, once again mindful of the fact that we are taking every effort and every step that we can to not only be prudent and watchful and active in securing the best rate on existing debt, but also being frugal with the amount we go out in the way of new debt.

In addition to the borrowings we've done so far, we have also undertaken three environmental facility corporation borrowings that we have participated on; a \$60 million note in April associated with Bergen Point, with Southwest Sewer District; a 12.7 million associated with the final effluent pump station on Bergen Point; and then a 27 million borrowing associated with build out of Sewer District 18, the Hauppauge Industrial Park. In each case each of these borrowings in which we are a participant in multiple entities throughout the State, we are realizing either outright grant or interest rates that are more than favorable, better than we even get out of the market, probably in the neighborhood of maybe one percent. They are allowing us to do the infrastructure upgrade and improvements that are necessary for our sewerage and our groundwater protection, so while it is an additional effort on our part, we're happy to be there.

I'll just also tell you, and I'm going to have an opportunity hopefully to speak with some of you tomorrow, we have taken in 25,000 in new hotel/motel money since my time in office, registered nine prior unreporting entities, and we have a 64,000 repayment agreement executed as well. Added to that, we have another nine entities that are slated for additional audit and we are going through that in a very aggressive manner.

We have utilized some external reference data. We have an MOU executed with the Department of State. We're working with our towns and villages where there are local lodging permitting activity, and we've had three on-site visits from auditors, both out on Fire Island and on the North Fork. So we are moving in an aggressive fashion there as well.

Finally, we have 19 audits underway with our Audit Division. Of those, four involve homeless housing shelter providers. Three of them are for preschool/handicapped entities. We have ongoing work activity going on with Nassau/Suffolk, which is a \$145,000 audit finding in our favor, and additional recovery work that's going on, so we've been busy.

So why am I here today? I'm here today because I'm asking you to support a Certificate of Necessary to closeout 13 older capital budget items, and I'm going to turn a little bit and ask Beth to do a little bit of the description as to how they come about and why we need them now.

MS. GUERRIERO:

Good morning. So the selected capital projects were originally financed predominantly in 2007, and then there's a select group that were originally financed between 1997 and 2001, and again, were refunded in 2005. In that interim the capital projects have either stalled or were considered complete and we cannot go ahead and reissue money on projects where we won't need that funding. However, monies do remain sitting in the capital project account, so we need to liquidate those accounts so that we can eliminate them from the calculation required for the Federal Tax compliance.

CHAIRMAN STERN:

Okay. And there is a -- you had mentioned that there's a time element.

COMPTROLLER KENNEDY:

Absolutely, Mr. Chairman, and let me speak directly to that. And, you know, having had the great honor and privilege to be a part of this body for ten years, like you, I had a general aversion to CN's. However, this is one of those times where genuinely and truly before three o'clock yesterday afternoon my office was not aware of this underlying impediment, if you will, to the issue. We were advised by Counsel Harris Beach that there is a Federal prohibition or limitation, if you will, that impacts us with the refunding, when, in fact, we have outstanding capital projects with positive balances. Mindful of the fact that we are scheduled to go to sale on October 14th, really the only way to keep the 2005 issue in this multi-hybrid issue is to go ahead and have the Legislature adopt the resolution allowing for the closeout of those 14 items, and then we will legally be in compliance when I sign and adopt the bids that come in on October 14th. But for the action of the Legislature we have no choice but to remove the 2005 issue which will cause a whole plethora of challenges and difficulties. It will throw all the calculations up in the air, even much of the content of the offering would have to be reworked and would really make it next to impossible to hit our timeframe.

So I genuinely and truly am coming to you saying we have a heretofore unrealized constraint. We need relief and action from the Legislature in this expedited timeframe.

CHAIRMAN STERN:

And procedurally when it comes over, is it in the form of one single CN with all of the projects and all of the information just in one resolution?

COMPTROLLER KENNEDY:

Yes. I spoke with the County Executive's Office this morning. We will work to have it put together. We will append this list of projects to the actual resolution itself, and I will be there on Tuesday. Tuesday I understand is a Riverhead meeting. I will be available to speak to the whole body about the CN itself but, you know, mindful of how CN's go, I wanted to be here for the committee beforehand.

CHAIRMAN STERN:

The list that I have here, there are 18 items. I thought I had heard a different number mentioned before, but these 18 are the same 18 that we're talking about?

MS. GUERRIERO:

Yes.

CHAIRMAN STERN:

And as this list is completed here, I think all the committee members, everybody has a list, right?

COMPTROLLER KENNEDY:

Yes.

CHAIRMAN STERN:

So it will appear the same, the list that will be attached to the resolution will appear as here. Okay, so between now and then members on the committee have this information. It appears as though it's in a format where members who are not on this committee can have this information prior.

COMPTROLLER KENNEDY:

I will, sir, collate it to all 18.

CHAIRMAN STERN:

Very good. Okay. So everybody will have the substance prior to the General Session. Legislator Trotta.

LEG. TROTТА:

I just have a couple of questions. This is debt -- we're getting rid of this because we still have this money in the bank and they won't let us refinance the rest of this debt until this is gone; is that correct?

COMPTROLLER KENNEDY:

What this represents is, it represents balances that for one reason or another were never expended when prior Legislatures had actually authorized and approved the borrowing in the first instance. I mean, if you go to some of the older ones, you know, back in 1997 and 1999, you know, we've had a complete makeover or renovation, a multimillion dollar project for the Criminal Courts out in Riverhead, and yet we still have this 51,000 that's sitting there, for whatever reason wasn't utilized, towards that end.

LEG. TROTТА:

That's what I'm saying. We're refinancing this debt and so --

COMPTROLLER KENNEDY:

We are -- we are financing three debt issues; a 2005 debt issue, a 2007 and a 2008. Combined it is a total of 107 million. Of the 205, there are a couple of items that are still sitting there unexpended, so this amount cumulatively you see before you will actually wind up being applied towards retiring whatever balance of debt gets generated with the refunding.

LEG. TROTТА:

And you can't have anything left over, that's why you've got to get rid of it.

COMPTROLLER KENNEDY:

Absolutely.

LEG. TROTТА:

Now, my next question is, some of these things are old, so we're almost coming three-quarters of the way paying them off. Are we going to now extend this debt for 18 years?

