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**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 February 2, 2017.

**MEMBERS PRESENT:**

Legislator Bridget Fleming - Chairperson  
Legislator William Spencer - Vice Chair  
Legislator Kate M. Browning  
Legislator Robert Calarco - DPO  
Legislator Thomas Cilmi  
Legislator Monica Martinez  
Legislator Robert Trotta

**ALSO IN ATTENDANCE:**

George M. Nolan - Counsel to the Legislature  
Amy Ellis - Chief Deputy Clerk/Legislature  
Jill Moss - Budget Review Office  
Greg Moran - Aide to Legislator Trotta  
Christina DeLisi - Aide to Presiding Officer Gregory  
Maria Barbara - Aide to Legislator Cilmi  
Katie Horst - County Executive's Office  
Joseph Callari - Suffolk County AME  
Chris Cuddihy - Suffolk County AME  
Mary McLaughlin - League of Women Voters  
And all other interested parties

**MINUTES TAKEN BY:**

Diana Flesher - Court Stenographer

**MINUTES TRANSCRIBED BY:**

Kim Castiglione - Legislative Secretary

(*\*The meeting was called to order at 12:32 p.m.\**)

1  
2  
3 **CHAIRPERSON FLEMING:**

4 Good afternoon. Welcome to a regular meeting of the Ways and Means  
5 Committee. Please rise to salute the flag led by Legislator Hahn.  
6

7 **SALUTATION**

8  
9 Thank you. So as I said, this is a regular meeting of the Ways and  
10 Means Committee. Welcome. We have no correspondence. Miss Ellis,  
11 do we have anything that came in?  
12

13 **MS. ELLIS:**

14 No.  
15

16 **PUBLIC PORTION**

17  
18 **CHAIRPERSON FLEMING:**

19 So we'll move right to Public Portion. I have three cards. If you  
20 would like to speak in Public Portion we just ask that you fill out  
21 a yellow card for three minutes at the podium. First up is Joseph  
22 Callari. Mr. Callari.  
23

24 **MR. CALLARI:**

25 Good afternoon.  
26

27 **CHAIRPERSON FLEMING:**

28 Good afternoon.  
29

30 **MR. CALLARI:**

31 I am Joseph Callari, Vice President from Suffolk County Association  
32 of Municipal Employees. I wanted to speak out in opposition of  
33 Resolution 2083. We're opposed to the resolution because we feel  
34 that it will unfairly impact the AME members and create an economic  
35 hardship on the employees who earn the least amount of money. We  
36 respectfully ask that the resolution be tabled and reworked in a  
37 way that does not unfairly impact the thousands of workers who  
38 make on average under 45,000 a year, specifically relating to if  
39 unfortunately one of our members had received a fine that they  
40 couldn't pay, you have authorized to have their paychecks withheld  
41 and that would be a financial impact to our members. We feel that  
42 maybe there is another way that you could work collecting that  
43 fine.  
44

45 **CHAIRPERSON FLEMING:**

46 I appreciate the concern. And, you know, we had the Ethics Board  
47 here before us for a couple of lengthy presentations. The concern,  
48 of course, arose out of a unique situation where a newspaper  
49 reporter tried to get access to a Financial Disclosure Form for a  
50 senior public official and was denied that access. In my view, if  
51 a reporter is not able to get, you know, can't get access to  
52 important information, particularly when there are legitimate  
53 concerns about conflicts of interest, something's broken, something  
54 has gone wrong. And so I asked the Board of Ethics to come in and  
55 give us a wish list of things that they felt, after we had a lot of  
56 opportunity to inquire, to give us a wish list of what they felt

1 would be most effective in order to help them do their jobs better  
2 and that bad outcome of denying access to an important document  
3 wouldn't happen.

4  
5 So that's really the gravamen of the bill and one of the things  
6 that they asked for was this enforcement power, and I didn't  
7 realize that the union had an issue with it. So I'm so pleased to  
8 hear that you're concerned about it. I think -- not that you have  
9 concerns, but to hear from you. So I think that we should look at  
10 ways that we can maybe find a sweet spot where the Board of Ethics  
11 concerns about enforcement could be honored, but it wouldn't have  
12 an adverse impact on folks who are, you know, are unable to bear  
13 that burden. So maybe there is another way to look at making the  
14 enforcement work.

