SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

SIXTH DAY

MARCH 28, 2000

Taken by: Lucia Braaten
Alison Mahoney

Riverhead, New York

[THE MEETING WAS CALLED TO ORDER AT 9:45 A.M.]

P.O. TONNA:
Okay. Henry, can you call the roll, please.

MR. BARTON:
Good morning, Mr. Chairman.

P.O. TONNA:
Good morning.

(*Roll Called by Mr. Barton*)

MR. BARTON:
Thirteen present. (Not Present at Roll Call: Legs. Towle, Fisher, Haley, Foley and Binder)

P.O. TONNA:
Okay. Thank you. I'm going to recognize -- well, we'll have a salute to the flag led by Legislator Caracciolo. There he is. Oh, Caracappa, then.

(Salutation)

Thank you. I'd like to recognize Legislator John Cooper for the purposes of a clergy introduction.

LEG. COOPER:
Thank you. I'm honored to introduce the Reverend Beth Graham who will do the invocation this morning. Reverend Graham is the Minister of the Unitarian Universalist Fellowship of Huntington, which I attend. The Fellowship has a long and interesting history. Their first service was held on December 7th, 1947 in the Minister's study of the Northport Methodist Church. In 1956, the growing congregation moved to Huntington and they first met at Temple Beth El, but eventually acquired their own quarters, an old Victorian home. However, this soon proved inadequate to their growing membership and they decided to move to new facilities. Luckily, a unique opportunity presented itself, which would solve the Fellowship's dilemma.

The {Kissam Brown}, one of Huntington's prominent Gold Coast families, had built a beautiful estate on 30 waterfront acres in 1912. The main house and most of the property was sold to a Roman Catholic religious order in 1940, was remodeled as a school for boys and named Coindre Hall. And as many of my colleagues are aware, this was eventually purchased by Suffolk County and is now a County park. Eighteen years later, Mr. Brown sold off the remaining four acres of the estate, including the garage and the servant's quarters, and it was this parcel that was acquired by the Fellowship in 1962. This began the fellowship's difficult task of converting the service facilities of the millionaire's estate into a religious home. With great effort, they transformed a garage into a worship hall, a tool room into a social hall, servant's apartments into offices, and bedrooms into classrooms. As the congregation continued to grow in the 1970's, they decided to renovate the existing facility and to build a new worship hall, which was dedicated in 1985 and is still in use to this day.

The Unitarian Universalist Fellowship of Huntington is committed to the principle of inclusion, an inclusion that seeks to celebrate both majorities and minorities, straights and gays, theists and humanists, Christians and Jews. They seek to provide an enriching environment in which to pass on ethical principles from one generation to the next and to encourage and support social responsibility towards building a just

society. Reverend Graham?
REVEREND GRAHAM:
I want to just begin by saying what a privilege it is for me to be here today. And it was Teddy Roosevelt, I know not from Suffolk County, but Teddy Roosevelt who said, Far and away the best prize life has to offer is having work -- working hard at work worth or doing." And I just want to thank the Legislators for the work you do for our County, this work, this hard work that you do that's so worth doing. And I need to say thank you to your families, too, because it's no small sacrifice on their part that you give so much time to this County. So having said that, let us join together now in the spirit of meditation, contemplation and prayer.
(Invocation)
P.O. TONNA:
Thank you very much. Thank you, Legislator Cooper and Reverend. Okay. If you could please remain standing for a moment of silence for Fred Pollert's father, William Pollert, who died on Saturday.
(Moment of Silence)
Okay. Thank you. And now I'd like to recognize Legislator Ginny Fields to make an introduction for the Children's Choir.
LEG. FIELDS:
Good morning.
P.O. TONNA:
Good morning.
LEG. ALDEN:
Is that Children's Choir?
LEG. FIELDS:
No. It's Central --
P.O. TONNA:
They don't look like children. We have to change that. I just want you to know I didn't do this on my own.
LEG. FIELDS:
Good morning. I'm very proud to introduce the Central Islip Show Choir, and for this morning, we'd like to awaken you with some of their music. And March is Music In Our Schools Month, and so, on behalf of March being Music In Our Schools Month, I would like to present the Central Islip Show Choir under the direction of Susan Terrana. And for the purposes of a proclamation, I will tell you more about them upon

completion of the completion of their performance.
(A Musical Presentation was given by the Central Islip Show Choir)
(Applause)
LEG. COOPER:
I just wanted to make a brief announcement. Tickets for the April 18th performance at the Suffolk County Legislature are on sale in the lobby and, of course, through Ticketmaster.
LEG. FIELDS:
Thank you very, very much. Let's hear it one more time for this very, very --
(Applause)
I'm first going to read the names of these young ladies and young men. Graciela Baez, Jessy Estrada, Sarai Herbert, Loren Holland, Janette Johnson, Rosa Torres, Sandra Victor, Jacqueline Williams, Jasmine

Beebe, Maria Capiglioni, Inez Martinez, Gina Murrell, Angela Reteguiz, Michael Babb, Daniel Campbell, Erik Kaulinas, Istafa Marshall, Jalani Patterson, Eric Velez, Minh Dang, Reynolds Hawkins, William Lugo, Howard Marsh, Barrington Murrell, Jamel Patterson, Aaron Trone and Shaun Woodly.

(Applause)

Music In Our Schools Month is a time to recognize and celebrate our nation's academic music programs. It is right and just that we honor an outstanding academic music organization that demonstrates the enjoyment of music so enthusiastically. The Central Islip Show Choir, under the direction of Sue Terrana --

(Applause)

-- has held the distinct --

MS. TERRANA:

It's grade week.

LEG. FIELDS:

Has held the distinct honor of performing at both our State Capital in Albany and at our nation's capital in Washington D.C., and from here forward, you can say at our Suffolk County Legislature. The Central Islip Show Choir was selected as a result of a competition of over 12 other school districts to sing at the Suffolk District Parent/Teachers Association annual dinner. And the Central Islip Show Choir will be performing for the second time on the Future World stage of Walt Disney's -- Walt Disney World's EPCOT Center. The Disney Organization has used the Central Islip Show Choir and other chorus members to create a commercial on the -- at the opening of Walt Disney World's new Animal Kingdom. The Central Islip Show Choir has received numerous other awards and plaques from various other competitions and performance arenas, and, in addition, has received superior ratings from the New York State Music Association.

Now, therefore, be it resolved that I, Ginny Fields, as Suffolk -- as County Legislator from the Ninth Legislative District, on behalf of the entire Suffolk County Legislature, do hereby wish to extend our most sincere congratulations and appreciation to the Central Islip Show Choir. Thank you.

(Applause)

P.O. TONNA:

You're going to go back, Ginny, take a picture with the choir, right?

LEG. D'ANDRE:

Good job, kids.

P.O. TONNA:

Great job. Great job.

(Applause)

the Best entertainment I've ever had here. There's been other entertaining moments, but nothing like this. Recognize Legislator Cooper to present two proclamations. Legislator Cooper.

LEG. COOPER:

Talk about a tough act to follow.

LEG. POSTAL:

Sing it.

LEG. COOPER:

Sing it? You want to clear out the guests here? It's my pleasure to

introduce Officer William Ricca, a nine-year member of the Northport Village Police Department. For the fifth year in a row, Officer Ricca has received the Top Cop Award from Suffolk County in recognition of his exemplary performance. 1999 was a busy year for Officer Ricca, as he was responsible for making 36 arrests, including 11 for DWI and 17 for drugs and/or weapons possession. In his 15 years of police service, including six with the New York City Police Department, Officer Ricca has won 60 such awards. His total career record includes an impressive 498 arrests.