COMPTROLLER KENNEDY:

No, as a matter of fact, that's one of the things that is an external provision with refunding, and I'm glad you brought that up, Legislator Trotta. It's a very important item to be cognizant of. When we go out into the market to refund we are constrained by the external parameters associated with the original issuance. In other words, we can't refund debt and push it out further. All we can do is refund and retire within the confines of the original issue. Can't push it out any longer.

LEG. TROTТА:

Okay.

CHAIRMAN STERN:

And going through this process right now is expected to result in a savings of approximately how much?

COMPTROLLER KENNEDY:

The savings on the refunding, Mr. Chairman, will realize next year \$700,000 in relief to debt service. In conjunction with the refunding we did earlier in the year, there will be a combined 850,000 in relief to debt service for '16. The earlier spring refunding jumps up and from '17 on out it will be about 1.3, well, 600 and 700. Yeah, 1.3 million from 17 on out combined annual savings, 1.3 million relief to debt service. Over the life of this issue it will be about five and a half million. The one that we retired earlier in the year was roughly six million, so in this year we will have saved cumulatively about eleven and a half million in interest payment.

CHAIRMAN STERN:

That's great. Legislator Browning and then Legislator Spencer.

LEG. BROWNING:

Thank you, John. You know, you amaze me every time you come in with the things that you can find. I think you got a real good fine tooth comb going on in there. However, just out of curiosity. I mean, something dated back to 1997 and, you know, why are we just not -- why weren't these things done before? Why are we waiting now for John Kennedy Comptroller to do this?

COMPTROLLER KENNEDY:

Legislator Browning, I mean, there are a variety of different things that come to bear. Look, one of the things that we've identified, and I've talked a little bit about before the Legislature here, we will be coming back to you again shortly with a recommendation on our Financial Management System. It is just a function of what we do as an entity, it is the way we get things done. We identify projects. We have design done, we raise the money and then we go out and do it, whether it's a rehab of the Homan House in Yaphank or our plow trucks that we need or, you know, the various things that we do. There are items out there that are remote and that are older and that have not been statted.

Now, I will say part of what I spoke to you about initially when we sat with Budget Director Corso yesterday afternoon, shortly the Administration's going to be coming to you with a seven page list of outstanding open projects. The Administration has been vigilant, I believe, in trying to identify and closeout projects that are no longer viable, that have been, you know, done in a different fashion or what have you. But as to why we were able to go ahead and drill down and find the 1997 project, what can I tell you. You know, even a blind squirrel gets a chestnut once in a while, you know? It's part of the process.

LEG. BROWNING:

Okay. I'm looking at, for example, the planned improvements of County marinas, right? That's -- let me put my glasses on. What is that, 140,000? But that's dated back to 2007. So even if we were to decide now that we want to go ahead and do some more planning for a marina, we still can't use that money because of a Federal guideline?

COMPTROLLER KENNEDY:

Let Beth talk to you. We have a series of constraints.

MS. GUERRIERO:

So when a capital project is adopted it is very specific to the uses of the funds, the proceeds. In this particular case I cannot speak as to why this project is considered. It's either deemed completed or it was a different phase of the project where the proceeds are no longer needed. This particular

project, I'm not sure which one it is, but it's been identified to be closed, either through I reached out to the department and they gave me the reason that they were no longer proceeding with the project. But there's multiple phases when we do the, you know, construction to the marinas. It's very specific.

LEG. BROWNING:

But there's a timeline that's dated back to '07. Is there a timeline that you cannot -- do you know what I'm saying? That it's no -- that it's stale and you can't use it.

MS. GUERRIERO:

That is not the case in this situation. A bond resolution doesn't expire for ten years, or if the project didn't go through it expires within 60 months at the local level. That is not the case. We did bond for this project. We just didn't use all of the proceeds.

LEG. BROWNING:

But you could still then use it if the Parks Department was to decide --

MS. GUERRIERO:

It depends on the language in the resolution. As I said, it was for a very specific -- if it was for the launchpad at Timber Point, that is the only thing you could use that for.

LEG. BROWNING:

Okay. I get you. Thank you.

CHAIRMAN STERN:

Legislator Spencer.

LEG. SPENCER:

On this list in particular the Vanderbilt, and I understand that project, so what's important for me is the Vanderbilt seaplane hangar sits right there on the side of the Sound, and so we defund this and my concern is that it's constructed in the early 1900's. I don't know what the materials are. There's metal, there's concrete. And so as a Legislator representing the district, if I vote for this and there's no funding or no plan for that seaplane hangar and it falls into the Sound, then I'm not sure, you know, what potential toxic issues. And so I need to figure out some sort of plan where that can be deconstructed or abandoned in the appropriate fashion.

And so my question, and I think you just answered it, you know, is trying to see, you know, could this money be turned to planning or if there could be some sort of fund, but it's hard for me to vote for this and to just walk away from it, because I can't. It's a major issue so I need to have something that I can do or that I could show responsibility to.

COMPTROLLER KENNEDY:

Doctor, if I can just for a second. What I would suggest to you is we have worked with DPW and with the Administration in actually the underlying issue probably represents maybe a 100 or 150 different capital projects that Ms. Guerriero has been statussing and going back and forth on.

The one thing that I will bring your attention to, and I will tell you honestly I don't know the answer to it right now. It would necessitate a call with Public Works and/or the Budget Office. On 7428, you'll see the sub-object is .311. Now, many times -- so 7428 and I apologize, I don't recall. I mean, 7428 may be Vanderbilt and the sub-objects may take us down to the seaplane hangar, the main house, the planetarium, under different sub-objects. But it's possible that there may be a second sub-object in there that likewise has funding associated with the seaplane hangar, possibly to what you're talking about, planning money. In this case I'm going to speculate that the

reconstruct title speaks specifically to funding mortar, timber and things that are associated with building. My recollection, and it's now almost a year, was that there was still planning issues that had to be finalized with the seaplane hangar before the actual construction activity could occur.

LEG. SPENCER:

Right. Thanks.

COMPTROLLER KENNEDY:

So clearly it needs some additional work. I can appreciate your concern, if you will, any Legislator for any appropriation in their district obviously always wants to have a crystal clear, detailed, specific plan to address that thing. Whether it's the Homan House or it's the former Bavarian Inn site or it's Timber Point or what have you. So I appreciate your concern. I will do what I can to see if I can find anything out about the balance of where the finances sit, but again, I understand your concern.