15  
16 I know the Comptroller had a concern with regard to the legality of  
17 it, so I'm not saying that we need to go full force forward. Of  
18 course we can make amendments at any time, but perhaps we could sit  
19 and talk about what we could do that would satisfy that enforcement  
20 without imposing a burden on folks who don't make a lot of money,  
21 as you said. I certainly support the labor, the -- you know, the  
22 folks who work hard for us in the County and don't want an undue  
23 burden. So thank you for your comments and maybe we can figure out  
24 a way to do it. Does anyone else have questions? Mr. Trotta.

25  
26 **LEG. TROTТА:**

27 This doesn't have to do with people -- I mean, very few of your  
28 people fill out the forms.

29  
30 **MR. CALLARI:**

31 I believe we have more than you would think that we do.

32  
33 **LEG. TROTТА:**

34 So, through the Chair, you would know better, does this only affect  
35 the people who fill out the ethics -- the Financial Disclosure  
36 Forms?

37  
38 **CHAIRPERSON FLEMING:**

39 With regard to the enforcement, yes. It is only if you fail to pay  
40 a fine for not properly disclosing.

41  
42 **LEG. TROTТА:**

43 I mean, I can't see how many -- I mean, clearly the lower paid  
44 employees wouldn't be filling this out.

45  
46 **MR. CALLARI:**

47 We do. We have Clerks in the Legislature that actually fill out  
48 disclosure forms. I believe we have other employees. I would have  
49 to check on the numbers and see how many that we actually would --  
50 it would be something we would -- unless somebody else would have  
51 that information.

52  
53 **LEG. TROTТА:**

54 You don't know the number?

1 **MR. CALLARI:**

2 I don't know the number offhand, honestly.

3  
4 **LEG. TROTTA:**

5 Is three or is it 30 or?

6  
7 **CHAIRPERSON FLEMING:**

8 Thank you. Are there any other questions?

9  
10 **LEG. TROTTA:**

11 I'm just trying to get an answer.

12  
13 **MR. CUDDIHY:**

14 Yes, Chris Cuddihy, one of the Vice Presidents from AME. We don't  
15 have an exact number, but I for one had to fill one out 14 years  
16 ago. I know at least a dozen people within IT that have had to  
17 fill them out, and I came in as an OSA I at 32,000 bucks. We've  
18 got people here that, you know, you're filling out Financial  
19 Disclosure Forms and Conflict of Interest Forms. This kind of  
20 opens up our members for some legal issues that we're really not  
21 comfortable with.

22  
23 So, no, we're not against the entire bill. What we really want to  
24 be able to do is be part of this conversation, and that's what  
25 we're asking for as the union, to be able to down, talk to you  
26 guys, have you table it, so that we can get together with you, so  
27 that we can come and bring those numbers to you, so that we can  
28 have a more realistic overview. You know, the thought of  
29 withholding funds from a member, you know, we're looking at someone  
30 that maybe is, as Joe said, we've got a few Clerks, Clerk-Typists,  
31 that have had to do this. You know, we're started these guys at  
32 28,900 a year. You're going to fine them \$1,000 because they  
33 didn't understand what they filled out.

34  
35 So I realize that's not the intent of this bill. We all realize  
36 that, that's why we're not here as adversaries, we're here as  
37 advocates to try and make this work and try and make government  
38 just work a little bit better for the people that work for the  
39 government.

40  
41 **CHAIRPERSON FLEMING:**

42 All right. No, I'm happy to hear from you. We did have -- this  
43 has already gone through Public Hearing. It was laid on the table  
44 many months ago. It had a lot of public discussion, so 852-8400 is  
45 my phone number. Feel free to get in touch with me. I understand  
46 your concerns and you are absolutely right that it's not part of  
47 the intention. The only thing that changed with regard to what  
48 you're discussing is giving some teeth to the Board of Ethics  
49 requirement that a fine be paid once it's levied after due process.  
50 So that's what they asked for and that's what it's intended to  
51 address. But I'm happy to talk to you about it. Does anyone else  
52 have questions? Mr. Cuddihy, do you want to stay up there?