On behalf of the Suffolk County Legislature, I'd like to present you with this proclamation of merit in honor of your proud achievement, and to thank you for all that you have done and continue to do for the beautiful community of Northport. We're very lucky to have such a dedicated and courageous police officer in our town, a sentiment that I'm sure is shared by the Northport Chief of Police, Robert Howard, who also joins us here today. Thank you both very much.

(Applause)

MR. RICCA:

I just want to thank Legislator Cooper and the rest of the body for recognizing my efforts. And I'd like to introduce my son, Dominic, my daughter, Angelina, and my very beautiful wife, Graceann. And thank

everybody very very much. And also like to again introduce my boss, Chief Robert Howard, and wish him good luck on his upcoming retirement. Thank you.

(Applause)

LEG. TONNA:

Thank you very much. Okay. I'd like to recognize Legislator Andrew Crecca to present two proclamations to the Hauppauge High Varsity Wrestling Coach and to the School District, I guess.

LEG. CRECCA:

I'd ask that Head Wrestling Coach Chris Messina from Hauppauge High School join me along with Assistant Coach Jerry Goodfellow, Athletic Director Charlie Large and -- I'm sorry, DeLarge, I apologize, and Superintendent from Hauppauge Schools, Dr. Paul Lochner, and also joining us is Dan Song.

First of all, I'd just like to recognize the Hauppauge Varsity Wrestling Team was this year's small school champs. Last year, they won the County Championships, placed second in the County Championships this year. This year, Hauppauge's Varsity Wrestling team placed fifth overall in New York State with an extraordinary 13-2 record here.

The reason I'm asking everybody here today is Coach Chris Messina and Assistant Coach Jerry Goodfellow have been coaching together for the last fifteen years, and I want to recognize them for the great job that they have done with the team here in Hauppauge. And what I'm going to do is I normally don't read proclamations, but this is a really short one, so -- and it sort of says it all. So today we are recognizing their leadership and the fact that they have one the League IV Championship for an impressive tenth year in a row.

And whereas the Wrestling Team has been Small School Champions for three years and placed second in the County Championships. And with their impressive record, I want to recognize them. One of our local heroes, Chris Messina, who lives in Hauppauge and has been a Hauppauge

resident for -- how long has it been?
MR. MESSINA:
1960.
LEG. CRECCA:
Since 1960. So I just ask the Legislature in joining me to recognize their great accomplishments in Hauppauge.
(Applause)
LEG. CRECCA:
And my second proclamation singles out one particular wrestler by the name of Dan Song. Dan, at 112 pounds, a sophomore at Hauppauge High School, has earned first place in Suffolk County's Wrestling Championships that were held at SUNY Stony Brook on February 20th of this year. He defeated this year's number one ranked wrestler in the State, who was the returning champion from last year's tournament. Dan Song, won the Champion of Champion's trophy, which is most
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distinguishable and honorable, since that award is given by his fellow wrestlers that have elected him with this honor. Dan has won an impressive 25 matches. He won the Hampton Bays Tournament and the League IV Tournament. And it is with great honor that I present this proclamation recognizing this sophomore's great accomplishments in our great town, and again, also a local hero in tenth grade, Dan Song.
Dan?
MR. MESSINA:
On behalf of the Hauppauge School District, I know I'm speaking for Dr. Lochner, Danny, Jerry Goodfellow, and our Athletic Director, Charlie DeLarge, we'd like to thank you for recognizing an accomplishment that we feel is extraordinary in our school district, and recognizing our school district as doing a fine job in wrestling. We thank you very much and appreciate all you've done.
P.O. TONNA:
Thank you.
LEG. CRECCA:
And I just want to note, also, that Dr. Lochner, who has been at the healm of the Hauppauge School District, is retiring this year on May 1st, and he has been a great asset to Hauppauge, I want to recognize that now, not just, obviously, with the Athletics Department, but in so many areas, including taking a lead on substance abuse awareness and things like that in our district. So I'd like to just thank him, too, for his great work with our district.
(Applause)
P.O. TONNA:
Legislator Cooper, you have one more proclamation? Legislator Cooper.
LEG. COOPER:
Here we go. Just waiting for my trusted Aide. I'd now like to introduce a team of students from Huntington High School led by their team Captain, Catherine Best. They've recently won first place in the regional stage of the National Engineering Design Challenge, a competition sponsored by the Junior Engineering and Technical Society. Their challenge was to design and fabricate a temporary shelter that was portable, inexpensive, could be set up and disassembled easily, accommodated up to four people, and worked in a variety of environments. The team developed a tent-like shelter of tarp and

piping that included windows for ventilation, all at a cost of about $85. Craig McKee, a science teacher at Huntington High School, provided his team with technical guidance and moral support. It takes a dedicated leader, as well as bright and creative students, to come up with such an innovative idea.
On behalf of the Suffolk County Legislature I, want to congratulate you all on your success and would like to present each of you with a proclamation of merit in honor of your hard work. First, Katherine, Katherine Best. Congratulations. (Applause were given after each name was called) Sara Carden. Congratulations. Christopher Erckert. I'm sorry, Erckert. Jesse Greenberg. Matthew Grayson. Adam Lipman. Craig McKee, come on down. And we also have a proclamation for the school

honoring the entire team.
(Applause)
Congratulations again. Okay. And the team is going -- they brought one of the tent-like structures with them and they're going to set it up in the lobby right now. It should be completed in what, about ten minutes? So anyone who would like to go out and see what it looks like, they welcome your visit. Thanks again.
(Applause)
P.O. TONNA:
I would ask that all Legislators come to the horseshoe. I'm not going to start the public portion or reading the cards until we have a quorum. Right now we only have six -- five Legislators here. I'd ask that all Legislators please come to the horseshoe.
LEG. BISHOP:
There's no more Legislators.
P.O. TONNA:
I apologize to those who want to speak. We're just going to wait until we have a quorum. Thank you.
LEG. ALDEN:
You have to make an announcement.
P.O. TONNA:
I did.
LEG. ALDEN:
You can't hear it in the back.
P.O. TONNA:
I'd ask that all Legislators please come to the horseshoe. Linda, Meghan, just round 'em up.
LEG. BISHOP:
Round 'em up.
P.O. TONNA:
Round 'em up. See, the West End is well represented. Where's the East End
LEG. CARACAPPA:
Right here, well represented.
P.O. TONNA:
I'm going to start -- where's Henry? Maybe we'll do the roll. Oh, you want to do it? When was the last time you did the roll?
LEG. BISHOP:
Even Henry's busy.

LEG. CARPENTER:
A half an hour ago.
P.O. TONNA:
All right. Why don't you do the roll just to -- you know, the purpose of embarrassment.
LEG. BINDER:
Mr. Chairman.
LEG. ALDEN:
Paul. Paul, nothing's on back there.
LEG. BINDER:
Mr. Chairman.
LEG. CARPENTER:
You can't hear anything back there.
LEG. BINDER:
Mr. Chairman, before you do the roll.
LEG. FIELDS:
The microphones aren't on.
P.O. TONNA:
I have six people back there telling everyone to come in.
LEG. BINDER:
Mr. Chairman, before they do the roll, let me do some pre-business that can or --
P.O. TONNA:
Pre-business?
LEG. BINDER:
Doesn't have to be on the record?
P.O. TONNA:
Or post-business or business-business.
LEG. BINDER:
Pre-business.
P.O. TONNA:
Pre-business.
LEG. BINDER:
Is it possible that we can get directions for all the members to Fred Pollert -- the wake for Fred Pollert's dad? We can get directions from here and then --
P.O. TONNA:
Absolutely. It's in Southold?