LEG. SPENCER:

Thank you for that. And it goes a little bit beyond that because I have specific knowledge of that structure and the comment is *Boy, that's going to fall down any day now*, so it's hard for me with that. But I appreciate you giving me that insight on places where I can look, and maybe I can work with our Budget Review Office to see what you know about the Vanderbilt and just make sure that I don't vote on this without at least having some sort of plan of where I'm going -- you know, even planning money to look at what needs to happen there, because I think that's a clear and potentially imminent issue.

COMPTROLLER KENNEDY:

I'll hustle you some more hotel/motel money. How's that?

(Laughter)

LEG. BROWNING:

John, do you have an estimate of how much sales tax that you're uncovering of unpaid sales tax?

COMPTROLLER KENNEDY:

I am going to be before the Working Committee tomorrow. I know that we have just completed our coffer for '14. I think that we have some recognition on the revenues. I have been working in concert with Treasurer Paul on a regular basis. Hopefully we'll be able to add something to the discussion tomorrow. I don't have it off the top of my head now.

So, Mr. Chair, I have taken up a lot of the committee's time. Have we answered pretty much everything that anybody might have?

CHAIRMAN STERN:

You have, Comptroller Kennedy. Thank you to you and your team.

COMPTROLLER KENNEDY:

Well, thank you very much for accommodating us.

CHAIRMAN STERN:

It's an important issue, timely. We all appreciate that time is of the essence here and really thank you for your time today.

COMPTROLLER KENNEDY:

And I'll make sure I have the list out to everybody. Thank you. Have a good day.

CHAIRMAN STERN:

Okay. Let's then turn to the agenda, beginning with tabled resolutions.

Tabled Resolutions

IR 1513 - Directing the Suffolk County Traffic and Parking Violations Agency to institute a Payment Plan Program for parking tickets (Hahn).

There was a request from the sponsor for tabling. So we'll make a motion to table at the request of the sponsor. Second by Legislator Spencer. All in favor? Any opposed? Any abstention? IR 1513 is tabled. **(Vote: 5-0-0-0)**

IR 1647 - Adopting Local Law No. -2015, A Local Law to revise Suffolk County's Real Property Redemption Process for transfers involving the Suffolk County Landbank Corporation (Co. Exec.).

Motion by Legislator Calarco. I will second. We'll have Miss Lansdale, and I know Bob Braun is here as well from the County Attorney. This is IR 1647 and 1648 as well. There might be some questions but, Miss Lansdale, perhaps you can start us off with a brief explanation.

MS LANSDALE:

Sure. The Landbank has been very successful over the past few years in being able to generate revenue from back taxes, from tax delinquent properties. We've been working very closely with the Treasurer's Office in coordinating our outreach to these property owners that have tax delinquent, environmentally challenged properties. We've been able to generate \$2.7 million in back taxes owed to the County, which is a huge success. And we have contacted all of the property owners who have properties under the Landbank Board's consideration. And I should note that the Landbank's creation was approved a few years ago by this Legislature.

So as we go through our list and we've received funds for -- to do environmental testing, phase I's and phase II's on sites, and we've been working very closely with our County Department of Health to gain site access through the Commissioner warrants process. As we get closer and closer to understanding the site conditions on properties, the properties that have not yet gone through the redemption process or paid their back taxes to the Treasurer, those properties are now under consideration for the Landbank. We've notified them several times that they need to pay their back taxes in addition to the Treasurer's notice. So these two bills set the stage for us to begin to consider transferring liens from the County to the Landbank.

I also want to note that these bills set the foundation for that. The Legislature would consider each parcel on an individual basis by an individual resolution for consideration of transfer, and that happens after the Landbank Board reviews it and considers it. We have two members of the Legislature who will sit on our Landbank Board, the Presiding Officer and Legislator Cilmi. So that would -- that is the stage for these two resolutions. I'm going to turn it over to Bob Braun to talk about the details of these specific bills.

MR. BRAUN:

Thank you and good afternoon. The bill for which a motion to approve is now pending is 1647, which is a bill to clarify the procedure under Section A40-3 of the County's Code. That's the section that we usually refer to as an as of right redemption. Essentially what this bill does is say that where a tax lien is requested by the Landbank Board and the Legislature approves the transfer of that tax lien from the Treasurer to the Landbank, thereafter, the six month redemption period that would have applied won't apply, because it's not a redemption from a tax deed that the County will ever get. The County will not be in the chain of title. It will be the developer to whom the Landbank

eventually sells or transfers that tax lien. The purpose of course behind this is to give some confidence to buyers of these tax liens from the Landbank that they're not going to be making an investment in a lien only to have to turn it back to the former property owner once a tax deed is issued by the Treasurer to the developer.

And the other bill, 1648, does a similar thing with respect to the -- what we call the hardship redemption process where if someone might otherwise have been qualified for a hardship redemption, once that tax lien is transferred by the Legislature or by the Treasurer with the approval of the Legislature to the Landbank and ultimately to a developer, if a tax deed is issued to that developer then the hardship redemption process won't apply any longer in that case either. And I just want to point out, of course, that this doesn't have any, make any change or have any effect on the processes that are available before a tax deed is issued, only the process after tax deeds might have been issued.

CHAIRMAN STERN:

Thank you.

MR. BRAUN:

Okay.

CHAIRMAN STERN:

So really the underlying point here in these two resolutions is to essentially bring certainty to the process, because if at the end of the process there is going to be a new owner, then that new owner has to have a degree of certainty that the investment he or she or an entity has made, they're going to be able to count on that going forward.

MR. BRAUN:

That's the point, yes.

CHAIRMAN STERN:

Okay. And you're also -- you were also clear on stating that prior to that last step, prior to that point of certainty, that there would be opportunity for members of this Legislature to kind of hear the backstory, understand what some of the facts and circumstances are, so before there is that certainly, before there is that final decision that's made, that there would be, again, opportunity and flexibility for this Legislature to kind of hear what's involved before making a final determination.

MR. BRAUN:

That's absolutely correct. The County's legislation, which permitted the Landbank to be established, requires that the Landbank Board ask the Legislature on an individual lot basis to transfer the tax liens to the Landbank, and not on the basis of putting 20 lots in one resolution, but giving the Legislature an opportunity for an explanation on every individual lot.

