

WAYS AND MEANS COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

Minutes

A 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, 725 Veterans Memorial Highway, Smithtown, New York on July 21, 2016 at 12:30 p.m.

Members Present:

Legislator Bridget Fleming - Chair
Legislator William Spencer - Vice-Chair
Legislator Kate Browning
Legislator Robert Calarco
Legislator Tom Cilmi
Legislator Robert Trotta

Member Not Present:

Legislator Monica Martinez - Excused

Also in Attendance:

George Nolan - Counsel/Suffolk County Legislature
Jason Richberg - Clerk/Suffolk County Legislature
Bennie Pernice - Budget Review Office
John Kennedy - Suffolk County Comptroller
Alyssa Turano - Aide to Legislator Hahn
Greg Moran - Aide to Legislator Trotta
Phil Berdolt - Assistant Commissioner/SC Department of Public Works
Bruce Edwards - Ronkonkoma Civic
Maryanne Johnston - ABCO
Lisa Scott - League of Women Voters
Annette Kattau
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. *)*

CHAIRWOMAN FLEMING:

Good afternoon, everyone. Welcome to a regular meeting of the Ways and Means Committee. Please stand for the Pledge of Allegiance led by Legislator Spencer.

*(*Salutation*)*

Thank you. If we could just have a moment of silence for all the lives that have been lost over the course of the past few weeks. Our prayers and thoughts are with all the families who are no doubt in pain.

*(*Moment of Silence Observed*)*

Thank you. Good afternoon everyone and welcome to the Ways and Means Committee. Legislator Martinez has an excused absence today. I do not have any correspondence, but I do have some yellow cards, so let's move to the Public Portion. Any member of the public is welcome to come to the podium and speak. You'll have three minutes. First we have John Kennedy, our County Comptroller. Mr. Kennedy.

COMPTROLLER KENNEDY:

Good afternoon, Madam Chair and members of the committee. Thank you very much for the opportunity to speak with you. I am here today on Introductory Resolution 1582 sponsored by Minority Leader McCaffrey. He and I have talked with and worked on attempting to craft a methodology that will put some compliance in place associated with travel expenditures that are being supported out of asset forfeiture.

I have had an opportunity to speak with a number of the members of the committee. I know that this is an area that's fraught with questions, and as a matter of fact, I've had other Legislators who have spoken and asked for broader information under the broad topic of asset forfeiture.

I will ask the committee and spare the committee extended deliberation at this point since the topic is a complex topic and one that will, in my opinion, be -- the dialogue will be better suited with additional information, so I'm going to ask that the committee, when it comes up on the agenda, table the committee. But I did feel that it was important to share with the committee the logic, the rationale, and the purpose behind the request.

CHAIRWOMAN FLEMING:

John, if I could just limit you to the discussion on the agenda, which is the resolution --

COMPTROLLER KENNEDY:

Absolutely.

CHAIRMAN FLEMING:

-- that will be before us. I think the larger discussion of asset forfeiture can and should wait for another day. So if you could just stick to the agenda that would be very --

COMPTROLLER KENNEDY:

I certainly will be happy to do so, Madam Chair. And so what I will suggest to you is that in addressing the concept or category of travel, work related conference attendance and travel, where the revenue source has been identified as asset forfeiture, there is some further discussion that has to be had and a uniform application put into place and I am also in discussion with the Budget Office

as well.

CHAIRWOMAN FLEMING:

Thank you.

COMPTROLLER KENNEDY:

How's that?

CHAIRWOMAN FLEMING:

Excellent. I don't know if any members of the committee have any questions? This is Public Portion. Any questions for Comptroller Kennedy? Thank you, John.

COMPTROLLER KENNEDY:

Thank you, folks. Enjoy the rest of the summer.

CHAIRWOMAN FLEMING:

Thank you. You too. Next up, Bruce Edwards. Mr. Edwards, if you're in the audience.

MR. EDWARDS:

Thank you for giving me this opportunity to speak. I thank you the ladies and gentlemen of the committee. I'm here to speak on IR 1566, which is a Public Campaign Finance Law. It's being proposed by Legislator Calarco. We feel that Section C4-6, Item 9, should be stricken from this Campaign Finance Law. It is the VLT funding.

Now, Mr. Calarco, who had added this to the bill, we feel is an undue tax on our residents. We were in this room a couple of months back on St. Patrick's Day when we listened to Mr. Nolan and Mr. Pancella describe how they were going to pay for -- pay the County with funds from these VLT and the OTB funding, and one of their answers to Mr. Cilmi was that what does the County get? Really nothing. After all the funding streams have been taken out for the various items, and he said there's 100%, there's zero left. So it seems like it's a -- really a -- there's no point in having this in there. There's no funding for that and we don't feel that it's a great way to fund public finance on the back of our residents. Thank you.