53  
54 **MR. CUDDIHY:**

55 You can tear my card up. Thank you.

1 **CHAIRPERSON FLEMING:**

2 It's like erasing a voicemail without listening to it when  
3 someone's caught you on your other phone. Thank you. And I  
4 appreciate your input, gentlemen.

5  
6 **MR. CUDDIHY:**

7 Thank you.

8  
9 **CHAIRPERSON FLEMING:**

10 So next on the list is Mary McLaughlin. I might take the  
11 opportunity to express my appreciation for all the great work the  
12 League of Women Voters does for our democracy. Ms. McLaughlin.

13  
14 **MS. McLAUGHLIN:**

15 My name is Mary McLaughlin and I am Director of Legislative  
16 Affairs for the Suffolk County League of Woman Voters. I'm here  
17 this morning because I note IR 1998 is on your agenda. And on  
18 behalf of the League I ask you to table this resolution. As the  
19 County President Leaguer Scott told you earlier in January, the  
20 League has some serious concerns and reservations about reducing  
21 the size and therefore proportional representation of citizens in  
22 this County Government. This resolution was presented to the  
23 County Board of the League at their January 18th board meeting, at  
24 which no vote was taken because the presidents and representatives  
25 of the five local leagues, the Hamptons, Brookhaven, Smithtown,  
26 Shelter Island and Huntington, wanted to have discussions with  
27 their memberships, community groups and Legislators before taking a  
28 position.

29  
30 Representatives of those leagues also met with Legislator Lindsay,  
31 the sponsor of the bill, in early January for a spirited discussion  
32 on the rationale for IR 1998. They left with many questions and  
33 we concluded that there is no need to rush to make changes to the  
34 size and representation of this body. Therefore, I thank you for  
35 listening and please table IR 1998.

36  
37 **CHAIRPERSON FLEMING:**

38 Thank you, ma'am. Just so you know procedurally that the Public  
39 Hearing is still open so we're really obligated to table it. So  
40 we're happy to table it.

41  
42 **MS. McLAUGHLIN:**

43 But the Public Hearing was closed.

44  
45 **CHAIRPERSON FLEMING:**

46 It's still open. I don't think it was closed.

47  
48 **MR. NOLAN:**

49 We have it open.

50  
51 **CHAIRPERSON FLEMING:**

52 Yes, it's still open.

53  
54 **MS. McLAUGHLIN:**

55 Oh, okay.

1 **CHAIRPERSON FLEMING:**

2 So there will be a Public Hearing on Tuesday at the regular General  
3 Meeting. I don't have any other yellow cards. Would anyone else  
4 like to speak? Please feel free to come to the podium. All right.  
5 So we'll close Public Portion and move on with the agenda. We do  
6 not have any presentations so we'll move to Tabled Resolutions.

7  
8 **TABLED RESOLUTIONS**

9  
10 **Resolution 1889-16 - Accepting the donation of a monument honoring**  
11 **United States service members who came in peace killed in Beirut**  
12 **bombing terror attacks (Stern).** Motion to table by Legislator  
13 Calarco; seconded by Legislator Spencer. All in favor? All  
14 opposed? Any Abstentions? So moved. **(VOTE: 7-0-0-0)**

15  
16 **1927-16 - Adopting Local Law No. -2016, A Charter Law to increase**  
17 **the transparency of asset forfeiture funds (Hahn).**

18  
19 **LEG. SPENCER:**

20 Motion to table for Public Hearing.

21  
22 **CHAIRPERSON FLEMING:**

23 Motion to table for Public Hearing by Legislator Spencer; seconded  
24 by Legislator Calarco. All in favor? All opposed? Any  
25 Abstentions? So moved. **(VOTE: 7-0-0-0)**

26  
27 **1936-16 - Adopting Local Law No. -2016, A Local Law to clarify**  
28 **Section 77-14 of the Suffolk County Code (Co. Exec.).** I have heard  
29 from -- well, we've heard from AME today. I've heard from -- oh,  
30 sorry. Thank you, Mr. Nolan. I'm making a mistake here. I  
31 haven't heard from anybody on this. So 1936, is there a motion?