LEG. BINDER:
-- depending on how long we go tonight, maybe recess if we go very late. If we're not going to go late, members might want to hang out around Riverhead and then go up there. So if you could just -- if we can directions for everyone --
P.O. TONNA:
That's a very good idea, Legislator Binder. Linda?
MS. BAY:
Yes.
P.O. TONNA:
Directions to Budget Review's -- yeah, Fred Pollert's father's wake. And then we have to look at the thing, if we take a recess today, this evening, if we're not getting through. Okay. Where are we up to now? All right. Jackie, why don't you call the roll?

(*Roll Called by Ms. Farrell*)
P.O. TONNA:
I think that's ten; am I right?
MS. FARRELL:
Yes, sir. (Not Present at Roll Call: Legs. Caracciolo, Towle, Fisher, Haley, Foley, Crecca, D'Andre, and Levy)
P.O. TONNA:
Okay, let's start. First card is Jack Kennedy from the Nassau/Suffolk Building Trades.
MR. KENNEDY:
Presiding Officer Tonna, Members of the Legislature, good morning. I'd like to thank you for the entertainment this morning. At times, I tend to take myself a little bit too serious and it made me feel a little bit childlike this morning. My compliments to them. Also, when you heard the clergy person this morning reference Teddy Roosevelt and she spoke about work and work ethic, and the ability to do that.
The reason I'm here this morning, there was some legislation that came before you relative to Smart Growth, and there was reference made to a moratorium on construction work in Suffolk County for a year, or the suggestion that you pass it on to the town and villages. I have to tell you that I represent 60,000 construction men and women in both Nassau and Suffolk County, and probably up until two years ago, some of them have been unemployed for as much as a year at a time, and they're just starting to get back on their feet where they can support their families. And a moratorium on construction would just set us back and put us totally, totally out of work, and it would be something that would be totally unacceptable to us.
I understand that there has been some alternate language that would get rid of that problem. For that, we're grateful. And I would urge you to make that change in the amended or do whatever you have to do to that legislation, because it would be devastating to us, and I respectfully urge you to do that. And thank you for letting me appear

this morning.
P.O. TONNA:
Thanks, Jack.
MR. KENNEDY:
Thank you, Paul.
P.O. TONNA:
And, Jack, just to tell you, I take full responsibility. Legislator Fields asked me to read over the resolution. To tell you quite honestly, I missed that part. And the Legislators here, all 18 Legislators, you know, they look to me to provide the leadership and scrutiny. It was really a failing on my part, and I will take full responsibility. Each Legislator, all 18, have communicated their concern to make sure that this be dealt with. I think you'll see today there'll be a CN with proper language, so that we can move ahead with a very, very good concept of Smart Growth that Legislator Fields has brought to the floor and, yet, something that, you know, ameliorates the concerns that you have.
MR. KENNEDY:
I probably should share with you, too, that there was many of the Legislators that called me, sent me letters in response, and in all

honesty, some of them did share with me that they didn't understand that the severity of what the bill would have done to us.
P.O. TONNA:
Right.
MR. KENNEDY:
So I thank all of you for responding to me in a letter and phone calls, because I can say this, that all of you have been a friend to organized labor and we appreciate that, and I thank you for that.
P.O. TONNA:
But, again, it's my office and I have to take full responsibility for any confusion or for the bill itself, so thank you.
LEG. D'ANDRE:
So we'll correct it.
LEG. BINDER:
Mr. Chairman.
LEG. D'ANDRE:
What's the big deal?
P.O. TONNA:
It's corrected. It's corrected.
LEG. BINDER:
Mr. Chairman.
MR. KENNEDY:
Yeah.

P.O. TONNA:
Yes.
LEG. BINDER:
Jack.
MR. KENNEDY:
And I came here really to thank you for that and to respond to that.
LEG. BINDER:
Jack.
MR. KENNEDY:
I thank you very much.
LEG. BINDER:
Jack, it's really a noble gesture for the Presiding Officer to take full responsibility, but the truth is that each one of us have individual votes here and we all -- and I do appreciate the Presiding Officer taking that responsibility, but the fact is that we all did do this oversight as -- other than Legislator Haley was fortunate enough not to have been here when the vote took place, so he didn't have the opportunity to make that mistake. But we all did make that mistake, and I think it's for various reasons, but mostly we didn't -- we probably didn't understand the impact and didn't have that vision. But, obviously, everyone here wants us to set right what we made a mistake on, and, really, it's all of us that are responsible. But, again, I appreciate the Presiding Officer trying to shoulder that, but it really is all of us.
MR. KENNEDY:
Well, you know, let me just comment and say that we live in an imperfect world, and I by no means --
P.O. TONNA:
I've seen your golf game, I know that.

MR. KENNEDY:
Yes. And everything that we always do doesn't turn out the way we would like, so -- but we do try hard and I thank you for making that change. Thank you very much.
P.O. TONNA:
Thank you, Jack.
MR. KENNEDY:
Have a good day.
P.O. TONNA:
Thank you very much. Amie Hamlin? I have that right?
MS. HAMLIN:
Yes.

P.O. TONNA:
Thank you.
MS. HAMLIN:
My name is Amie Hamlin and I'm the Director of the Long Island Chapter of the New York League of Conservation Voters. I want to speak about West Nile Virus.
West Nile Virus needs to be put into perspective. Every year, 88 people die in Suffolk County from the flu. That's 88 people every year from the flu in Suffolk County based on an average of 20,000 flu deaths each year in the U.S., even with all the vaccines given to prevent it, yet most people don't see the flu as a life or death disease and are not fearful that it will kill them. We need a West Nile Virus Response Program that is based on science, not fear. We need a program that is based on protecting people, not only from the West Nile Virus, but from pesticides.
The Vector Control Program mentions using Malathion and three types of pyrethroids. Right now, Malathion is under review for a change of classification by the U.S. Environmental Protection Agency to a low level carcinogen. The pyrethroid pesticides contain inert ingredients that are both known and suspected carcinogens. The U.S. EPA policy on pesticides is that no pesticide can be considered safe.
Let's call pesticides what they are, poisons. Isn't it ironic that we would try to prevent one disease by using carcinogens? There may be public pressure to spray, but there's also public pressure not to spray. As politicians, you might feel the pressure to spray because people are fearful, and the pressure that you could be blamed if someone does come down with a disease. But you also need to remember that pesticides are poisons and that spraying poisons poses all kinds of risks, both immediate and long-term, to people, wildlife and the environment.
With all of the cancer around Long Island, I'm sure none of us wants to see a DDT-like situation down the road. Spraying poisons has the potential to kill many more people than West Nile Virus, not as quickly, but kill them nonetheless. The people most at risk for West Nile Virus are also the people most susceptible to the negative health effects from pesticides. Let's not discount the possibility that spraying could increase asthma attacks and asthma can kill, too.
Spraying pesticides over our population is a serious health threat.
You are guaranteeing that people will be inhaling pesticides, and these pesticides contain known and suspected carcinogens, neurotoxins and

immune system inhibitors. Brought into our homes on shoes, these pesticides can linger in synthetic carpets for a year or longer where our children and companion animals play.
The current Vector Control plan states that it is not in the scope of the document to go into the West Nile Virus plan, though it does give a summary. Is there a separate West Nile Virus plan? The Legislature should have input into any plan put forth by the Health Department and Vector Control for West Nile Virus. Again, the plan must be based on science, not fear.