CHAIRWOMAN FLEMING:

Thank you, Mr. Edwards.

LEG. TROTТА:

I have a question.

CHAIRWOMAN FLEMING:

Mr. Edwards, if you could just stay at the podium for a moment. Legislator Trotta has a question.

LEG. TROTТА:

Well, it's actually to Legislator Calarco. Is what he's saying true?

LEG. CALARCO:

We can discuss the bill at the time that we're working on the bill, but I'm not going to hold Mr. Edwards at the podium for this at the Public Portion.

CHAIRWOMAN FLEMING:

Do any members of the committee have any questions for Mr. Edwards, the speaker? Thank you, sir.

MR. EDWARDS:

Thank you.

CHAIRWOMAN FLEMING:

Next up is Lisa Scott. Ms. Scott? You have three minutes.

MS. SCOTT:

Okay. Thank you. I'm Lisa Scott. I'm the President of the League of Women Voters of Suffolk County. I'm speaking to IR 1566. The League of Woman Voters of Suffolk County is a nonprofit, nonpartisan organization that encourages the informed and active participation of citizens and government and seeks to influence public policy through education and advocacy. At our National LWWUS Convention this June, we voted to continue our Making Democracy Work Campaign to reshape our democracy by engaging more voters in the election process and also include supportive steps at all levels of government to improve methods of financing political campaigns.

Since the Supreme Court Citizens United Decision, we have seen unlimited and increasingly secret spending on elections. IR 1566, if it becomes Charter Law, will introduce Suffolk County voters to public financing. It will empower average voters to have a real voice in the political process.

As background, after several weeks of discussion and debate on the bill's structure, funding mechanisms and oversight, the League of Women Voters of Suffolk has decided to speak out in support of IR 1566. What is most important to the League is that there would finally be a public financing system for Legislators running for office in Suffolk County, and also that the terms of the County Legislators would be extended from two years to four years, which would require less frequent fundraising and free the Legislators to govern and respond to their citizens.

New York City's successful multiyear experience in public funding has proved that a public financing option can counter the potentially corrupting influence of big money and politics. Public financing enables candidates to run competitive campaigns while relying on a base of small donors back home, rather than on a small number of wealthy contributors, because contribution from these citizens will make them feel that they're a part of the system that currently seems beyond them. Public financing will promote accountability and diversity in governance while revitalizing our participatory democracy.

In conclusion, the League commends Legislator Calarco and his staff on their very expensive research on how best to address the issue of money in politics. We realize that the plan to fund the system with moneys from the VLT Program may not be embraced by all, but we hope that all of our Suffolk County Legislators will have a robust debate but ultimately work together across the aisle to ensure that public financing of campaigns for Suffolk County Legislature seats will happen in the near future. This shouldn't be a party issue, rather it's an important first step to comprehensive campaign finance overhauls throughout our County. Thank you.

CHAIRWOMAN FLEMING:

Thank you, Ms. Scott. I appreciate you coming. Legislator Browning.

LEG. BROWNING:

Hi, Lisa. How are you?

MS. SCOTT:

Hi.

LEG. BROWNING:

I do have a question, because there are some items that I do have concerns about in this bill as it

exists, and my concern is, and I guess I'll get to that point when we're debating the bill with George, but because the VLT does not currently exist and, you know, there's still the debate going on with the Marriott and whether it will or will not happen, so it's kind of speculative revenue. So if the voters make a decision to agree to this and the VLT doesn't happen and things have to be amended, I believe it would have to go back for referendum again if we're going to amend how we come up with the money. So, and again, don't you feel that we should have our T's crossed and our I's dotted a hundred percent before we ask the voters to vote?

MS. SCOTT:

A couple of thoughts on that. Number one, we did as much due diligence as we could, and George, of course, can answer these things much better than I can. But to what we found out, that the reason it's going to referendum is because it includes the change in term of office, otherwise it would have just been a Charter Law. And also that if there were things that needed to be tweaked that didn't involve that kind of change, like the term of office, that some of that could be addressed next year.

We also understand the debate very clearly and, again, we had a huge number of internal debates amongst our local leagues and also on the County board, but what seemed interesting was the idea of not taking money out of the current shall we say challenge fiscal situation and what's in the bank and what we were expecting and instead, and again, our understanding was that there would, in fact, be a flow of revenue that was part of the bankruptcy proceedings. And just as a sidebar, when I was in business I sat on several creditor committees, so I understand that there was a structure and a waterfall that comes down on that.