32  
33 **LEG. SPENCER:**

34 Motion to table.

35  
36 **CHAIRPERSON FLEMING:**

37 Table from Legislator Spencer; seconded by Legislator Calarco. All  
38 in favor? All opposed? Any abstentions? The bill is tabled.  
39 **(VOTE: 7-0-0-0)**

40  
41 **1998-16 - Adopting Local Law No. -2016, A Charter Law to reduce the**  
42 **number of County legislative districts (Lindsay).** I'll make a  
43 motion to table for the continued Public Hearing.

44  
45 **LEG. SPENCER:**

46 Second.

47  
48 **CHAIRPERSON FLEMING:**

49 Seconded by Legislator Spencer. All in favor? All opposed? Any  
50 abstentions? The bill is tabled. **(VOTE: 7-0-0-0)**

51  
52 **2051-16 - Adopting Local Law No. -2016, A Local Law amending**  
53 **Chapter 818 of the Suffolk County Code to modify the fees which may**  
54 **be applied by the Suffolk County Traffic and Parking Violations**  
55 **Agency (Co. Exec.).** I will make a motion to discharge without  
56 recommendation. I have been in contact with -- oh, seconded by

1 Legislator Calarco. So on the motion, just to inform the rest of  
2 the committee, I have been in touch with the Administration about  
3 some concerns that have been brought forward by the public with  
4 regard to this particular agency. I have been assured that  
5 improvements are being made. I look forward to further discussion  
6 with them and perhaps before the General Meeting we'll have some  
7 answers on some of the most serious complaints that have been  
8 discussed there.

9  
10 12:47PM So there is a motion to discharge without recommendation and a  
11 second. All in favor?

12  
13 **LEG. TROTTA:**  
14 On the motion.

15  
16 **CHAIRPERSON FLEMING:**  
17 Yes, on the motion, Mr. Trotta.

18  
19 **LEG. TROTTA:**  
20 12:47PM Through the Chair I'd like to ask some questions to Counsel. This  
21 fee increase is similar to the mortgage fee increase. I'm just  
22 wondering, is there a principle that suggests that government  
23 imposed fee should be commensurately with the services rendered and  
24 does this fit this?

25  
26 **MR. NOLAN:**  
27 Right. Like we discussed at the last General Meeting, when it  
28 comes to administrative fees, the fees for permits, things like  
29 that, the general principle established by case law is that the fee  
30 12:48PM and the revenue generated by it should be roughly commensurate with  
31 the cost -- the government's cost of providing the service or  
32 issuing the permit, etcetera. So this is going from \$5510. I  
33 can't speak to whether or not, you know, the fee, \$110 and the  
34 revenue generated from it is commensurate with the costs that they  
35 incur administering this program. I'd have to defer to Budget  
36 Review or the Budget Office or somebody else to answer that  
37 question. But they should be roughly, not exactly, but roughly  
38 commensurate. That's the principle.

39  
40 **LEG. TROTTA:**  
41 Should we have Budget Review do an analysis to see if this is  
42 appropriate?

43  
44 **CHAIRPERSON FLEMING:**  
45 You could ask them.

46  
47 **LEG. TROTTA:**  
48 Okay.

49  
50 **CHAIRPERSON FLEMING:**  
51 Perhaps at the next meeting we could have an answer from Budget  
52 Review. I doubt they're able to answer that question off the top  
53 of your head.

54  
55 **MS. MOSS:**  
56 That wasn't something that was included in the fiscal, but the

1 fiscal does say that \$5.5 million was included in the adopted  
2 budget.

3  
4 **LEG. TROTТА:**  
5 For the Operating Budget.

6  
7 **MS. MOSS:**  
8 Correct.

9  
10 **LEG. TROTТА:**  
11 Also through the Chair to Counsel again. Is this issue been  
12 subject of past lawsuits in other jurisdictions?

13  
14 **MR. NOLAN:**  
15 Well, yes. In fact, another Legislator a couple of days ago asked  
16 me, you know, could you give me the -- he was aware of this  
17 principle, asked me to send him whatever I had on it, so I sent  
18 some AG opinions, some cases, and that's a fairly well-established  
19 legal principle.

12:49PM 20  
21 **LEG. TROTТА:**  
22 Are there currently other lawsuits pending in this jurisdiction or  
23 other jurisdictions surrounding this issue?

24  
25 **MR. NOLAN:**  
26 I'm not -- I don't know.