At the Health Committee meeting two weeks ago, I asked under what circumstances the the Department would make a decision to spray adulticides and was not able to get an answer. If there was no virus response plan as based on science, there needs to be a plan for what specific circumstances would trigger spraying and the public should know what the plan is.
D.P.O. LEVY:
Amie, if I could interrupt for a second. Your three minutes is up, if you can kindly conclude.
MS. HAMLIN:
Okay.
D.P.O. LEVY:
We have about 30 speakers, so thank you very much.
MS. HAMLIN:
Okay.
LEG. D'ANDRE:
I have a question for her, Mr. Chairman.
MS. HAMLIN:
It's important that the plan include funding for alternatives. Also, I hope that the the Department won't be handing out Deet, because Deet has now been declared not child safe, though the labeling will not go into effect until the Year 2002. I think the County has an obligation to educate our residents about the effects of Deet.
And, in summary, I want to say that we oppose spraying, but if the the Department does decide to spray, it needs to be based on science, with specific conditions occurring before spraying commences, and that the public should be made aware of, and that it's the County's obligation to educate residents about the dangers of pesticides as well as the dangers of West Nile Virus.
Finally, I just want to say about the legislation that's being introduced today for last resort spraying, I think it's a great idea, but I think last resort needs to have a definition, so that the legislation has some teeth. Thank you.
D.P.O. LEVY:
Thank you.
LEG. D'ANDRE:
Mr. Chairman. Young lady.
LEG. LEVY:
Legislator D'Andre.
LEG. D'ANDRE:
Are you an entomologist? Are you a scientist of any kind?

MS. HAMLIN:

No, I'm not.
LEG. D'ANDRE:
Well, you know, I thought I heard you say something about the Legislature not allowing the the Department to go ahead with the spraying?
MS. HAMLIN:
I said that we oppose spraying.
LEG. D'ANDRE:
Yes. But you said something about the Legislature having control over the the Department?
MS. HAMLIN:
No. I said I hope that they'll encourage the the Department to look at alternatives, to fund alternatives, to educate the public about the dangers of pesticides, as well as the dangers of West Nile Virus.
LEG. D'ANDRE:
Okay.
MS. HAMLIN:
And that we need the program to be based on science, not fear, that we need to have specific requirements in place before spraying occurs.
LEG. D'ANDRE:
Scientists do not base things on fear. They may not be always right, but they don't base anything on fear.
MS. HAMLIN:
That's right.
LEG. D'ANDRE:
And I would -- if you're sick, you call a doctor. I would rather rely on our entomologists, on our doctor, scientists, than I would of any layman out in the field telling me what and what to do and what not to do. The big fault we have with all of this is not enough instructions were gotten out to the people before they proceeded with the spraying. They just went up like it was an emergency and people didn't have time to shut their windows, bring their kids indoors, the toys, and all of that. That's wrong. And in that area, we can beef it up and clean it up. But I still would rely on -- we had Dr. Zaki in the the Department and we have this man with a long name, I can't pronounce it.
LEG. LEVY:
Dominick. Just know it's Dominick.
LEG. BISHOP:
Ninivaggi.
LEG. D'ANDRE:
Who?

LEG. BISHOP:
Ninivaggi.
LEG. CARPENTER:
Ninivaggi.
LEG. D'ANDRE:
Ninivaggi. Fantastic, fantastic entomologist. I would rather bet on them than some layman or some pesticide truck coming around offering you to spray. While it's not the best choice or the only choice, I still think I'd go with the scientist if I have to in the last resort.
D.P.O. LEVY:
Okay.

LEG. D'ANDRE:
So what I'm saying to you is before I rely on anybody else, I'll go with the scientist or those entomologists that are trained.
D.P.O. LEVY:
Thank you, Mike.
MS. HAMLIN:
That's exactly what I'm saying, we should be basing the response plan on science, not fear. And I'm not talking about what happened last year, I'm talking about what we do in the future.
LEG. D'ANDRE:
Well, that's excellent. Thank you.
D.P.O. LEVY:
Okay. Legislator Bishop.
LEG. BISHOP:
I'm sure we could all agree with that last statement, but how last year do you feel that the County's reaction was based on fear? How can we do better specifically this year, in your opinion?
MS. HAMLIN:
I don't know what the thresholds are, and -- but what I think needs to happen is a huge public education campaign that educates people about pesticide dangers as well as West Nile Virus, about what they can do in their own yards, in their own neighborhoods to prevent the breeding of mosquitoes. I think that we need to remember that pesticides -- the pesticides we're talking about are known or suspected carcinogens, and that seems to be forgotten many times. We're talking about something that last year didn't -- there were no known human cases of it in Suffolk County, but we were spraying pesticides that are known to cause cancer, and I think that's very ironic.
LEG. D'ANDRE:
Well, they had horses that died.
D.P.O. LEVY:
All right. Mike. Mike, Dave had the floor. Are you done, Dave?

LEG. D'ANDRE:
They had horses that died.
LEG. BISHOP:
I am done.
D.P.O. LEVY:
That's true. All right. Thank you very much.
MS. HAMLIN:
Thank you.
D.P.O. LEVY:
Okay. Kevin Shaughnessy from West Islip Fire Department. Welcome.
MR. SHAUGHNESSY:
Hello. Back again. I guess I'll start off with I have the veto here from County --
LEG. BISHOP:
You probably want -- you want more Legislators here, because you're --
LEG. GULDI:
Like a quorum.
LEG. CARPENTER:
Could you, please, call them? We don't have a quorum.
D.P.O. LEVY:

Could we have Legislators come to the horseshoe, please? We need a quorum to continue.
LEG. BISHOP:
Legislator Carpenter's going to move the bill after they speak, so --
LEG. CARPENTER:
If we have --
LEG. BISHOP:
-- if you could tell them that there's going to be a vote. .
LEG. CARACAPPA:
We need 12.
D.P.O. LEVY:
Once again, we'll ask Legislators to come to the horseshoe.
LEG. ALDEN:
The speaker's not on in the back.
D.P.O. LEVY:
Okay. Tim, would you be so kind? We have a quorum, but we'll wait for a few more to come anyway. We need more Legislators or we'll be calling a recess. Please come to the horseshoe. We have 12 Legislators, so, at this point, gentlemen, I'll ask you to proceed.

MR. SHAUGHNESSY:
Okay. Thank you. I guess Mr. Tonna isn't coming. I read this veto here and I find that it's very inaccurate. It has merit, but it's not exactly what we're asking for, so I'd like to clarify some of this for the members here, after reading the objections here, and also talking to the State Comptroller's Office, which I'm responsible for. I just want to -- speak up?
D.P.O. LEVY:
Yep.
MR. SHAUGHNESSY:
To set it so we understand. My name is Kevin Shaughnessy, I'm a Fire Commissioner of West Islip. This is Commissioner Iwasiuk. We're elected by the public like everybody here. Our job is the financial responsibility of the taxpayers within the borders of West Islip, as yours is of Suffolk County. When we're elected, we have given the power to be a taxing entity, which seems to be some people's -- some Legislators' problems with you're a taxing entity, you buy the equipment for your town and you protect your town. Well, we do a fantastic job of protecting our town with our equipment and we never go outside and ask for money. But this issue is a totally different issue. This is an issue of about property that is not in my town and it's not taxable. If I want to buy a piece of equipment for the taxpayers in West Islip to save life and property, I would sit down with a pencil and paper and I'd raise taxes if I had to. But I'm in a position of I can't raise taxes for taxpayers when I'm protecting a piece of property of the County, that one piece is three-and-a-half miles away and another piece isn't in our taxable district. There is nobody living in these areas that's taxable. So the object here is the protection of these properties that has been overlooked for quite a long time.
To really start again, so people do know what we protect, we protect the Gardiner's Park, which is on the north shore of the bay, we protect the garbage barges over at Captree, which goes over the bridges that

are under construction, which we're having a lot of problems with. I think you all received a letter from Department of Works explaining what we protect over there that's the County property. And then we protect the people, which is our most valuable piece of property to us, because that's our main goal most of the time is protecting life.