So, again, I think for the League we could say it's a step in the right direction, that there are going to be tweaks and bumps, but it's our one-shot really to try to start this process.

LEG. BROWNING:

Right, but -- okay. And, again, that's the other issue is I do see the campaign financing and the four year term as two separate issues. And as a voter I might want to vote for the four year term, but not the campaign finance, or I may want to vote for one and not the other. So now I'm conflicted on how I want to vote. So, you know, how would you tell the voters, you know, how would you express that to the voters well, I like one item but I don't like the other, so -- but now they're tied to maybe just do a no vote because they don't like one item.

MS. SCOTT:

And I understand that and we understand that. On one hand you could say that if you're doing the accounting on this by only spending that money on campaigns every four years that's doubling -- or if you want to go the other way, I mean halving of what you would expect to spend. And, again, right now it's only proposed clearly for the Legislators not for Countywide, so the budgets can be smaller. In terms of your, you know, play Solomon, cut the baby, the whole thing, and not to sound flippant but, you know, voters are faced with that all the time. Very few things come through, you know, in a true yes or no, and as we look towards the election in November we'll see a lot of that I know. So is it ideal? No, but I understand and I think the League feels that there is a linkage because it was a lower case "c" conservative approach to the financing, too.

LEG. BROWNING:

Okay. So, again, you're saying it's not ideal, which is what I would like to see, that it's better than what it is right now. Certainly I'm a supporter of campaign finance, public campaign finance, but at the same time the way I read this and the way I see it so far, and plus I don't think that we as Legislators, we're not the big moneymakers when it comes to campaigns. And believe me, I know what it was like the first time I ran. But we're not the ones who are making the bigger amount of money, and I think it's unfair to kind of target us and not go to the top, because that's where the big

bucks are and that's where we see the corruption is in the higher levels of government.

MS. SCOTT:

And again, in a perfect world I would think so, but the League, when in this building, we talked about the abolition of the Treasurer's separate office and the consolidation on the fiscal side. What kept coming across from most of the people in the horseshoe was let the people decide. And here where now it's probably an 80% thing, but I think we've all learned the hard way that you need to push for the ideal, but there's a certain amount of pragmatism and we'd like to see something actually happen because the Suffolk County Legislature has been so hugely progressive, again, small "p" progressive, in doing good things for the citizens of the County and we think this is one more good thing.

LEG. BROWNING:

Thank you.

MS. SCOTT:

Thank you.

CHAIRWOMAN FLEMING:

Is there any further questions for Miss Scott? No? Thank you so much for coming.

MS. SCOTT:

Thank you.

CHAIRWOMAN FLEMING:

That is all the yellow cards I have. Does any other member of the audience wish to be heard? You can come up and speak at the podium even if you didn't fill out a yellow card. So seeing no further public comment we'll close Public Portion and move on. There are no presentations, so just moving to Tabled Resolutions. We begin with Resolution 1179.

Tabled Resolutions

1179 - Adopting Local Law No. -2016, A Local Law to enact a Campaign Finance Reform Act to limit campaign contributions from County Contractors and Public Employee Unions (Trotta).

LEG. TROTTA:

Motion to approve.

LEG. CILMI:

I'll second.

CHAIRWOMAN FLEMING:

And I'll make a motion to table.

LEG. BROWNING:

I'll second.

CHAIRWOMAN FLEMING:

So the motion to table I believe is superior. So motion to table. All in favor? Can we have a show of hands? Motion to table show of hands. Opposed? Any abstentions? So the motion to table carries. 1179 is tabled. ***(Vote: 4-2-0-1 Opposed: Legislators Cilmi and Trotta; Not Present: Legislator Martinez)***

Moving on to **1312 - *Accepting the donation of a monument honoring United States Marines who came in peace killed in Beirut bombing terror attacks (Stern)***.

LEG. SPENCER:

At the request of the sponsor to table it -- I think there's more issues that I think he needs to get sorted out. So motion to table.

CHAIRWOMAN FLEMING:

Okay. Motion to table by Legislator Spencer. Seconded by Legislator Calarco. All in favor? All opposed? Any abstentions? Motion carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1566 - *Adopting Local Law No. -2016, A Charter Law establishing a Public Campaign Financing Law (Calarco)*. Legislator Calarco.