CHAIRMAN STERN:

What, if any, as a result of the new procedure going forward, what, if any, outstanding issues would there be, or perhaps no longer be, with title insurance.

MR. BRAUN:

Well, we talked to some title companies about this and they may still have issues based on who was notified that the liens were about to be transferred, whether the notifications were successful, issues like that. But the issue of whether or not a former owner has the right to clawback the property after a tax deed, that issue will be solved.

CHAIRMAN STERN:

So it would no longer be a substantive issue going forward. If anything, it's a notice or procedural issue, but not as to the substance.

MR. BRAUN:

Correct.

CHAIRMAN STERN:

I believe we know the answer, but I did want to be clear. What we're talking about here is the new process going forward that is going to apply to those contaminated properties in a situation where it is a 215 redemption that we are all familiar with, where there is some type of an undue hardship, where there is a -- there are facts and circumstances that have been presented to this Legislature, and by legislative vote there is a determination made that there'll be a return of the property if everything is satisfied.

The process that we're talking about today when we go forward will not have any type of an impact on those kinds of situations.

MR. BRAUN:

That's correct. As I said, each individual lot will be offered or explained to the Legislature before any transfer is made, and if there are hardship circumstances that apply to a particular lot, then the Legislature certainly could say *No, we don't want the Landbank Board to take this lot.*

CHAIRMAN STERN:

As we're having a conversation about both resolutions, just to make sure that we square that with what's coming up in the next resolution that deals with 215 hardship cases, where does that leave us with those cases that may come up or where the next resolution may be applicable.

MR. BRAUN:

Well, the 215 -- what we refer to as the 215 hardship cases are those where a residential property owner has valid reason, an individual property owner not a corporate entity, has a valid reason that they might not have been able to pay their taxes. They have made an application to the Counsel for the Legislature for review of their situation. Those people, as I said, the Legislature is free not to transfer those properties if that's what you choose to do.

MS LANSDALE:

Can I just add to that that the universe of properties that we're looking at are the tax delinquent properties that are environmentally challenged. They're on the Suffolk County's Brownfield Interagency Task Force, a task force that's comprised of Treasurer's Office, the Department of Health, Department of Planning and others to -- that review these parcels and note that there's real or perceived environmental contamination on them. So the universe of properties that we're looking at have to be on this do not take list that's been established previously by the County.

CHAIRMAN STERN:

Right. I think that's the important point here in this resolution is, and I'm looking at page two of it, they're brownfield sites, right, as they are defined. It's tax delinquent, yes, but it's been designated a brownfield by the Suffolk County Brownfields Interagency Work Group with plenty of representatives making up that group. These are not necessarily just residential homes. They have been designated as a brownfield site and they've been designated as a brownfield site for a reason.

MS. LANSDALE:

That's right.

MR. BRAUN:

In addition, I would add that these are all people who have had numerous or the properties that might be suggested for transfer are properties where there have been numerous attempts to either contact the owner or where actual contact has happened, and these people haven't either paid or made some kind of a payment plan or done any other such thing. So I think that eliminates a lot of the concern that they may then come forward and say *Wait, I want to redeem my property. Here's all my back taxes.* If they were interested in doing that, they've had more than ample opportunity to do that before now.

CHAIRMAN STERN:

And these properties don't end up with a brownfield designation overnight.

MR. BRAUN:

Correct.

CHAIRMAN STERN:

There's an awful lot that needs to happen before that determination is made. It would be difficult for someone or some entity to state that they were not aware somehow of the condition of the property since, again, it goes through a process in order to get to that point. So in a case of an individual that is delinquent with a property that has not been designated a brownfield, there's really no applicability here. It is in a hardship type of a delinquency. It also requires that there be a brownfield designation.

MS LANSDALE:

That's right. This process would not apply.

MR. BRAUN:

If I can just maybe make that a bit clearer. If this was not a contaminated site, the County would have taken a tax deed from the Treasurer in its own name at some point, and then all of the usual current rules would have applied.

CHAIRMAN STERN:

Right. Okay. Very good. Questions for the Director or the County Attorney? Everybody good? Okay. Thank you.

MR. BRAUN:

Thank you.

CHAIRMAN STERN:

Okay. So before us is a, Mr. Clerk, we have a motion and a second on 1647, correct?

MR. RICHBERG:

Yes, we do.

CHAIRMAN STERN:

Okay. I'll call the vote. All in favor? Any opposed? Any abstentions? IR 1647 is approved. **(Vote: 5-0-0-0)**

IR 1648 - Adopting Local Law No. -2015, A Local Law to revise Suffolk County's Hardship Conveyance of property procedure for transfers involving the Suffolk County Landbank Corporation (Co. Exec.).

We heard the explanations. I'll make a motion to approve. Second by Legislator Spencer. All in

favor? Any opposed? Any abstentions? IR 1648 is approved. **(Vote: 5-0-0-0)**

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 (Co. Exec.).

This needs to be tabled for a public hearing. I'll make a motion to table for the purpose of a public hearing. Second by Legislator Browning. All in favor? Any opposed? Any abstention? IR 1660 is tabled for a public hearing. **(Vote: 5-0-0-0)**

Introductory Resolutions

IR 1670 - Authorizing a certain technical correction to Adopted Resolution No. 164-2015(Co. Exec.).

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 1670 is approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

IR 1690 - Authorizing a certain technical correction to Adopted Resolution No. 19-2015 (Co. Exec.).

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

IR 1691 - Adopting Local Law No. -2015, A Local Law to strengthen the Code of Ethics (Trotta).

This needs to be tabled for a public hearing. I'll make a motion to table for purpose of a public hearing. Second by Legislator Trotta. All in favor? Any opposed? Any abstention? IR 1691 is tabled for a public hearing. **(Vote: 5-0-0-0)**

IR 1693 - Amending procedures for Procuring Consultant Services (Cilmi).

Motion to table by Legislator Calarco. I'll second.

MR. NOLAN:

This is a Waiver Committee for the RFPs. What it would do, it would add the Minority Leader or his representative to the Waiver Committee membership, making it a four member group. Right now it's two County Executive and one PO appointment. This would add a Minority Leader appointment and then say that any waiver would have to be approved by three-fourths vote of the entire membership. So no waiver could be issued unless three of the members of the committee agreed to do that. Right now it's just a simple majority vote for a waiver of an RFP.