A situation that we have with this boat of the importance why we have to have it, you know, to make a real quick story in less than three minutes, on June 6th last year, which I didn't want to tell the story, we had a jet skier break his neck on the south side of the bay and another jet skier fall off in the north side. And the ironic part is could it happen that a Suffolk County Police car came down the road and turned over at the entrance to the Captree Bridge, the one-lane Captree Bridge. When the chiefs behind me came to the scene, it was like, "Well, now what do we do?" The person with the broken neck is on one side of the bridge and we have a police car on the other side of the bridge. Well, we moved that and we backed up three-and-a-half miles and we took care of the situation.

But this fire boat is to protect the property of Suffolk County, not to

protect the taxpayers of West Islip's property. This veto, like a said, is inaccurate. This is not a gift to protect and to give to us the taxable entity, because you can't give me -- you can't give me a gift as a taxable entity, I have to purchase it with taxable money. So this is not a gift, which makes this inaccurate, and this is not for the purpose of West Islip, this is for the purpose of, which I find out now, of the half a million people that go over the bridge to visit your parks, your property, and that's what we're here for, and we're looking for some help.

What we're looking for here, which this Legislature I found has done, we're looking for a grant of a partnership, and the partnership is we'll come with the people, the volunteers for free, we'll do all the work, we'll bring the doctors, but we need a little support, so I can go back to the Town, my Town, and say, "Hey, Suffolk County's helping us purchase a boat to protect our property that's on this side, which is the County's and protect everybody that goes over the Robert Moses Bridge to your property."

And that's why we're here. And we brought -- we brought with us, because there was some questions about this Gardiner's Park, we brought a map that shows the size of this piece of property. And if this became like the wildfires, this would be an environmental impact that we would just be devastated with. We brought a map to show Gardiner's Park and the accessibility of -- one Legislator had said to me, "Well, why can't you drive a fire truck down this path?" This path is three-and-a-half feet wide. The average fire truck weighs 45,000 pounds. If we pulled it in, we would never get it out. The only accessible way to absolutely fight this, if this ever took off, and which we are having a lot of problems with this park, is to come in off the water over here, where here is the canal, and send fire fighters in to stop it, because if this goes, we all go to Montauk Highway and wait for it to come to us, because we can't walk three-and-a-half miles to a fire. That's why we had half our problems with the brushfires out east.

So this boat is about Suffolk County and Suffolk County's property, not

so much West Islip's, because all this property isn't in our taxable district, and if it was, I wouldn't be here today.
LEG. CARPENTER:
Mr. Chairman, if I could. I thank you for coming down. I was quite surprised to see that this resolution was vetoed, because there certainly is precedent for this. Two years ago, when we passed -- I think it was two years ago that we passed the resolution to give assistance to the Copiague Fire Department in helping them purchase a boat, because they protect an island out there that belongs to the County. And with this particular property that the West Islip Fire Department is charged with the responsibility of protecting, it is more accessible, even than that island out there that Copiague protects, because it's Gardiner Park, open to the public, and on any given day, especially on the weekends, there are tremendous amount of people who are visiting the park and deserve our protection.
LEG. BISHOP:
Why don't you read that memo?

LEG. CARPENTER:
There is at everyone's place a memo from the Commissioner -- from the Department of Public Works from Ben Wright, Chief Engineer for the Division of Sanitation, who talks about the fact that the fire department is charged with the responsibility of providing protection to County property, to County resources. So for everything that was stated and the reasons for vetoing this legislation by the County Executive, there certainly is precedent and documentation to prove much to the contrary.
D.P.O. LEVY:
Legislator Guldi.
LEG. GULDI:
Yeah. I just have a couple of questions I want to bounce off of you.
MR. SHAUGHNESSY:
Sure.
LEG. GULDI:
The map you showed of the park, what percentage of your district does the park constitute? I mean, are we talking a third, a half, a quarter, a tenth?
MR. SHAUGHNESSY:
The district -- the park lies between Bay Shore and West Islip. We have the canal that you need to go down to fight the fire.
LEG. GULDI:
Right.
MR. SHAUGHNESSY:
Okay.
LEG. GULDI:
So -- well, how big is your district, how big is the park?
MR. SHAUGHNESSY:
Oh. Well, here's the situation. Our -- that park is approximately I'd say two square miles? Two square miles, my entire fire district is five.
LEG. GULDI:
So it's -- of the seven square miles, it's two-sevenths, or about 30%.
MR. SHAUGHNESSY:

Yeah, I would go with that. That's only --
LEG. GULDI:
Okay. Well, what percentage of -- and now you do fire and emergency services, ambulance and --
MR. SHAUGHNESSY:
We do fire --

00020

LEG. GULDI:
And rescue?
MR. SHAUGHNESSY:
-- and emergency services.
LEG. GULDI:
Okay. What percentage of your calls on an annual basis come out of the park, 30%, 10%?
MR. SHAUGHNESSY:
No.
LEG. GULDI:
Fifty percent?
MR. SHAUGHNESSY:
No, you wouldn't have that many calls.
LEG. GULDI:
Well, what percentage, five?
MR. SHAUGHNESSY:
Rescue calls included?
LEG. GULDI:
Rescue included.
MR. SHAUGHNESSY:
Well --
LEG. GULDI:
Realizing -- hold it. Realizing you might get a letter and you look at records or anything.
MR. SHAUGHNESSY:
Yeah.
LEG. GULDI:
I'm just -- just a gut.
MR. SHAUGHNESSY:
To review the records on an -- in West Islip and where we go, going to, say, over the bridges, over to Captree, 75, 80 calls a year out of 2,000.
LEG. GULDI:
Okay. So few, relatively.
MR. SHAUGHNESSY:
Oh, there's few.
LEG. GULDI:
Okay. See --

00021

MR. SHAUGHNESSY:
But when they go, they're big.
LEG. GULDI:
The concern I have is one of, again, I think as Legislator Levy's floodgates analogy. Right now, you're standing in the Flanders Fire District and Ambulance District. The Flanders Fire District and Ambulance District has a couple of problems. Number one --

MR. SHAUGHNESSY:
Okay.
LEG. GULDI:
-- more than half of the land in the district, more than 50% is off the tax rolls, because they have the Pine Barrens, which is a huge park, they have this facility, the County Courthouse, and the Jail. .
MR. SHAUGHNESSY:
Correct.
LEG. GULDI:
In addition to that, the County Center and the County Jail constitute more than half of their calls, more than half of their annual -- particularly the ambulance calls. The Jail's very heavy on ambulance calls. So they got no property tax bases, and they have the huge, more than half of their work at County facilities. And you know what they get from the County, don't you?
MR. SHAUGHNESSY:
What?
LEG. GULDI:
Nothing. Nothing. Now, how can I, in fairness, tell my fire department here in Flanders, one of many I represent, that we're giving $100,000 to Islip to help buy a boat for their Emergency Services when Flanders can't get a dime?
MR. SHAUGHNESSY:
Well, the question I have to -- okay.
LEG. CARPENTER:
If I could respond to that.
LEG. GULDI:
Well, let me ask the speaker, please.
MR. SHAUGHNESSY:
Well, the question that we have to ask is, first of all, to know how many calls does Flanders get, how much is their budget in their taxing district? An example, I have five miles, I get $1.7 million. I have a town next to me with two miles that gets 3 million mill.
LEG. GULDI:
Right.