LEG. CALARCO:

If I may, first I would like to thank the League of Women Voters for coming out in support of this measure. We've spoken many times about the bill and public financing is something that I think is a way of restoring integrity and faith in our political process. If you talk to voters they will often tell you that they think there's far too much money in our politics, far too much money being put out there. And as somebody who's been involved in many highly competitive elections, I can tell you that fundraising is certainly a difficult endeavor, and you spend a lot of time making calls to people who can give you big checks because it's the only way to get to the dollar amounts that you need. And those people are going to be people who support you because of your policy decisions, but nonetheless, it's a lot more time calling them than it is time that you could be spending talking to your constituents and your residents that you want to vote for you.

And that's what a public financing campaign matching fund does. It creates a system where you can ensure that candidates spend more of their time seeking their donations from residents. In fact, my resolution is very unique even from other public financing systems put in the country in that the money that you get a match on must come from your residents in the district as opposed to just at large or any other place, as long as they're individuals in your district. So I think this is a very, very important measure and it isn't perfect.

Unfortunately, I can also appreciate and empathize with the residents who live in the area surrounding the Islandia Marriott, because I have represented an area that OTB was also looking to place their facility. I think there is something to be said, and one of the reasons I chose OTB's VLT revenues as a revenue stream for this, to taking that bad money, and I understand that gambling is not the best thing in the world. I don't think the OTB VLT facility is going to generate a tremendous amount of new economic development for the County, I've said that in the past, but I think it's going to sustain itself. But I also think that the residents of the community need to be heard, and that the elected officials who represent that area, and specifically in this case it's the Village of Islandia, need to make sure they do their due diligence just as I called for them to do in Brookhaven Town when they were looking to place the facility in Medford.

And given that they are still in that process, I'm going to make a motion to table this resolution for the time being, and I understand that in all likelihood makes it not likely this is going to be on the ballot this November, but I want to give those residents the opportunity to be heard and have, you know, the Village be able to make their decision without any looming pressure from the County or other entities until that time. Should VLTs become a reality in Suffolk County, and I think eventually they will, I may repursue this because I think that those -- if we're going to have that bad money coming from what is largely a partisan, or I shouldn't say partisan but a patronage facility in OTB, I think some of that money should go to the cause and cleaning up our politics is certainly a good cause. But for the time being I'm willing to let it go so that those residents get a fair hearing.

CHAIRWOMAN FLEMING:

So I'll second the motion to table. And just on the motion. Rob, I want to compliment you for your hard work on this. Obviously it is a very important initiative and a very important concern in our political process, the corrupting and distorting role of money in politics, and so thank you for your hard work on it. I certainly appreciate your support of the folks in not only Islandia, but throughout the County in terms of the VLTs. So I'll second that motion and on the motion, is there any further discussion? Legislator Cilmi.

LEG. CILMI:

Thank you, Madam Chair. You know, I had a long list of things to talk about with respect to this bill, but in deference to the fact that the sponsor has made a motion to table I'll spare the committee and the audience of that long list. But I only want to say this. There was a couple of things said with respect to the fact that sometimes politicians allow themselves to be bought by what some refer to as big money. I don't know that that's ever been the case here at the Leg -- it probably has been the case here at the Legislature. Yeah, there's been some convictions. I know there's been some convictions. But, I mean, I can really only speak for myself. When I first ran for office I spent half -- one-third as much as my opponent. I only had one line on the ballot, my opponent had three, and I worked my tail off and I knocked on doors and I got lots of small contributions, not a heck of a lot of big contributions. Obviously I'm here, I was successful. And I think perhaps more than any other place, this body has the ability to do that.

Anybody can run for the Suffolk County Legislature, and it's a small enough district where if you can make an argument that you're the best person for the job and if you work hard at it, then you can be successful, sometimes despite big money. Now, there are other times where those conditions exist, but there is big money, but we have seen that that big money does not come from direct contributions to campaigns and does not generally come from the types of entities that folks would be typically concerned with, you know, big pharma companies or these kinds of companies that oftentimes people think try and influence elections.

So anyway, I just wanted to make it clear that I believe that this body is able to, you know, exist and folks are able to run for office and be successful at running for office without being influenced by money. Yes, there are some bad actors, there always will be no matter what laws you put into place and, you know, God willing those bad actors get dealt with appropriately through the law. So that's all I wanted to say. Thank you. I appreciate it.

CHAIRWOMAN FLEMING:

Thank you, Tom. Legislator Browning.

LEG. BROWNING:

I think I can speak only too well about school bus drivers who ran for office the first time and it's a very difficult time to try and raise funds when you don't have the connections and the who's who to help you. And, again, I think I looked at, you know, what we raise for our campaigns is really not a lot of money when you think about it, and my opponents have in the past outspent me and I've been beat to death and I'm still here.