LEG. TROTTA:

Motion to approve.

CHAIRMAN STERN:

Hold on one second, Legislator Browning. There's a motion to approve by Legislator Trotta.

LEG. BROWNING:

Question.

CHAIRMAN STERN:

Okay. Legislator Browning.

LEG. BROWNING:

So right now we have three on the Waiver Committee. That's the one additional person and it would require three votes to -- so in order to do this we have to have three votes to approve the waiver. We have three people right now.

MR. NOLAN:

Right now it's a three member committee so two votes are required on that committee to issue a waiver. By increasing the size to four a majority vote automatically becomes three, so you would need three members of that four member committee to agree to a waiver.

LEG. BROWNING:

So what would happen if it's two and two. Is it the same as what happens here?

MR. NOLAN:

It fails, yep.

LEG. BROWNING:

You know, in the past I have -- I'm not necessarily opposed to somebody from the minority participating, because that minority can change. Yeah, I'm not ready for this one. I think I need to think more about it. I'll support the tabling for this cycle.

CHAIRMAN STERN:

Legislator Trotta.

LEG. TROTТА:

I think it gives the Legislature more power. I mean, the County Executive has a rubber stamp now. Anything he wants gets approved. I mean, I sat there at Waiver Committees where they were waiving contracts for a beach hut to do a plan for \$300,000 that was going to certain architects. If the Legislature had some input on that, you might be able to prevent this kind of waste.

LEG. BROWNING:

Right, but my concern is, is if you have a split vote and it kills it and then what --

LEG. TROTТА:

Then it goes to --

LEG. BROWNING:

I do have some concerns with some of the waivers, but I wouldn't want to see a possible project that could be just killed that absolutely needs to get done and that's the reason for the waiver.

LEG. TROTТА:

It wouldn't be killed. It would just have to go out to bid.

LEG. BROWNING:

If it's a two and two.

LEG. TROTТА:

Yeah, it would go out to a different process.

LEG. BROWNING:

I don't know. I need time. I'm not prepared to -- I'm not going to vote against it I don't think, but I'm prepared to let it go one cycle.

CHAIRMAN STERN:

Okay. Legislator Spencer.

LEG. SPENCER:

I had similar concerns when initially looking at it, and I think that the more that we have input from both sides it only looks good, it protects us. I think the current structure of the committee, I would be maybe more in consideration of expanding the committee so that, you know, be able to -- if you have like a three majority where you can transact business. But at this point to deadlock it to two, I understand it gives us more power, but typically that's been an Executive function to be able to carry out these types of contracts. I am torn because that was my feedback initially, was to say that I think that we should, and I would hope if I was in the minority to be given that consideration, but because it requires a super majority to transact any business, I think that it can lead to more of just government just grinding to a halt.

LEG. TROTTA:

If I may respond to that. Right now it's a rubber stamp. It's everything they want waived the County Executive has the majority. I mean, we only need to look at Nassau County to see the corruption and the deals that are going on now. If we're in for open government and we want to do the right thing for the citizens of this County, why not give the Legislature an equal say as the County Executive? Right now we don't even need a Waiver Committee. All we need is the County Executive to sit in his office and to say *Okay, we're going to waive this*. It's over. Essentially it's a joke right now. It's a rubber stamp so that the taxpayers of this County don't have a say. This Legislature -- it has nothing to do with the minority or the majority. It has to do with the Legislature. This is one unit here. We should have an equal say as the County Executive. I'm sure that instance of two and two will rarely happen, and if it does, we're mature enough to reach an agreement. Right now all we're doing -- this bill actually exposes the fact that the County Executive has a rubber stamp so he can waive whatever he wants, and that's wrong and the taxpayers of this County deserve better.

CHAIRMAN STERN:

Legislator Calarco.

LEG. CALARCO:

I think those comments, Legislator Trotta, speak to maybe you're not understanding the history of this whole process, because we have reformed this procedure in the past. Under the previous Administration the way the Waiver Committee worked was it was a three member committee that was made up of all County Executive appointments and only those members ever met and made decisions on waivers. And at the time those committees also met privately. There was no open meeting process to it. People didn't know they were going on and that's changed. Now the Waiver Committee meets in public. They have to publish it, that information is there. The Presiding Officer has a seat at the table with his appointments so it's a two County Executive, one from the Legislature through the Presiding Officer's Office, so there is an openness. This isn't Nassau County where they do everything under the table with a nod and a wink. We are doing this above the table, in open meetings, they're open forums. Anybody from the public can go there. The meetings are published. You and I both get copies of those meeting minutes so I know that that information is made available.

And quite honestly, you know, you're right to the degree that, you know, procurement is an Executive function. This Legislature doesn't do procurement. We decide when we want to -- how we want to set our priorities and what we want to spend money on and what we need to invest in as the County, but then the procurement process goes through to the Executive Branch and they go out and do that. And with the exception of a few occasions where there's, you know, a sole respondent or those kind of instances, it is up to the departments to carry out those functions.

That's the way the system is working and it's working actually quite well and we've reformed it to make sure that it is public and that there isn't nothing done behind closed doors. I don't think that creating a situation where we have a deadlock just to create more red tape is really worth the effort.

CHAIRMAN STERN:

All right. Mr. Clerk, there is a motion to table, there is a -- with a second. There is a motion to approve with no second.

MR. RICHBERG:

That is correct.

CHAIRMAN STERN:

All right. I'll call the vote on the motion to table. All in favor? Any opposed? Any abstentions? IR 1693 stands tabled. **(Vote: 4-1-0-0 - Opposed: Legislator Trotta)**

IR 1714 - Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Heinz Leber (SCTM NO. 0500-277.00-01.00-024.00) (Lindsay).

Motion by Legislator Browning. Legislator Calarco seconds. This is a hardship redemption under Section 215. Does everybody have the information? Okay. Everybody's good? I'll call the vote. All in favor? Any opposed? Any abstentions? IR 1714 is approved. **(Vote: 5-0-0-0)**

IR 1719 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Alexander Toliver (SCTM No. 0500-291.00-01.00-074.000) (Co. Exec.).