MR. SHAUGHNESSY:
How much do they get to protect it?
LEG. GULDI:
Tiny amounts compared --
MR. SHAUGHNESSY:
Well, yeah, but --
LEG. GULDI:
-- to what you get with huge geographic areas.
MR. SHAUGHNESSY:
It all depends on how much they get, you know, from their taxpayers. If you --
LEG. GULDI:
Yeah, well, the --
MR. SHAUGHNESSY:
In the Hamptons, the taxes are a lot higher.
LEG. GULDI:
Yeah, the -- no, actually, au contraire. In The Hamptons, the taxes

are a lot lower, and the property values in Flanders are a lot lower.
MR. SHAUGHNESSY:
The other --
LEG. GULDI:
There is no solid tax base here.
MR. SHAUGHNESSY:
Okay. And the other issue here is you're talking the area of property protection. We're also talking 500,000 people going over to -- over a bridge. It gets pretty crazy. It's a valid point, but I don't know the whole --
LEG. GULDI:
Yeah.
MR. SHAUGHNESSY:
Financial structure of their tax. I don't know if they have any industry at all that they can tax.
LEG. GULDI:
It's a concern I wanted to air here.
MR. SHAUGHNESSY:
It's like us, with -- we have a multibillion dollar hospital that has -- is a Catholic Church Hospital that we receive nothing from.
D.P.O. LEVY:
Legislator Carpenter.

MR. SHAUGHNESSY:
Nontaxable.
LEG. CARPENTER:
If I could, I just want to correct something, George. It's not $100,000, it's 40,000, and that is just a portion of what the cost of the boat would be. So, as --
LEG. GULDI:
Yeah, I understand that.
LEG. CARPENTER:
-- Mr. Shaughnessy said, they're looking for a partnership, and that is what this resolution that 14 Legislators agreed with and passed at our last session was right, was justified and I would hope that in the spirit of compassion and courage, that the Minister spoke of this morning, that those 14 Legislators who voted for it will vote to override the County Executive's veto.
D.P.O. LEVY:
Legislator Bishop.
LEG. BISHOP:
The conceptual difference between the Flanders situation and the West Islip/Copiague situation is that for the -- the equipment that the Flanders District would use on the County facilities is the same equipment that they would use throughout the district, and if it's not, then they have a good case, because if they have to buy special equipment to serve a County facility, then we should provide that assistance. That's what they're asking for, special equipment to serve a special situation created by the County, you know, our facility, and that was the same situation in Copiague. So that's the conceptual distinction. It's not one of a direct subsidy to a particular department that happens to have County facilities in it, it's that they have to buy special equipment to serve those County facilities,

therefore, they're coming to the County for assistance.
D.P.O. LEVY:
Thank you very much, gentlemen. We appreciate your time --
MR. SHAUGHNESSY:
Thank you.
D.P.O. LEVY:
-- and your input. Okay. Our next speaker is Geraldine Jense.
LEG. CARPENTER:
Gentlemen, I would just ask if you would stay. I would like the Chairman, if you would, call the Legislators to the horseshoe. I would like to make a motion to override the veto, but I would like the Legislators who are here to be at the horseshoe.
D.P.O. LEVY:
We'll do that one more time and while we're waiting for them to come in, I'll ask Ms. Jense to proceed. Thank you.

MS. JENSE:
Good morning and thank you, Members of the Legislature, for this opportunity. My name is Geraldine Jense, I'm the president of ACES, the Association for Children for Enforcement of Support.
ACES members are representative of the 50,000 families here in Suffolk County who are owed $340 million in unpaid child support. Only 37.5% of the cases open in Suffolk County received payments last year. In these times of economic prosperity, it is very difficult to understand how 60% of the parents who owe child support fail to meet their legal and morale child support obligations. A non support is a crime against children, a crime that causes poverty. Children were victimized not just once but day after day and year after year. The average single parent on Long Island earns about $20,000 a year. The average parent who owes child support earns more than $30,000 a year.
In a study that we did of families living on Long Island that are owed child support, the mothers reported that within the first year of the father leaving the home, 48% experienced a housing crisis where they had to move in with families or friends; 10% ended up in a shelter with their children; 55% reported they couldn't afford to take their kids in for regular medical check ups; 36% reported they couldn't take their children into the doctor when they were ill; 32% told us, "Our children went hungry"; 57% reported that they lost regular day-care; and 26% said that their children are unsupervised when they go to work; 49% reported that their kids can no longer participate in school activities because they didn't have enough money.
It is time to get tough on people who don't pay their legal and morale child support. It is time to prevent the suffering of children. ACES urges you to enact resolution 1089 which would immobilize automobiles owned by Suffolk County's non paying parents. Its time to make children as important as non payment of traffic tickets; children should be much more important. Parents who are 120 days behind in their payments or owed $2,500 would be targeted by this bill. They would be notified ahead of time that this could happen to them so they could come in and make arrangements to pay and avoid their car being booted. If they fail to do so, the Sheriff would boot their car until they met the current months obligation and signed up for a payment plan. If they didn't live up to their payment plan, their car could be

rebooted.
ACES asks you to please act today to help our children who are suffering because of non support. They are our most precious natural resource. Thank you.
D.P.O. LEVY:
Thank you, perfect timing. Okay. See how many people we have. Oh, Legislator Fisher, I'm sorry.
LEG. FISHER:
That's okay.
D.P.O. LEVY:
That's okay, we'll pass. Any other questions? Okay, thank you very much, Geraldine. Did you want to call that vote now or do you want to

wait for more people to come in?
LEG. CARPENTER:
No, I'll wait until later.
D.P.O. LEVY:
Okay. Lawrence Kodla or Kudla.
MR. KUDLA:
Yeah, Kudla.
D.P.O. LEVY:
I can't read that.
MR. KUDLA:
Thank you. Good morning, distinguished Suffolk County Legislators. It's a pleasure to be here. I'd like to just speak on an issue. It's Resolution 1304, and it's the way that the County purchases products, and we're asking that this resolution be passed, and the products that the County buys as clothing be purchased sweat-free. And I'd just like to speak of what the Reverend had mentioned, commitment, compassion and courage. When our forefathers, foreparents came to this country, they looked to build a better America. They organized for the trade union movement, they organized to build citadels. Like Socrates said in I.F. Stone's Trial of Socrates, by building cities, you build communities. By having communities, you keep people closer together and you can fight injustices that are lodged against society. And we view sweatshops as being an injustice against this country, other countries, and especially for Suffolk County.
We're asking that when the County purchase products, they purchase products that are sweat-free, that the workers have a right to organize for a trade union movement, they have a right to make a living wage, and they also have a right to be able to have medical benefits and to be able to retire with dignity. I think all County workers should be proud of the clothing that they wear, and that clothing should be sweat-free. And I would like the Legislature to pass that resolution. And I'd also like to say that, you know, the entertainment was great this morning, it was on a very positive note, but children who work in sweatshops will not have the ability to be able to sing and dance or have the ability to act concertedly, or get an education, or maybe build a renaissance in this country, because some are chained to sewing machines. Women, it's very abusive to women and very abusive to workers who work there.
In closing, I would just like to make a little quote from William Shakespeare that said that cowards die many times before their death.

The valiant taste death but once. Thank you.
D.P.O. LEVY:
Thank you. Bill Maggi from the Correction Officers. Bill, are you here? It's all yours, Bill. Welcome.
P.O. TONNA:
Hey, Bill.