But, you know, one of the concerns is, and I don't come from the party that is opposed, I not a gambler. I don't like to gamble and I do like the fact that we're addressing the issue with public campaign finance, however, I don't know how this works. If I'm not -- if I'm fundamentally opposed, say I'm a conservative, to gambling, how am I going to want to accept that money? So we're going to use money from a casino or a VLT, gambling money, to help fund my campaign, yet I'm fundamentally opposed to gambling. So how would I -- how could I agree to take that kind of money? So that's one of my concerns, and I know it's 2019 so, you know, it is kind of speculative revenue.

And if, in fact, the VLT does exist and does happen, you know, we do have a budget hole and whatever revenue that comes from that we should be looking at our budget hole first and taking care of that before we start looking at it. But I do have issues with using VDT money because some people just, you know, are philosophically opposed to gambling. So, you know, if I'm a registered Conservative I don't want to take that money. I think it would be wrong.

But anyway, I think it's a good attempt and it's a good start to have a good conversation about it. The four year term I definitely think that's something that's a separate issue, and I think take out the four year term from the campaign finance. I don't think that the two should be one and the same. I don't disagree with four year terms. We all know how much it cost to run a campaign and if you only have to do it every four years it certainly would be a lot less expensive. It would be a lot less expensive in taxpayers dollars to run the campaign every four years, because the Board of Elections employees are going to have a little less work and it's going to take a little less on that end.

Anyway, Rob, I'm hoping that we can get to some point where we could do a better job. And again, we're not the big bucks people. We don't get a lot of money. Those people who are not getting the money, they're not getting in their campaign finance, they're getting it under the table. And I think that if we're going to do this we should do it right the first time, when we can come up with the money, to include all elected officials in Suffolk County, because we're not the ones who are making a lot of money in campaigns.

CHAIRWOMAN FLEMING:

Thank you, Kate. Legislator Trotta.

LEG. TROTТА:

Well, that was, you know, I find it odd that I bill in to limit the amount of everyone can take to \$2,000 and it wasn't even debated, it wasn't even thought about, not even considered. So, you know, I'm disappointed that -- in my colleagues that no one wanted to limit how much the County Executive could take. The County Executive can take \$200,000 from Jerry Wolkoff, and under my bill he could have taken \$2,000 and that was it. So you don't think \$200,000 buys influence? You're naive to think that. And I'm disappointed that we didn't even discuss it, we didn't talk about it, it was just fundamentally shot down. Because the corruption comes not from our little districts generally, it's from these big money people who are -- and over the years have destroyed this County. It's made it into corruption county. And you're going to see it over and over for the next year how bad it really is, and I'm going to resubmit the bill and I want to limit how much people can take, because it's obscene that four LLCs can give Steve Bellone \$50,000 each and I will continue. I hope that when Legislator Calarco puts his bill in he includes all the Countywide offices and limits how much they can take. That's all.

CHAIRWOMAN FLEMING:

Thank you. I just ask that we keep our remarks contained to what we have on the agenda today. But Legislator Calarco, you had a thought.

LEG. CALARCO:

Listen, I was more than willing to sit here and debate the bill with all of you and I know not everyone is going to sign on to it for their various reasons, including -- you're right, Tom, money doesn't buy a race in and of itself. If it did, Linda McMahon would be Senator of Connecticut right now, but she's not after spending 50 million of her own fortune. The voters are intelligent. I think the voters can make smart decisions. I think the voters can decide as long as they get to hear the message, and that's where it's important to make sure that when you have people who are viable, credible candidates, that they at least have the resources to get their message out and then the voters can make a decision. But if you have the best candidate in the world and that person can't

get their name out and can't get out there and speak, especially if they're not the incumbent, then they don't have that opportunity.

I never had a race where I haven't had to work my tail off. I knock on every single door in my district every single time I have an election. And I think while that doesn't make my life easier, it makes me have to spend a lot of time away from home and it's the most grueling interview process you can ever have for a job, I think the voters are served by it and I'm okay with it and it makes you a better elected official, absolutely, I agree with that 100%. And that why I pursue this, because -- to make sure that that competition exists even if it doesn't make my life easier, and should this had passed and we pursued it, I could have seen in 2019 my opponent using that to make sure that they had the resources to run against me and I was okay with that. I was comfortable and willing to accept it.

The bill is not perfect. I don't think you can get to perfection on something like this. The County's budget certainly isn't something that is at a point where we can just take it out of the General Fund, and I think the voters would have much preferred to have a source that was not taxpayers dollars. And, in fact, we've done public financing in Suffolk County before. It's been approved by the voters before in Suffolk County, except the funding stream was voluntary contributions on your taxes when you paid your property taxes, and we all know there isn't going to be any money coming that way, which is why it never went anywhere.