I'll make a motion to approve. Second by Legislator Calarco. This is a property in Bay Shore, Town of Islip. Everybody have the information on it? Everybody's good? Mr. Thompson is here if anybody has any questions. I'll call the vote. All in favor? Any opposed? Any abstentions? IR 1719 is approved. **(Vote: 5-0-0-0)**

IR 1720 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Riverhead for Affordable Housing purpose (SCTM No. 0600-065.00-01.00-019.000) (Co. Exec.).

This is property that is 50 by 99 feet in the Town of Riverhead. It's going to be transferred to the town for affordable housing purposes. Mr. Thompson, if we can get an explanation.

MR. THOMPSON:

It's a small parcel in Riverhead that we have only \$2300 and change invested in it. Actually I was surprised that we were able to get the build on a 50 by 100, but Riverhead must have gotten it through on their own. Ordinarily we wouldn't have that much success getting it built on. So it's a good deal for us to be rid of it actually.

CHAIRMAN STERN:

Legislator Browning.

LEG. BROWNING:

I think my question is where exactly in Riverhead -- and Riverhead is going to permit building on a 50-something by 99 property?

MR. THOMPSON:

They --

LEG. BROWNING:

Where exactly in Riverhead is this?

MR. THOMPSON:

We presume they do their homework before they agree and send us a town board resolution that it's going to get done. If it should happen that they can't build on it, as has happened with non-profits before, they deed it back to us and we sell to it an adjacent owner or something like that.

MR. SMAGIN:

I would also just like to note that it's being transferred to Habitat for Humanity.

LEG. BROWNING:

Right. Yeah, but that's neither here nor there to me. I look at undersized lots because for years in my district it was undersized lots that had these summer cottages and now it conforms with the community. Not really. That's what we're trying to get away from, is these undersized lots and preventing development on undersized lots for many reasons. So where exactly in Riverhead is this?

MR. THOMPSON:

It's off of Doctors Path, which is quite a bit north of 58, which is the main road through Riverhead out to the East End.

LEG. BROWNING:

Is that Flanders?

MR. THOMPSON:

No, I wouldn't call that Flanders. No, this is way north of the Flanders area. I mean, you're probably -- if you go from the river to the Sound you're probably pretty close to halfway to the Sound. It's an area where it was established many, many years ago and they have -- it's common to have 50 footers in there, and I guess they don't mind perpetuating that size lot. I believe that we have given them in the past maybe five, six years ago, other parcels on that same road.

LEG. BROWNING:

Okay. I mean, obviously it's not my district, it's Legislator Krupski's. You know, I just -- I'm not a big fan of building on undersized lots anymore. Did we make an offer because of the size? Did we make an offer to the adjacent property owner?

MR. THOMPSON:

To the adjacent property owner? No.

LEG. BROWNING:

So there was no offer made.

MR. THOMPSON:

I don't believe so. I'd have to double check the folders, but I would suspect we wouldn't get much of an offer being as they're built on both sides. The houses are small on that --

LEG. BROWNING:

Right, but the adjacent property owner. It's a vacant piece of land, right?

MR. THOMPSON:

Actually, before we offer to an adjacent owner or put up for auction, it's always considered for affordable housing and they have a history in that area of affordable housing. If they are willing to

accept it --

CHAIRMAN STERN:

Right. And the town has executed it --

LEG. BROWNING:

Right.

CHAIRMAN STERN:

Passed a resolution saying that --

LEG. BROWNING:

Right, but I mean, it's our policy on what we're doing is that, you know, if it's that small of a lot, yeah, before we put it on auction, before we transfer it, are we doing the offer to the adjacent property owner first.

MR. THOMPSON:

No, first would be public use, second would be adjacent owners, and thirdly would be auction.

LEG. BROWNING:

Okay. Well, you know what, I'm not a fan of doing this because I see what it's done to my district and the communities in my district. I don't like these undersized lots, especially -- is it sewerred?

MR. THOMPSON:

I'm sorry?

LEG. BROWNING:

Is there sewers in this particular --

MR. THOMPSON:

I don't believe so, no.

LEG. BROWNING:

There you go. So I'm really not a fan of this. I don't know that I want to support something like this because I wouldn't support it in my district. I don't think it's the right thing to do. I think it should have been offered to the adjacent property owner first and, you know, granted while Riverhead is saying accepted, I don't necessarily say I have to agree with them. Okay.

CHAIRMAN STERN:

Legislator Trotta.

LEG. TROTТА:

And we're giving it away.

MR. THOMPSON:

Yes, it's for a dollar.

LEG. TROTТА:

Why isn't the process we try to sell it first to an adjacent -- maybe one of the owners wants it and they will pay a lot of money for it.

MR. THOMPSON:

That's the way the code has been written, that affordable housing comes first.

LEG. TROTTA:

Who wrote the code?

MR. THOMPSON:

I think that's legislation that's been in effect since we started affordable housing.

LEG. TROTTA:

So we're giving it away for a dollar. We're going to eat \$2300.

MR. THOMPSON:

All affordable housing is for a dollar.

LEG. TROTTA:

We have this water quality issue, like Kate brought up, and now we're going to have another cesspool on a 50 by 100.

MR. THOMPSON:

I don't disagree, but it's the town that's taken on that weight.

LEG. TROTTA:

Well, the town just gives it away right away.

MR. THOMPSON:

To Habitat to Humanity, yes.

LEG. TROTTA:

All right.

MR. THOMPSON:

If it should fail for any reason, and I don't know if they've totally done every single aspect of it, but I would expect they would, it'll have to come back to us because they can't use it for anything else but affordable housing.

LEG. TROTTA:

It just seems to me we're so broke -- maybe the guy next door wants to buy it and, you know, and have it part of his property. All right. I don't like it.

CHAIRMAN STERN:

Legislator Calarco.

LEG. CALARCO:

Wayne, is this property a substandard lot or is this property a buildable lot?

CHAIRMAN STERN:

It would have to be a buildable lot for them to ask for it. The rest of the lots that are adjacent to it are on the same size lots so it's conforming.

LEG. CALARCO:

That's what I thought. So this isn't -- I hear what Legislator Browning is saying, but this isn't a situation where we would even offer it to the adjacent property owner. It's a buildable lot. If we sold this at auction or if we sold it to an adjacent property owner, that person could build on this property if they so choose.