MR. MAGGI:
Good morning, everyone. For the record, my name is Bill Maggi; I'm President of the Suffolk County Correction Officer's Association. I'm here today to ask for your support on Resolution, under Public Safety, 1283, reestablishing a Department of Corrections Committee to study a viability of creating a separate County Department of Corrections.
Just for some background, this committee was put into existence last year. Angie Carpenter was the Chairperson of it. We had about three or four meetings and it kind of went by the wayside, unfortunately.
This year, under Legislator Tonna, Presiding Officer Tonna, he directed Legislator Bishop to chair this committee. I think we had one meeting. And to say that we're not satisfied with the results of this would be an understatement.
What we had asked for was a legitimate study, a study on a Department of Corrections. You all know, and you have been supportive of my membership. As a matter of fact, if it wasn't for this body right here, probably half the things we have we would not have had, and we recognize that and we thank you for that. We have had our difficulties with the current administration of the Sheriff's Department and we've had to go outside. What we're asking for is, because the size of our department, the size of this County, that a legitimate study be done to see if a Department of Corrections is feasible.
There's been some rumors and some stories told to you people that we're looking to fire people, we're looking to get rid of the Sheriff. That was never our intention. A Department of Corrections would be that, a Department of Corrections. You would still have a Sheriff's Department and they can do whatever they have to do under their jurisdiction.
We're saying that a legitimate study be done and that you approve it, and we could take it from there, and if it's approved, to bring it to the voters in November as a referendum.
I would ask for your support today. And do not listen to the rumors and the scare tactics. We're not looking to fire people, we're looking for a legitimate study to maybe help solve a problem that we've had over the years.
P.O. TONNA:
Thank you, Bill, very much. And, you know, by the way, I've heard those rumors and it's just terrible, you know. So I appreciate your coming, putting that on the record also.
MR. MAGGI:
Okay.
P.O. TONNA:
Okay. Thank you very much, sir.
MR. MAGGI:
Thank you.
LEG. FOLEY:
Thank you, Bill.

P.O. TONNA:
Debra O'Kane.
MS. O'KANE:
Good morning, Ladies and Gentlemen. My name is Debra O'Kane and I'm here today representing the North Fork Environmental Council. I know that there will be discussion here today regarding the Year 2000 Annual Work Plan for the Division of Vector Control. I know that there will also be a public hearing this afternoon regarding a Last Resort Vector Control Spraying Policy for Suffolk County to be implemented in 2001.
It is encouraging to see that the reduction of pesticide use has become a major concern for Suffolk County, that pesticides are finally being seen as toxic chemicals that pose very serious health threats.
Since several of my colleagues will be addressing these issues, I'd like to focus on one particular area of concern, the routine, and I repeat routine, spraying of adulticides in our communities. I live in Orient Point, and for many years, our residential area has been routinely sprayed as often as every week with adulticides sprayed by a truck passing regularly through our streets. Since, to the best of my knowledge, there has been no incidents of a mosquito-related disease in Orient, it is my assumption that the routine spraying is done because the mosquitoes are considered to be a nuisance. The pyrethroid Scourge is a pesticide routinely applied. It is a combination of Resmithrin and piperonyl butoxide.
According to a report released by the National Coalition Against the Misuse of Pesticides, pyrethroids are toxic to insects, whether the insects are beneficials or pests. They initially cause knock-down or the inability of the insect to maintain its normal position followed by recovery or death. According to the manufacturer's description, Scourge knocks their legs off. Laboratory and field studies have shown that mosquitoes that receive even a sublethal dose usually lose some or all of their legs. This may not be cruel and unusual punishment for a nasty old mosquito, but Scourge has been documented as being highly toxic to honeybees.
Early one morning last September, I witnessed our Scourge-spraying truck doing a routine application through Orient Beach State Park. That same morning, monarch butterflies were making their yearly migratory journey traveling through the park. Is there any accounting for the nontarget beneficial insects that are destroyed each time an adulticide is sprayed?
The {Encamp} Report also states that pyrethroids have a devastating affect on aquatic invertebrates and are highly toxic to most fish. Much of Orient, and especially the State Park, are surrounded by wetlands. Naturally occurring drift is inevitable. What ecological devastation are we performing as we attempt to rid ourselves of nuisance mosquitoes?
What I am asking is that in the light of the last resort legislation being proposed, and in light of the leaning toward last resort spraying in the current 2000 plan, these sort of practices of routine spraying for nuisance mosquitoes be suspended.

Pyrethroids exasperate existing respiratory conditions and also skin conditions in humans. Simultaneous exposure to pyrethroids and

organophosphates such as Malathion can work to increase the neurotoxic effects of the organophosphate being used. Once again, the risks far outweigh the benefits of this type of routine spraying.
The North Fork Environmental Council asks for the Legislature to ban the -- to ban the spraying of Scourge and other adulticides in our communities, the routine spraying beginning this year. Please include this ban specifically in the proposed Last Resort Spraying Legislation for 2001. Thank you.
I also have one other concern. I read --
P.O. TONNA:
Just your time has been up about two minutes ago --
MS. O'KANE:
Oh, I'm sorry.
P.O. TONNA:
-- So if you could wrap it up. Okay? Thank you.
MS. O'KANE:
In the current report, the current plan for 2000, Mr. Ninivaggi refers to five to 10,000 calls that Vector Control receives annually and that they respond to those calls. I'd like know what is the nature of these calls? Are they for control of nuisance mosquitoes? And how are those calls responded to?
P.O. TONNA:
Yeah. Go ahead, ask it one more time, please.
LEG. BISHOP:
He's not here. He's not here to answer you.
MS. O'KANE:
I'm sorry?
LEG. BISHOP:
He's not here to answer you.
P.O. TONNA:
He's not here to answer your questions.
MS. O'KANE:
Well, for the record, I would like the -- I would just like to --
LEG. BISHOP:
Assume that the answer is yes. What's the point?
MS. O'KANE:
The point is I was just wondering how those 5,000 calls are responded to? Does Vector Control send out -- do they treat 5,000 nuisance calls for mosquitoes, or what -- I mean, are they a lot more serious than that?

LEG. BISHOP:
I'll just answer it. And I can't speak for Mr. Ninivaggi, but I can speak from my experience in my district.
LEG. TOWLE:
Me, too.
LEG. BISHOP:
And you, too? When you have a particular neighborhood that makes a lot of complaint calls, or a particular athletic league that uses a field that's -- you know, has a heavy mosquito population, then Vector will send out, you know, a localized response to that. Otherwise, they stick to the plan.
MS. O'KANE:

And what are they using; do you know offhand?
LEG. BISHOP:
No, I'm --
MS. O'KANE:
You don't know.
LEG. BISHOP:
I'm not Mr. Ninivaggi. I'm on your side.
MS. O'KANE:
Okay. No. I was just wondering.
LEG. BISHOP:
I'm the antipesticide Legislator. I'm just giving you the answer to your question.
MS. O'KANE:
Okay.
P.O. TONNA:
He's the antigoose guy, too? And you and the antigoose --
LEG. BISHOP:
Geese and pesticides.
P.O. TONNA:
Geese and pesticides.
LEG. BISHOP:
They're bad.
LEG. D'ANDRE:
Part of the problem.
LEG. BISHOP:
Republicans are bad, also.