But as I said before, you know, listen, I can sit here and debate the bill and I think that we put together something that was fair. I think you have to tie the terms into it to make it affordable and to take -- it just cuts in half the amount of money in politics. Unfortunately, we've had Legislators from this body convicted. So to say that nobody from this horseshoe has ever done wrong is just not truthful.

LEG. CILMI:

Well, to have been convicted.

LEG. CALARCO:

Yeah, they did something wrong. And we also have people sitting around this horseshoe all the time who complain that we're all beholden to certain moneys that are out there. So to say that it's not an issue that gets brought up around here is just also not truthful.

But nonetheless, I have, you know, made the motion to table. I have respect for the residents in the area that would be affected by the funding stream, and should that funding stream materialize in the future and the elected officials for the area, whether Islandia or some other place in Suffolk County, make the decision to move forward with that program then, you know, with allowing that operation then, you know, we may visit it. But at this point in time I want to make sure that those people have their voices heard and that those elected officials can make the decisions outside of any perceived real or perceived influence from us.

CHAIRWOMAN FLEMING:

Thank you. Legislator Spencer.

LEG. SPENCER:

I just briefly wanted to express my appreciation to Rob Calarco, because I think anyone that is currently elected where there's an incumbency advantage and a resource advantage, I think it takes a lot of guts and really showing concern for the public, and I think that you putting this up really makes you a true public servant and I admire you for that. And when I look at this I think that we could see nationally, we can see local that there's -- people feel disconnected. They feel as if government is detached. They feel that there's corruption that's out there, and it can be that there's

a very small percentage of actual things that are going on, but the perception is bad. And the reality of it is that, you know, we say that each person has one vote, but the way things are right now is -- and a lot of people believe that, is that if you are not of the right social economic status, if you don't have money, if you don't have power, the reality is that you don't have the ability to have your voice heard or to get the message out and I think that we have to address this.

We talk about this on both sides of the aisle, that government needs to be more accountable, government needs to be more responsive, and I think both Conservatives and Progressives are on the same page there. So I really believe that your mind is in the right place, and I do think that we have to do this at some point, and so I'm going to be working with you and to figure out the best way to do it that the people will be receptive. But anyway, thank you.

CHAIRWOMAN FLEMING:

Okay. So we have a motion and a second. Any further discussion? All in favor? All opposed? Any abstentions? The motion to table carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

Resolution **1582 - Adopting Local Law No. -2016, A Local Law to extend to independently elected County Officials authority to approve educational conference or seminar attendance (McCaffrey)**. I appreciate Comptroller Kennedy's appearance to discuss this with us today. He did recommend that we table it. I'll make that motion.

LEG. SPENCER:

Second.

CHAIRWOMAN FLEMING:

Seconded by Legislator Spencer. All in favor? All opposed? Any abstentions? The motion carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**. Moving to Introductory Resolutions.

Introductory Resolutions

Resolution **1597 - Authorizing a certain technical correction to Adopted Resolution No. 406-2016 (Co. Exec.)**. Motion to approve.

LEG. SPENCER:

Second.

CHAIRWOMAN FLEMING:

Second by Legislator Spencer. All in favor? All opposed? Any abstentions? 1597 carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1600 - Authorizing the renewal of the lease of premises located at 950 Sylvan Avenue, Bayport, NY for use by the Department of Public Works (Co. Exec.).

LEG. SPENCER:

Motion.

CHAIRWOMAN FLEMING:

Do we have anyone from the Department of Public Works or from Real Estate who could speak to this?

LEG. BROWNING:

Phil is here.

CHAIRWOMAN FLEMING:

Mr. Berdolt.

LEG. BROWNING:

What's this place used for?

MR. BERDOLT:

It's for sanitation.

LEG. BROWNING:

Oh, okay.

MR. BERDOLT:

They service all the outer districts. The tanker trucks are in there.

LEG. BROWNING:

Oh, okay.

CHAIRWOMAN FLEMING:

Is that a motion I hear? Thank you, Phil. Motion to approve by Legislator Browning. Seconded by Legislator Calarco. All in favor? All opposed? Any abstentions? The motion is approved. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1601 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Carmella T.M. Marrone, heir-at-law of John Marrone (SCTM No. 0102-019.00-03.00-046.000)(Co. Exec.).

LEG. SPENCER:

Motion.

LEG. CALARCO:

Second.

CHAIRWOMAN FLEMING:

Motion by Legislator Spencer, seconded by Legislator Calarco, and is that a motion to approve and place on the Consent Calendar?