MR. THOMPSON:

With an adjacent owner sale I don't believe they'd be allowed to build on it, but --

LEG. CALARCO:

But we don't -- we don't sell buildable lots to adjacent property owners, do we?

MR. THOMPSON:

We try not to, no, because we would get more money on the open market.

LEG. CALARCO:

Exactly. So we auction them. We don't offer those to the adjacent property owners because this is a buildable lot. We're not talking about a substandard property. It may be a small property, but according to the zoning that the town has in place this is not a substandard property. This is a buildable property.

MR. THOMPSON:

The lots adjacent to it are existing in the same manner, so even if you had to go for a variance you would say --

LEG. CALARCO:

But it's not that -- we actually have a law that says that we're supposed to offer those up for variance -- the ones that need a variance we're still supposed to offer those up to be sold for buildable purposes. I don't think we've ever had one go, but we have a law that Legislator D'Amaro passed to do that. But that's not what this property is.

MR. THOMPSON:

No, because it's conforming.

LEG. CALARCO:

This is a conforming use. So I hear what Legislator Browning is saying about not wanting to give away substandard properties to be built on, but this isn't a substandard property.

MR. THOMPSON:

No, not from what you can see from the existing, yeah.

LEG. CALARCO:

And the Town of Riverhead would only take it if they felt, if they believed -- presumably. I know sometimes you shouldn't presume, but presumably the Town of Riverhead is taking this building, this property, because it's a buildable lot in their opinion.

MR. THOMPSON:

It would be an embarrassment to them to take it and give it to an organization like Habitat for Humanity.

LEG. CALARCO:

I'm not going to try to get into whether or not their zoning is appropriate. That's up to the towns to decide for each of their locations. If they're asking for the property and they think it's their zoning then I'm okay with it. I'm sure as far as wastewater it's going to have to comply with the Health Department policy.

MR. THOMPSON:

Of course.

LEG. CALARCO:

Okay. I'm okay with it.

MR. SMAGIN:

I would just like to note that Legislator Krupski was contacted regarding this parcel and he is in favor of this transfer for affordable housing.

LEG. BROWNING:

Okay. Again, I'll talk to the Legislator and I think for my district don't ever come with anything like that in my district, because I will adamantly oppose it. I think it's a really bad idea when we're talking about water quality. I just don't think it's a smart move. You know, this is something that was done years ago. We're smarter today, I hope, that we know better that these undersize lots -- and while Riverhead maybe is not saying it's an undersized lot, it's undersized. We really shouldn't be building like that. If you had said to me it's sewerred, that that community has sewers, that's a different story. But when you don't have sewers, I just think we're just going back that good old path from years ago. We have to get away from that.

CHAIRMAN STERN:

Legislator Calarco.

LEG. CALARCO:

I hear you, Legislator Browning. I think the point is, though, it's going to get built on one way or the other.

LEG. BROWNING:

Doesn't have to be.

LEG. CALARCO:

If we were to sell this at auction, which they never would even come to us for one of these resolutions for, they'd just put it out on the auction block, someone would buy it and they would be able to build a house on it.

LEG. BROWNING:

Okay. If Riverhead was to allow it, but we --

LEG. CALARCO:

No, but that's the point. It conforms with their zoning, so Riverhead can't disallow it.

LEG. BROWNING:

I think we as a County should be because water quality is so important to us as a County, that we should be saying adjacent property owner.

LEG. CALARCO:

I would never be in favor of just picking up random properties and taking them off the tax rolls.

LEG. BROWNING:

I think that taking it to and transferring it to the adjacent property owner is the first thing we should be doing because it's an undersized lot, and I think maybe the County needs to set a policy ourselves on how we want to do that. Granted if Riverhead wants to do that without sewers, that's fine.

CHAIRMAN STERN:

Okay. All right. So, Mr. Clerk, we have a motion to approve and a second on 1720. Legislator

Trotta.

LEG. TROTTA:

If we were to sell this at auction, how much money are we losing by giving this away, approximately.

MR. THOMPSON:

It's in the resolution, 2335 bucks. That's our tax investment.

LEG. TROTTA:

No, no. If we were to sell it to a builder, what is it worth?

MR. THOMPSON:

There's a range of values on there.

MR. SMAGIN:

There's a value range listed as 48,000 to 65,000.

MR. THOMPSON:

Which that range places it out of the range acceptable for adjacent owner sale. So it's either they build on it or we sell it at auction.

LEG. TROTTA:

Okay.

CHAIRMAN STERN:

Just to be clear, it would have to be offered to the adjacent owner for the County investment.

MR. THOMPSON:

No, no. The adjacent owner gets an outside appraisal amount, which presumably would fall between the range we've given you. Adjacent owners have to pay us the going rate minimally.

CHAIRMAN STERN:

Okay. That ultimately when it gets to that point.

MR. THOMPSON:

Yes.

CHAIRMAN STERN:

Got it.

MR. NOLAN:

For adjacent owners the value has to be 30,000 or under, right?

MR. THOMPSON:

Appraised value. That doesn't mean they can't bid it up --

MR. NOLAN:

So this is above that amount. We couldn't give it to the adjacent owners anyway.

MR. THOMPSON:

That's what we're showing here. I'm presuming that that appraisal range value is indicating that it's a buildable lot. Highest and best use.

CHAIRMAN STERN:

Okay. So again, Mr. Clerk, there is no motion.

MR. RICHBERG:

No motion, no second.

CHAIRMAN STERN:

And there is no second. Okay. I'll make a motion to approve. Second by Legislator Calarco. All in favor? Any opposed? Any abstentions? IR 1720 is approved. **(Vote: 5-0-0-0)**

IR 1721 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Angela Russo and Salvatore Russo, as joint tenants with right of survivorship (SCTM No. 0800-160.00-02.00-051.000)(Co. Exec.).

Motion to approve and place on the Consent Calendar by Legislator Spencer. I will second. All in favor? Any opposed? Any abstentions? IR 1721 is approved and placed on the Consent Calendar. **(Vote: 5-0-0-0)**

IR 1722 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Charmaine Romao (SCTM Nos. 0200-750.00-05.00-021.001 and 0200-750.00-05.00-022.000)(Co. Exec.).