27  
28 **LEG. TROTТА:**  
29 I know that someone's suing the County for the \$30 surcharge on the  
12:50PM 30 red light cameras.

31  
32 **MR. NOLAN:**  
33 I don't know what the basis for that lawsuit is, though. I don't  
34 know if they're arguing that it's -- the revenue is -- is it just  
35 unauthorized to charge it at all or is it too much revenue being  
36 generated. I don't know what the basis of that lawsuit is.

37  
38 **LEG. TROTТА:**  
39 Is it your opinion that it's likely that Suffolk County will face a  
12:50PM 40 lawsuit in reference to this or the mortgage tax?

41  
42 **MR. NOLAN:**  
43 I have no opinion on that. I have no idea if somebody's going to  
44 sue.

45  
46 **LEG. TROTТА:**  
47 Do you think that, you know, in the case of the mortgage tax and  
48 this just in general that if it's not commensurate with the amount  
49 of the fees being charged, would we be open to litigation that  
12:50PM 50 would win and cost this County a lot of money.

51  
52 **MR. NOLAN:**  
53 You're asking me to conjecture --

54  
55 **LEG. TROTТА:**  
56 I'm asking your legal opinion.



1 **MR. NOLAN:**

2 Well, if a case is brought against challenging any fee on this  
3 basis and a court concludes that what the fee is generating far  
4 exceeds the County's cost in providing this service then, you know,  
5 there's some possibility that or a good possibility that the court  
6 will say that the fee is excessive.

7  
8 **LEG. TROTТА:**

9 So in the case of the mortgage tax where the County Clerk said this  
10 is not necessary and that I'm against it and it's doesn't cost us  
11 any money and we're going to be charging taxpayers \$32 million,  
12 would that be a concern to you?

13  
14 **CHAIRPERSON FLEMING:**

15 Let me just interject for a moment. The mortgage fee is not on the  
16 agenda for today and I think -- if I could just finish. The  
17 connection that you make between the mortgage fee and this fee is  
18 not as strong as I think you might imagine. The mortgage fee is  
19 the mortgage fee. This is a fee in connection with violations in  
20 motor vehicle law.

21  
22 **LEG. TROTТА:**

23 I'm leading to that.

24  
25 **CHAIRPERSON FLEMING:**

26 If I could just finish for a second. I think that, you know, if  
27 there is due process assured then this is, in fact, as a friend of  
28 mine would say, a voluntary fee because you either obey the  
29 traffic laws or you don't. If you don't, you're subject to a fee  
30 as long as there's due process in the court that makes that  
31 determination. So considering the concerns that we all have, every  
32 day we open the newspaper we see another hunk of mangled metal on  
33 the highway and, you know, another report of a fatality or  
34 something else, I think that one of our main responsibilities  
35 includes public safety and certainly includes efforts to reduce the  
36 kind of carnage that we see on our highways and our roads.

37  
38 **LEG. TROTТА:**

39 That would go to the violations --

40  
41 **CHAIRPERSON FLEMING:**

42 I think that's extremely different from the mortgage. I think it's  
43 extremely different from the mortgage question, but the mortgage  
44 question isn't really on the agenda for today. So I think -- did  
45 you get your questions answered?

46  
47 **LEG. TROTТА:**

48 The carnage would have to do with not the surcharge, it would be  
49 the price of the ticket. If this was just processing it you bring  
50 up a very good point; it would have no effect. If you wanted to  
51 increase the fee in order to deter the carnage on the road, you  
52 increase the fine, not the surcharge -- the profit. And my  
53 question was leading down the road where if this, in fact, the  
54 mortgage fee were in trouble and then this would happen, this  
55 reform, we have a responsibility to the taxpayer to not get  
56 involved in things that are going to ultimately be overturned when

1 we're no longer sitting here. And my responsibility is to the  
2 taxpayers, so I want a legal opinion on if, in fact, the mortgage  
3 fee or this fee is going to be turned over and we're going to have  
4 to pay this back. And my kids will be paying for it. So the  
5 Counsel can answer his questions. I don't think he needs help from  
6 you interjecting.