LEG. SPENCER:

Yes, it is, Madam Chair.

CHAIRWOMAN FLEMING:

All in favor? All opposed? Any abstentions? The motion carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1602 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Casaga Builders, Inc. (SCTM No. 0209-032.00-06.00-001.000)(Co. Exec.). Same motion, same second. All in favor? All opposed? Any abstentions? 1602 carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1603 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jay A. Kamen and Paulette Kamen (SCTM No. 0200-900.00-01.00-105.000)(Co. Exec.). Same motion, same second. All in favor? All opposed? Any abstentions? That carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1604 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Paul V. Llobell and Barbara A. Llobell, his wife (SCTM No. 0500-450.00-03.00-013.000)(Co. Exec.). Same motion, same second. All in favor? All opposed? Any abstentions? It carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1618 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Marie A. Gerst (SCTM No. 0400-077.00-06.00-024.000)(Co. Exec.). Same motion, same second. All in favor? All opposed? Any abstentions? 1618 carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1622 - Adopting Local Law No. -2016, A Local Law to cap tax map verification fees (Lindsay). I will make a motion to table for public hearing, seconded by Legislator Browning. All in favor? All opposed? Any abstentions? 1622 is tabled for public hearing. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1623 - Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Patrick J. Vesey and Maria D. Vesey (SCTM No. 0500-393.00-02.00-105.000)(Barraga). Motion by Legislator Spencer, seconded by Legislator Calarco. All in favor? All opposed? Any abstentions? The approval carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

1660 - Establishing a vibrant communities policy in Suffolk County (Lindsay).

LEG. SPENCER:

Madam Chair.

CHAIRWOMAN FLEMING:

Yes, Legislator Spencer.

LEG. SPENCER:

May I ask Counsel for just a brief explanation of this?

MR. NOLAN:

What this resolution does is it would establish a policy where the County is searching for space to lease for a County agency or department, or when savings to taxpayers can be achieved by consolidation of County space, it directs the Space Management Steering Committee to endeavor and consider -- I'm just reading now -- "to secure space through lease or purchase at transit oriented development areas". And it states, "For the purposes of this resolution transit orientated development shall be construed to mean a space available approximate to a main public transportation hub such as a railroad station that features a walkable downtown". That's what the resolution does. That's the policy that the Space Management Steering Committee would have to follow going forward.

LEG. SPENCER:

I read this resolution before and I really couldn't, you know, I guess there's no definitive kind of direction here. I mean, it seems like it's common sense that we would try to put spaces in the best place. I'm don't -- I'm still -- I'm not sure what the result is. Does this go into some sort of policy to that committee and does it unnecessarily tie their hands? Like when we say preferentially place it, so that means if there was another space that was equal then their policy -- but they're evaluating where the best space is, the Steering Committee in the first place, so this seems a little ambiguous to me.

MR. NOLAN:

It's stating a preference to locate County space in these downtown oriented areas, these downtown areas. It doesn't mean that Space Management cannot consider other spaces. If another place is far superior, maybe it's much less expensive, certainly they could take that into consideration, but it's more what's the quote from Ghost Busters, it's not so much a rule as a guideline.

LEG. TROTTA:

Motion to table.

CHAIRWOMAN FLEMING:

There's a motion to table by Legislator Trotta. Seconded by Legislator Cilmi. Just on that motion. George, if I could ask, does the Steering Committee not already have a set of criteria against which they test any applications?

MR. NOLAN:

I don't know if they have a written policy or guidelines or rules that guide what -- how they choose space to lease. The law that established the Leasing Committee doesn't have that, but the committee itself may have established something, some procedures, rules, regulations, but I'm not aware of them.

CHAIRWOMAN FLEMING:

I wonder if it might make sense for us to speak with the sponsor and see if there is such a thing in light of the fact that there is a motion on the floor to table, which has been seconded. I'll take the vote. Kate, did you want to be heard?

LEG. BROWNING:

Yeah. I mean, yeah, we are going to have to work on more. We're short busses. We just cut the bus transportation funds. You know, we have a lot of nonprofit organizations that work on transit oriented development, I'm not going to name any in particular, and we have the developers who work on this. And, you know, Rob's office is in a transit oriented development. I'm trying to understand what kind of County offices they're talking about putting -- so it is a little vague. And being that we've cut bus transportation, you know, it's like there's a lot of issues.