Mr. Thompson, everything is all paid up here?

MR. THOMPSON:

It's a vacant lot and it's fully paid.

CHAIRMAN STERN:

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

IR 1723 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act James W. Menzies, as surviving joint tenant with Carla Ramos (SCTM No. 0200-521.00-05.00-009.000)(Co. Exec.).

Same motion, same second. Everything is paid up here?

MR. THOMPSON:

Paid vacant lot.

CHAIRMAN STERN:

And same vote. **(Vote: 5-0-0-0)**

IR 1724 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Katherine A. Pilo (SCTM No. 0101-012.00-06.00-001.000)(Co. Exec.).

Same motion, same second.

MR. THOMPSON:

House, paid in full.

CHAIRMAN STERN:

And same vote. *(Vote: 5-0-0-0)*

IR 1725 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sheila Ruggiero (SCTM No. 0200-761.00-05.00-031.000)(Co. Exec.). Same motion, same second.

MR. THOMPSON:

Paid in full, improved structure.

CHAIRMAN STERN:

And same vote. *(Vote: 5-0-0-0)*

IR 1726 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thomas Salerno and Frances S. Salerno (SCTM No. 0500-403.00-02.00-024.000)(Co. Exec.). Same motion, same second.

MR. THOMPSON:

It's an advanced resolution with a contract of sale.

CHAIRMAN STERN:

Okay. So it's all contingent upon --

MR. THOMPSON:

Sale doesn't go through, it'll be on auction.

CHAIRMAN STERN:

Okay. Everybody good? And same vote. *(Vote: 5-0-0-0)*

IR 1727 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thomas Italiano (SCTM No. 0200-661.00-03.00-004.001)(Co. Exec.).

Same motion, same second.

MR. THOMPSON:

Paid in full.

CHAIRMAN STERN:

And same vote. *(Vote: 5-0-0-0)*

IR 1743 - Authorizing retention of counsel for the purpose of bringing an action against manufacturers of prescription opiates (Calarco).

Motion by Legislator Calarco. Second by Legislator Spencer. Everybody good?

MR. BRAUN:

I think that the name of the IR on the agenda is incorrect. I think it's been amended to say authorizing an action. I'm sorry. I think the IR, the title of the IR has been amended, no longer authorizing the retention of counsel, but rather that it is now authorizing an action against manufacturers of prescription opiates. And I bring that up because there was already a waiver approved and we're prepared to retain counsel as long as the IR is adopted.

LEG. CALARCO:

It was amended.

CHAIRMAN STERN:

Okay. So that's the understanding. I'm advised by Counsel that it is good to move. So everybody's good with that? County Attorney's good with that?

MR. BRAUN:

Yes.

CHAIRMAN STERN:

Okay. All right. I'll call the vote. All in favor? Any opposed? Any abstentions? IR 1743 is approved. **(Vote: 5-0-0-0)**

IR 1747 - Amending the 2015 Operating Budget to fund pay-as-you-go capital projects and appropriating 2015 Capital Budget and Program pay-as-you-go funds in connection with video equipment for legislative auditoriums (CP 1820)(Gregory).

Motion by Legislator Calarco. Second by Legislator Spencer.

LEG. TROTTA:

Motion to table.

CHAIRMAN STERN:

Motion to table by Legislator Trotta.

LEG. BROWNING:

I'll second it.

CHAIRMAN STERN:

Second by Legislator Browning. All right. I'll tell ya, I -- the equipment that we have right now operating in Hauppauge is something that we are operating with, and clearly a majority of this Legislature had supported that and has approved it. It's been operating. So this is to expand it, right? This is for funding for the other auditorium; correct?

MR NOLAN:

And I'm not 100% sure, but maybe additional cameras here in Hauppauge. Instead of just the one camera there would be multiple cameras. That's my understanding of it. This is money that's in the Operating Budget, I believe, Robert?

MR. LIPP:

Correct.

CHAIRMAN STERN:

All right. So the money is there, it's in the Operating Budget. This would be the appropriation. I guess to BRO. This is to amend 2015, correct, or this is to make the appropriation in 2015.

MR. LIPP:

Correct.

CHAIRMAN STERN:

Okay. Do we know if -- do we know if appropriated in 2015 that it would be operational before the end of the year? Is that even a requirement that it be operational before the end of the year? How

does that work?

MR. LIPP:

No, it's not a requirement. I'm not sure exactly what the time schedule will wind up being. That being said, if we don't appropriate the money before the end of the year then it goes to fund balance, so the purpose here is to have that -- we haven't actually spent it but we're sending it over to capital fund and we'll have like the five year rule to actually spend it.

CHAIRMAN STERN:

Okay. So -- thank you for the explanation. So because it's part of the 2015 Operating Budget, if there is going to be this appropriation it should be with budgeted funds, and that would expire if this is not approved or has the opportunity to be approved before the end of the year.

MR. LIPP:

Correct.

CHAIRMAN STERN:

Okay. I personally would like to have a conversation with the sponsor, the Presiding Officer, those that have been, you know, involved in the implementation of this program. You know, I would like to see what type of feedback there's been. I'd like to have a discussion to see if it's been successful, if it's been utilized, if it's worth the additional expenditure of funds in order to expand the program. Although I appreciate this is certainly the direction that so many levels of government are moving in, it's not an insignificant expenditure and so I would certainly like to have that ongoing conversation. But I do appreciate that there is a time element here as well and this is a program that we have already begun to implement here in the Legislature.

So I'm going to offer a motion to discharge without recommendation so that we can move the process forward but still have a little time to be able to have that conversation with the Presiding Officer and any of my colleagues that would like to have that conversation would have the opportunity to do that as well.

LEG. SPENCER:

I'll second that motion.

CHAIRMAN STERN:

Second by Legislator Spencer.

LEG. TROTТА:

I'll withdraw my motion to table.

CHAIRMAN STERN:

Withdraw the tabling motion and withdraw the second on the tabling motion. I'll call the vote on the motion to approve without recommendation -- discharge without recommendation. All in favor? Any opposed? Any abstention? IR 1747 is discharged without recommendation. **(Vote: 5-0-0-0)**

Counsel, we do not have Executive Session today. Correct. Okay. So without any further business before the committee, we are adjourned.

(*The meeting was adjourned at 1:54 p.m. *)