

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 September 29, 2016.

MEMBERS PRESENT:

Leg. Bridget Fleming, Chairperson
Leg. William Spencer, Vice Chair (excused absence)
Leg. Kate M. Browning
Leg. Robert Calarco, DPO
Leg. Thomas Cilmi (excused absence)
Leg. Monica Martinez
Leg. Robert Trotta

ALSO IN ATTENDANCE:

George M. Nolan, Counsel to the Legislature
Amy Ellis, Chief Deputy Clerk/Legislature
Jill Moss, Budget Review Office
Laura Halloran, Budget Review Office
Katie Horst, County Executive's Office
Wayne Thompson, County Executive's Office/Real Estate
Imran Ansari, County Executive's Office
Elizabeth Alexander, Aide to Leg. Spencer
Josh Slaughter, Aide to Leg. Browning
Michael Pitcher, Director of Communications/PO
Ray Donnelly, Aide to PO
Dave Schwartz, Newsday
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 12:37 PM

CHAIRPERSON FLEMING:

Can members of the Ways and Means make their way to the horseshoe?

Good afternoon everyone and welcome to the meeting of the Ways and Means Committee. We'll begin by Pledge of Allegiance led by Legislator Calarco.

SALUTATION

Thank you. It's that time of year. We have two excused absences: Legislator Spencer and Legislator Cilmi both have excused absences today. We have no correspondence so we'll go right to Public Portion. I don't have any yellow cards. There aren't many people in the audience. Is there anyone here who would like to be heard on any matter? Three minutes at the podium. Seeing no public input, we move to presentations of which we have none.

TABLED RESOLUTIONS

So we'll move directly to our resolutions. Table Resolutions, resolution **1566, Adopting (Local Law No. -2016,) A Charter Law establishing a Public Campaign Financing Law. (Calarco).**

LEG. CALARCO:

Motion to table.

CHAIRPERSON FLEMING:

Motion to table by Legislator Calarco. I will second that. All in favor? All opposed? Any abstentions? The motion to table carries. **(VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

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 will make a motion to table; seconded by Legislator Calarco. All in favor of a tabling resolution? All opposed? Any abstentions? The motion to table carries. **(VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

INTRODUCTORY RESOLUTIONS

Moving to **Introductory Resolutions, 1770, Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven (SCTM No. 0209-021.00-04.00-041.000).** (Browning).

LEG. BROWNING:

Motion.

CHAIRPERSON FLEMING:

Motion by Legislator Browning; second by Legislator Calarco. All in favor? All opposed? Any abstentions? That carries. **(VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

1773, Approving payment to General Code Publishers for Administrative Code pages. (Pres. Off.). Do I see a -- I'll make a motion to approve; seconded by Legislator Calarco. All in favor? All opposed? Any abstentions? That carries. **(VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

1792, Authorizing the sale, pursuant to Local Law number 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to Annemarie Pettinato (SCTM No. 0200-521.00-03.00-007.001). (Co. Exec.) Motion to approve and place on the consent calendar by Legislator Calarco; seconded by Legislator Martinez. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1793, Authorizing the sale, pursuant to Local Law number 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to Candace M. Bayram (SCTM No. 0200-642.00-03.00-047.000). (Co. Exec.) Same motion, same second. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1794, Authorizing the sale, pursuant to Local Law number 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to Susanne Warren, as administrator of the Estate of Exum C. Warren (SCTM No. 0100-054.00-03.00-020.000). (Co. Exec.) Same motion, same second. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1795, Authorizing the sale, pursuant to Local Law number 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Estate of Geneva Dunbar, by public administrator of Queens County, Lois M. Rosenblatt (SCTM No. 0302-003.00-08.00-007.000). (Co. Exec.). Same motion, same second. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1796, Authorizing the sale, pursuant to Local Law number 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to Irene Anderson, Geraldine Darby and Georgia Durlington, as successors and Heirs of the Estate of Julia S. King, also known as Julia Klein (SCTM No. 0300-180.00-01.00-011.000). (Co. Exec.) Same motion, same second. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1797, Authorizing the sale, pursuant to Local Law number 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to Jill M. Spillett, as administrator of the Estate of Lillian McMahon (SCTM No. 0200-403.00-08.00-187.000). (Co. Exec.). Same motion, same second. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1798, Authorizing the sale, pursuant to Local Law number 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Goals & Benefits, Inc. (SCTM No. 0900-295.00-01.00-010.009, 0900-295.00-01.00-010.019 and 0900-295.00-01.00-010.022). (Co. Exec.). Same motion, same second. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1799, Authorizing the sale, pursuant to Local Law number 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to John Criscione and Ryan McGroary, as joint tenants with rights of survivorship (SCTM No. 0204-004.00-04.00-026.002). (Co. Exec.) Same motion, same second. All in favor? All

opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1800, Authorizing the sale, again, pursuant to Local Law number 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to Joseph Giordano (SCTM No. 0204-019.00-04.00-050.000). (Co. Exec.) Same motion, same second. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1801, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to Rupraj Realty, LLC (SCTM No. 0200-441.00-03.00-019.000). (Co. Exec.) . Same motion, same second. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1802 -- you folks have been busy in Real Estate -- Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to Sampson Estates (SCTM No. 0209-002.00-01.00-024.000). (Co. Exec.). Same motion, same second. All in favor? All opposed? Any abstentions? So moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1803, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to Virginia P. Viette (SCTM No. 0400-061.00-03.00-009.000). (Co. Exec.) All in favor? Oh, sorry. Same motion, same second. All in favor? All opposed? Any abstentions? **1803 is approved.** (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1804, Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act to William M. Boyle and Geraldine A. Boyle, his wife (SCTM No. 0200-241.20-01.00-019.000). (Co. Exec.) Same motion, same second. All in favor? All opposed? Any abstentions? Approved to the consent calendar. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT. PLACED ON CONSENT CALENDAR)

1810, Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law to the Town of East Hampton (SCTM No. 0300-155.00-01.00-030.000). (Co. Exec.)
I'll make a motion to approve.

LEG. TROTTA:
On the motion.

CHAIRPERSON FLEMING:
Yes. Is there a second on the motion?

LEG. CALARCO:
Second.

CHAIRPERSON FLEMING:
Second by Legislator Calarco. Legislator Trotta.

LEG. TROTTA:

I want to know more. I'm looking at the backup sheet. I don't really understand what this is.

CHAIRPERSON FLEMING:

This is a transfer for purposes of development of affordable housing -- workforce housing.

Is there someone from Real Estate who can come address this?

MR. THOMPSON:

Good afternoon. Wayne Thompson from Real Estate. Sorry, I didn't hear the question. Did it come from you, Legislator Trotta?

LEG. TROTTA:

Yeah. I mean, where did this property come from, how did we get it?

MR. THOMPSON:

So, tax deed acquired. The property is on the County's master list for open space. So if the property adjoins other town properties and our own Parks Department is in agreement, we'll offer it to the town whereby we would get back all our taxes that we paid in to get it; plus we get to keep any credits that was on it. And at the same time, it's still made exempt and, you know, put into a park system that the town can manage rather than their own Parks Department. So we see it as a win/win/win.

LEG. TROTTA:

Well, I see it's valued between five and 600,000.

MR. THOMPSON:

Yes.

LEG. TROTTA:

And the Town of East Hampton is happy to give us \$470 for it.

MR. THOMPSON:

Yeah, that was -- that was what was owed to us. We don't sell it to the -- on a 72-h, we ask them for what we have invested back as opposed to the --

LEG. TROTTA:

I mean, I don't know if you read the papers --

MR. THOMPSON:

-- value that we put on it.

LEG. TROTTA:

Like, we're \$180 million in debt. I mean, I can't tell from this backing material where this is, but it looks like you can sell this for \$500,000.

MR. THOMPSON:

I'm not arguing with you.

LEG. TROTTA:

Motion to table until we figure out what this land is.

CHAIRPERSON FLEMING:

Legislator --

MR. THOMPSON:

Again, the major factor in why we wouldn't sell it, and I do take care of the auction part of the County also is that it is on the master list for open space.

LEG. TROTТА:

I can't tell from this, but the back looks like there's houses around it. I don't see open space. Of course, I'm only looking at, you know, flag lots drawn in and I'm not familiar with this road, something highway, Slough Highway or something? Do you know what this is? S-l-o-u-g-h? Slough Highway? Slough Highway?

CHAIRPERSON FLEMING:

This is off of Middle -- Middle Line Highway.

LEG. TROTТА:

I don't know what -- I never heard of Six Pole Highway. I mean, I see East Hampton Nature Preserve, it's fairly far away from where this is. And this is a piece of property. It looks like -- correct me if I'm wrong -- it's a buildable piece of property?

MR. THOMPSON:

I'm sorry, say again?

LEG. TROTТА:

It's a buildable -- you know, it's 207 by 212 by 134 by 368. It's a big piece of property.

MR. THOMPSON:

I'm sure. If it wasn't on the master list, believe we, we'd have it on this auction.

LEG. TROTТА:

I don't know. And the master list is a list of things that you'd like to buy for open space?

MR. THOMPSON:

Yeah. That's not established by our department. By Planning and, I guess, the whole committee for --

LEG. TROTТА:

When was that established? When was this --

MR. THOMPSON:

Sorry?

LEG. TROTТА:

When was this put on the list?

MR. THOMPSON:

I don't know that.