CHAIRWOMAN FLEMING:

I appreciate your concern. There was a motion to table, so let me just take a vote on that motion, and if it is tabled we can speak to the sponsor about his intentions here. So all in favor? All opposed? Any abstentions? The motion to table carries. **(Vote: 6-0-0-1 Not Present: Legislator Martinez)**

I have just gotten, hot off the press, two more yellow cards. So if Miss or Mr. Johnston from ABCO is here. Oh, Maryanne Johnston. Please come forward, Ms. Johnston. Three minutes at the podium.

MS. JOHNSTON:

I thank you, Ms. Fleming.

CHAIRWOMAN FLEMING:

Oh, my pleasure. I wanted to ask you, because it was my grandmother's name, do you say Johnston or just Johnson?

MS. JOHNSTON:

Johnston.

CHAIRWOMAN FLEMING:

Okay. We did just get the two cards. We have a very brief agenda today so we are welcoming folks that filled out the yellow cards up to the podium. I just want to make a note that this is not our usual procedure.

MS. JOHNSTON:

I understand.

CHAIRWOMAN FLEMING:

Generally speaking if you want to speak it would be nice to have your cards at the beginning of the meeting. But please, three minutes, Ms. Johnston.

MS. JOHNSTON:

We came to speak today on Mr. Calarco's bill, so I'm very pleased to see that the board has tabled it, and I'm very pleased to see that when we consider campaign reform it's not spelled OTB. Campaign reform does not institutionalize a patronage system, it simply doesn't. Campaign reform really has to come from what the people want, and I think the people in Suffolk County have been loud and clear that they're not fond of OTB revenues, especially from a casino. So when we look at real reform we can't be hypocritical about it.

I have to speak to you directly, Mr. Calarco. You opposed the siting of a casino in your district preelection, and postelection you come out with this bill. Appalling, absolutely appalling. And when we talk about people who have real concerns about using gambling, not only to fund education, and that was where that money is supposed to go, and God knows we need it. Using it to fund political campaigns is almost an oxymoron. It's absolutely an unrealistic attempt. When you want to do reform you have to really think about reform, and one of the reforms is not funding 450 patronage positions and doing everything you can to institutionalize that revenue stream not for the benefit of the people, this is a public benefit corporation. Where is the public benefit here? If you don't need a lot of money, then you shouldn't raise a lot of money.

That's what we came to speak on, so we are very pleased that it will be tabled. We will be submitting written comments objecting to the law and to the extension of terms to four years. We had a similar law come forward in Brookhaven and it was withdrawn. Four years? No thank you.

CHAIRWOMAN FLEMING:

Thank you, ma'am. I do have one other yellow card, Annette Kattau. Miss Kattau, are you with us? Again, three minutes at the podium. And I know you ladies came into the meeting late, but I know Ms. Johnston mentioned that she understood that Mr. Calarco's bill was tabled.

MS. KATTAU:

So do I.

CHAIRWOMAN FLEMING:

If you can just limit your comments to three minutes. Thank you.

MS. KATTAU:

I will. I won't take three minutes. Thank you for letting me speak. We hit a bunch of traffic and closed roadways. I feel basically the same way Maryanne -- everything she stated. I absolutely feel that we cannot take money for campaigns from patronage OTB jobs, and I really am hoping that OTB does not make it. After you degrade a neighborhood after they go in and then you take the money, the extra money has to be spent from our taxpayer money to combat all the things that they bring into our neighborhoods. And then on top of this, this is an insult. That's basically how I feel. And also I am against four year terms. Thank you.

CHAIRWOMAN FLEMING:

Thank you, ma'am. So we've completed our resolutions, we have no procedural motions. We do have some Executive Session business to do. I would make a motion to move into Executive Session for purposes of litigation. Do we have a second? Seconded by Legislator Browning. We're adjourned into Executive Session -- oh we're not adjourned. All in favor? All opposed? Any abstentions? Thank you. The motion to move into Executive Session passes. Thank you.

(*Executive Session was held from 1:26 p.m. to 2:04 p.m. *)

So back on the record. Hello, everyone. We, in Executive Session, the committee voted in the matter of Alan Sacher as the Executor of the Estate of Gil Sacher, deceased, and Alan Sacher individually against the County of Suffolk approved a payment of \$800,000 to settle the case, and that was a unanimous vote. In the matter of Elizabeth Barone, an incapacitated person, by her parents and lawful guardians, Vincent Barone and Camille Barone, Vincent Barone individually and Camille Barone individually against Suffolk County, the committee approved a settlement payment of \$300,000. That vote was opposed by Legislator Trotta and Legislator Spencer. Seeing no further business, our committee is adjourned. Thank you and good afternoon.

(*The meeting was adjourned at 2:05 p.m. *)