7  
8 **CHAIRPERSON FLEMING:**

9 Oh, no. I'm the Chair and I'm managing the agenda. That's my job.

10  
11 **LEG. TROTТА:**

12 It would have been done if you had let him answer the question.

13  
14 **CHAIRPERSON FLEMING:**

15 And is there any further discussion on the motion? So we have a  
16 motion to -- yes. Ms. Browning.

17  
18 **LEG. BROWNING:**

19 I've had -- I know Monica, myself and Legislator McCaffrey, we went  
20 to Nassau County Court and we had our visit there. I have had a  
21 follow-up since with Mary Porter from Judge Hinrich's Office. I'm  
22 going to be having a conversation with him also. So, you know,  
23 again, I don't want to see anything moved or changed, you know,  
24 pending conversations or, you know, until things have cleared up  
25 there.

26  
27 And, again, getting back on the fees, and I know that like the  
28 alarm bill. When it was decided on what those fines would be, and  
29 that was something that I continually had that conversation with  
30 George, is does that fine cover for the actual cost of the  
31 administrative cost. Like say, for example, when a police officer  
32 has to show up, you know, for a false alarm. How much does it cost  
33 to send them there, and you shouldn't be charging more than what it  
34 cost. So that's what I believe Legislator -- what's your name --  
35 Trotta, sorry. So Legislator Trotta, and I think he's somewhat the  
36 same thought is, you know, are these fees excessive.

37  
38 And I asked of Budget Review quite some time ago, and Robert gave  
39 me numbers, that we have about \$3 million of unpaid fines and fees.  
40 So if we just raise fees is that going to bring us more money or  
41 are we just going to have a continuous tally of unpaid fines and  
42 fees, because now it's getting worse. So I don't want us to be  
43 charging more money than what people can afford, and then we just  
44 -- people are just not paying them anyway.

45  
46 **CHAIRPERSON FLEMING:**

47 Right. Jill, did you have something you wanted to add?

48  
49 **MS. MOSS:**

50 I just wanted to add that this resolution is sponsored by the  
51 County Executive, so the onus is on them to do the fiscal impact  
52 statement. Budget Review certainly can could look into anything  
53 that you want us to.

54  
55 **LEG. BROWNING:**

56 Right. Could we get an update from you, and actually I did reach

1 out to Nassau County, I'm waiting for the response from them, on  
2 how much revenue they've brought in and how much revenue that we  
3 have not actually realized yet on unpaid fines and fees that we  
4 have not yet received.

5  
6 **MS. MOSS:**  
7 Yes.

8  
9 **LEG. BROWNING:**  
10 So I know, like I say, Robert gave that to me last year. It's  
11 quite a few months ago, so I'd, you know, I'd like to see what new  
12 numbers we have.

13  
14 **MS. MOSS:**  
15 Yes. I can get back to you.

16  
17 **LEG. BROWNING:**  
18 I appreciate it. Thank you.

19  
20 **CHAIRPERSON FLEMING:**  
21 Thank you. Any further discussion?

22  
23 **LEG. TROTТА:**  
24 I want to follow-up on if, in fact, it's proven that this \$50  
25 surcharge raises five million dollars, we're doubling it, and  
26 someone sues and down the road we have to pay this back, is that a  
27 possibility if it doesn't fit the cost?

28  
29 **MR. NOLAN:**  
30 I don't know if the court would do that. They might invalidate it,  
31 but I'm not sure that they would direct the County to refund monies  
32 to people. I don't -- I think it's a possibility, but I don't know  
33 that that would happen.

34  
35 **LEG. TROTТА:**  
36 I read in some of the case law where they actually did have to  
37 refund some of the money.

38  
39 **MR. NOLAN:**  
40 Like I said, it's a possibility.

41  
42 **LEG. TROTТА:**  
43 So, I mean, don't you think that's a major concern that if we are  
44 taking in \$30 million or \$40 million and it's going to -- three  
45 years from now when someone sues we have to pay it back that we  
46 should really think long and hard about this?

47  
48 **MR. NOLAN:**  
49 I think when the County increases a fee or enacts a fee it should  
50 be mindful of what we've talked about so far and be preparing and  
51 be able to justify the action that was taken.

52  
53 **LEG. TROTТА:**  
54 It seems to me that doubling the fee -- that would almost mean  
55 they're losing money now on tickets, if we had to double the fee.  
56 And, you know, we collected \$32 million last year from TVB, so

1 clearly they're not losing money. This concerns me and I have to  
2 make a motion to table.