LEG. TROTТА:

I mean if it was 25 years ago and then they built all around it and it's no longer a park, I think it should be looked at. So I'd like to make a motion to table until we can figure out what this is because it's \$500,000 of income to the County that we can probably get. Having said that, if it's around parkland, I could understand it. So until we get those answered, I think that's a fair

assumption.

CHAIRPERSON FLEMING:

That is -- that is fair. We do have a motion and a second to approve. So on that motion, I think, Legislator Calarco wanted to be heard.

LEG. CALARCO:

Sure. We actually just went through the master list just a few years ago to reprioritize ways the County was looking at weaning resources to buy open space. So if this is on the master list, the reality is, you know, we're getting a windfall here. If we hadn't had the ability to acquire it for failure to pay taxes of \$470, we would actually be proactively potentially spending a half million dollars to buy this parcel because it's on the master list; it is one that we're looking to acquire; it is one that's been identified as being an important parcel for protection of the aquifer and protection of our drinking water.

So I think this is a windfall; the fact that the Town of Southampton is saying we will take it off your hands and we will put it into our parks' inventory and we will be responsible for its maintenance and keeping it clean and keeping it secure is doubly good for us because we're going to avoid the maintenance cost of owning this parcel, which we have properties all throughout the County that we have bought for open space and we are constantly dealing with the potential reality of people mis-using those properties.

CHAIRPERSON FLEMING:

I think I hear very good points on both sides. And I do think that -- that because of the financial position of the County, it might make sense -- unless there is some kind of urgency to close on this, I'm wondering if it might make sense to table it for a cycle and see if we can get some of Legislator Trotta's questions answered. Are you aware of any kind of urgency on this?

MR. THOMPSON:

No, there is none. It's entirely up to us to pass it to them when we see fit, yeah.

CHAIRPERSON FLEMING:

Yeah, even though this is in my district, or maybe especially because it's in my district, I think that some folks including other Legislators have asked good questions about this. So I'm going to second Legislator Trotta's motion to table. And the tabling motion takes precedence. So on the tabling motion, all in favor? All opposed? Any abstentions? Thank you. So this -- **1810 is going to be tabled for a cycle. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

And **1811** is again, **the Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law in the Town of East Hampton (SCTM No. 0300-155.00-01.00-031.000). (Co. Exec.)**. Is this the same circumstance?

MR. THOMPSON:

Yeah, I think they're actually adjoining each other.

CHAIRPERSON FLEMING:

So -- and the proposal is that -- that Real Estate is going to be sold for a workforce housing credit -- there will be a workforce housing credit --

MR. THOMPSON:

Yes.

CHAIRPERSON FLEMING:

-- that's just from the land?

MR. THOMPSON:

You bank -- we bank those.

CHAIRPERSON FLEMING:

You'll bank. Okay. All right. I think there are a lot good questions around this. I'm going to make a motion to table.

LEG. TROTТА:

Second.

CHAIRPERSON FLEMING:

Seconded by Legislator Trotta. All in favor? All opposed? Any abstentions? Thank you for your information. **We're going to table 1811 as well. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

Moving onto **1828, the sale of County-owned real estate pursuant to Local Law No. 13-1976 to David Bentley-Garfinkel and Allison R. Jeanes, as husband and wife (SCTM No. 0500-430.00-09.00-039.000). (Co. Exec.).** Motion by Legislator Calarco to approve and put on the consent calendar. Is that right, consent? Okay, simply to approve. I'll second that. So there's a motion and a second. All in favor? All opposed? Any abstentions? **1828 is moved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

1829, Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law in the Town of Brookhaven (SCTM No. 0200-984.40-02.00-041.000). (Co. Exec.). Motion to approve by Legislator Calarco; seconded by Legislator Martinez. All in favor? All opposed? Any abstentions? So moved. **(VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

1830, sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law Town of Brookhaven (SCTM No. 0200-984.40-02.00-043.000). (Co. Exec.) Same motion, same second. All in favor? All opposed? Any abstentions? That's -- so moved. **(VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

1848, Increasing the amount of the petty cash fund for the Suffolk County Traffic and Parking Violations Agency. (Co. Exec.)

Motion -- I'll make a motion to approve; seconded by Legislator Calarco. All in favor? All opposed? Any abstentions? So moved. **(VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

1852, Adopting Local Law No. -2016, A Local Law amending Chapter 77 of the Suffolk County Code to clarify application of the Suffolk County Ethics Code to former County employees. (Co. Exec.) This needs to be tabled for a public hearing. I'll make that motion; seconded by Legislator Calarco. All in favor? All opposed? Any abstentions? **1852 is approved. (VOTE: 5-0-0-2. LEGISLATOR SPENCER NOT PRESENT. LEGISLATOR CILMI NOT PRESENT)**

We have no procedural motions. We have no Executive Session today so we are adjourned.

9/29/2016 Ways & Means Committee

**THE MEETING CONCLUDED AT 12:55 PM
{ } DENOTES SPELLED PHONETICALLY**