3  
4 **LEG. CILMI:**

5 I'll second. And Madam Chair, if I may?

6  
7 **CHAIRPERSON FLEMING:**

8 Yes, Mr. Cilmi.

9  
10 **LEG. CILMI:**

11 Thank you. You know, the curious thing to me is that if they're  
12 doubling the fee by way of this resolution, what logic was used in  
13 the creation of the original fee? How is it that if this is  
14 supposed to reimburse the County for the cost of operating the  
15 Traffic and Parking Violations Agency, how is it that we  
16 underestimated the cost of operating that agency by half in the  
17 first place if that's, in fact, what happened. So that's a  
18 question that the County Executive's Office should answer.

19  
20 **CHAIRPERSON FLEMING:**

21 Okay. So County Executive's Office you have been asked to answer  
22 that question. I don't think you need to answer it now, but  
23 obviously --

24  
25 **LEG. CILMI:**

26 If they have the answer.

27  
28 **CHAIRPERSON FLEMING:**

29 Would you like to come forward, Katie?

30  
31 **MS. HORST:**

32 I don't have an answer for you, but I will get you one. Sorry.

33  
34 **LEG. CILMI:**

35 Thank you. Appreciate that, Katy. Thank you.

36  
37 **CHAIRPERSON FLEMING:**

38 All right. We have a motion to table, which takes precedence over  
39 the motion to discharge. So motion to table. There is a second.  
40 All in favor? Maybe a show of hands. In favor of tabling? So  
41 motion to table. And all opposed? Opposed to tabling? Any  
42 abstentions? So that motion fails. **(VOTE: 3-4-0-0 Opposed:  
43 Legislators Fleming, Spencer, Calarco and Martinez)**

44  
45 There's now a motion to discharge without recommendation. That  
46 motion has a second. All in favor? All opposed? Any abstentions?  
47 The motion to discharge carries. **(VOTE: 4-3-0-0 Opposed -  
48 Legislators Cilmi, Trotta and Browning)**

49  
01:00PM 50 **2083-16 - Adopting Local Law No. -2016, A Charter Law to improve  
51 and strengthen the operations of the Board of Ethics (Fleming).** I  
52 appreciate the comments that we've heard from our AME labor union  
53 and some others as well, so I'm going to make a motion to table as  
54 we look for ways to tweak and improve this very, very important  
55 bill from my perspective. So that's a motion to table. Seconded  
56 by Legislator Calarco. All in favor? All opposed? Any

1 abstentions? The motion is tabled. (VOTE: 7-0-0-0)

2  
3 **INTRODUCTORY RESOLUTIONS**

4  
5 **2122-16 - Authorizing certain technical corrections to Adopted**  
6 **Resolution No. 868-2016 (Co. Exec.).** I'll make a motion to approve  
7 and place on the Consent Calendar. Seconded by Legislator  
8 Martinez. All in favor? All opposed? Any abstentions? That  
9 motion carries. (VOTE: 7-0-0-0)

10  
11 **1014-17 - Appropriating funds in connection with renovations to**  
12 **Surrogate's Court (CP 1133) (Co. Exec.).** I'll make a motion to  
13 approve. Seconded by Legislator Spencer. All in favor? All  
14 opposed? Any abstentions? The motion carries. (VOTE: 7-0-0-0)

15  
16 We do not have Procedural Motions. We do have one Executive  
17 Session matter so I will make a motion to adjourn to Executive --  
18 recess to Executive Session for litigation. Seconded by Legislator  
19 Calarco. All in favor? All opposed? Any abstentions? So we are  
20 recessed for a short time for Executive Session.

21  
22 **(EXECUTIVE SESSION FROM 1:02 PM TO 1:34 PM)**

23  
24 **CHAIRPERSON FLEMING:**

25 So back on the record. The committee has discussed in Executive  
26 Session the case of Maria Piscitelli versus the County of Suffolk,  
27 et al, and has approved a settlement of \$50,000 by a vote of six to  
28 one, with Legislator Trotta voting against. Thank you everyone.  
29 We are adjourned.

30  
31 **(\*The meeting was adjourned at 1:34 p.m.\*).**

01:02PM

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