LEG. D'ANDRE:
Part of the problem is in going out and treating this when they deem it's necessary, they don't give enough time notice or instructions to the public.
MS. O'KANE:
But what I'm saying is that when -- where there's routine spraying for nuisance mosquitoes, that's really an overuse of pesticides.
LEG. D'ANDRE:
No, there's not -- there's not routine spraying. Either you're --
MS. O'KANE:
There is. There is in Orient.
LEG. D'ANDRE:
Either you've got to spray because you have the problem and the dangerous -- these insects are bringing dangerous diseases out, or you let the people down and then you take the wrath of the people when somebody starts dying. You can't play games with this. This is somewhat a science, and the entomologists know how to deal with it to the best of anybody can deal with it today.
MS. O'KANE:
But the routine spraying has been taking place for many years in Orient and there's no documentation about diseases and being -- mosquito borne diseases being spread in Orient.
LEG. D'ANDRE:
Well, you don't know until you get them, and you don't know when you're killing them.
LEG. BISHOP:

Plus they use well water.
LEG. D'ANDRE:
Those that spray there should know the numbers.
LEG. TOWLE:
Mr. Chairman. Mr. Chairman.
P.O. TONNA:
Yes, Legislator Towle.
LEG. TOWLE:
If we could, you know, obviously, we're going to be voting on some issues today that are, obviously, of concern, not only to the residents, but I think to Legislators as well. You know, yeah, obviously, as I said to the people that are speaking, which are the residents, I think it's important that, you know, we do have Dominick here today at some point to testify on the bills that are before us regarding spraying or not spraying, or the issue of pesticides, either Dominick or the Commissioner of Public Works.
LEG. D'ANDRE:
Or Clare Bradley, the Doctor --

LEG. TOWLE:
Or Dr. Bradley.
LEG. D'ANDRE:
-- of Health, the Commissioner of Health.
P.O. TONNA:
Okay.
MS. O'KANE:
Thank you.
P.O. TONNA:
Thank you very much. Joseph Caputo.
MR. CAPUTO:
Hi. Thank you very much, Mr. Presiding Officer --
P.O. TONNA:
You're welcome.
MR. CAPUTO:
-- for giving me this opportunity to come before you. On the premise of what I'm going to say, I want to bring you back to September, October and November of 1999, when the budget was considered after the County Executive proposed it and when it was finally adopted by this County Legislature. At that time, the Department of Audit and Control was appropriated and authorized 140 positions. The last pay period ending March 19th, there was only 117 people on my payroll. As of March 20th, the day after, we have 25 vacancies in our department. Three months of those vacancies have saved enough of turnover savings, if you will, for the Budget Director and the Budget Office, and now it's time to fill the vacancies and let the Department of Audit and Control, which includes Insurance and Risk Management, the Employees Medical Health Program, the Purchasing Division, all the audits that get done in this County, all the appropriations that get recorded, the payroll that has to be paid every two weeks. We cannot do that without the adequate staff that we need, that we have been authorized and we do not have at this time.
So I've been told that the Budget Office has a resolution laid on the table today in the new agenda to appropriate money and transferred from

the the Department to the Department of Audit and Control in order to enable us to refill these vacant positions. It probably will be considered at your next meeting, and I hope that we will receive a majority vote of this Legislature in order to put us back on track and enable us to do our job.
P.O. TONNA:
Okay. Just hold it one second. I just want to make sure of that. Jim, is this true? Who has a bill in?
MR. CAPUTO:
Ken Weiss has advised my Deputy that there's supposed to be something in the packet today to be considered at your next session.

P.O. TONNA:
Taking money from the the Department into Audit and Control to fill positions?
MR. CAPUTO:
That's right, because there's not enough money in the appropriation.
P.O. TONNA:
Okay. Paul?
MR. CAPUTO:
Not enough money having been budgeted for the appropriation of the 140 positions and turnover savings kicking in in the normal disguise of budget, balancing our budget for 30 years, which has been used in order to balance budgets after the budget has been approved, and, meanwhile, we suffer with the vacancies.
P.O. TONNA:
All right.
LEG. POSTAL:
Mr. Chairman.
P.O. TONNA:
Let Paul just respond to that, just on --
MR. SABATINO:
There is a bill in the packet. I don't have the number in front of me, but it's an Executive proposal to transfer a substantial amount of money from the Health Department budget to a variety of departments, one of which is Audit and Control, one of which is Probation, I think maybe Public Works. I don't remember the others, but there is a law -- there is a resolution that will transfer a substantial amount of money. It will be in the Finance Committee next -- two weeks from now.
P.O. TONNA:
Okay. Sorry, Joe.
MR. CAPUTO:
That's okay.
P.O. TONNA:
We'll ask questions after you finish.
MR. CAPUTO:
Okay. The other reason that I'm here is something that you're most familiar with, Mr. Presiding Officer.
P.O. TONNA:
Right.
MR. CAPUTO:
We have national conventions and conferences that we attend in -- from

within the County. My Insurance Risk Manager has a conference that he

requested to go to California at a cost of $2,900. My Executive Director of my Accounting Services has a request to go to Chicago for a cost of $2,200. I have been approved to go to Chicago.

P.O. TONNA:

Right.

MR. CAPUTO:

The other two people have not been approved. It is essential that these two people be allowed to go to those conferences.

Going back to last year's budget, this Legislature approved the appropriations that are in the budget today from the Year 2000 to allow those conferences to be attended by people from my department. For now, for the Presiding Officer to unilaterally and on his own decide that he does not want people to go to national conventions is improper. I think a better approach would be, Mr. Presiding Officer, is allow them to go, ask them for a report back as to what they did, and how and where they -- what sessions they attended, what they accomplished, who they met, what goals they're going to pursue now that they've returned. But if they are not satisfied with their accomplishments, next year's budget process in November, October, deny the appropriation, take the appropriation out.

Right now, you pay over $4,000 to the Government Finance Officer's Association as members. We get a newsletter every two weeks for that $4,000 to about four people in Suffolk County. We also get invited to the conferences. Not going to the conferences precludes us from knowing what the new changes are in different things that are happening regarding auditing, regarding borrowing money, financial procedures that should be followed, the comprehensive annual financial report that we file, and which we've been receiving a Certificate of Conformance from them since 1983 to the present time, up through 1998. 1999 has not been submitted as yet. It will be submitted by July 1st. So that this help us -- helps us. When you talk about ratings of borrowing money, we do not have the problem that Nassau County has here in Suffolk County. We have a nice tidy surplus that we've been working with. And why is that? Because we've managed our money well. Why is that? Because we prepared this comprehensive annual financial report which any layman can read and understand and know what's happening in Suffolk County. And because of that, Moody's and Standard and Poors, and Fitch have given us and kept us at a higher rating, which saves money for the taxpayers.

Final suggestion: You want to save some big money, change the Suffolk County Tax Act. You could save $10 million for Suffolk County and reappropriate that money, wasted interest that we incur every year to something that you want to utilize it for. You would also save the 62 school districts in Suffolk County at least a million dollars each.

You would save every fire district a half a million dollars in interest expense that they incur when they have to borrow money, because although their year begins in April or May or July 1st, they do not get a penny until January or February of the following year. If you were to change the Suffolk County Tax Act so that they receive their money in the year that they needed it, they would not have to borrow money.

LEG. BISHOP:
That's not us.
MR. CAPUTO:
If you change it, that Suffolk County would receive it beginning January 10th, we would not have to borrow $250 million every January. That's how you could save money, not this penny-ante stuff that we're talking about.
P.O. TONNA:
Okay. Thank you very much, Comptroller. Legislator --
(Applause)
I guess those are all people who like to attend conferences. Okay. Anyway, Legislator Bishop.
LEG. BISHOP:
I can't imagine the public is supporting you on wanting to go to Chicago, but, you know --
MR. CAPUTO:
I'll tell you what, Mr. --
LEG. BISHOP:
-- stranger things happen all the time. Let me ask you this. On the Tax Act, because this is a fight that Legislator Postal has been waging for more than a decade, she educated me on, she's educated so many of my colleagues, Legislator Foley's also been a leader in this, it comes down to that it's the Suffolk County Tax Act, although the name is Suffolk County, is really controlled by the State of New York, and you know that, right?
MR. CAPUTO:
Well, it's controlled in that you need legislation from the State of New York.
LEG. BISHOP:
Right.
LEG. CAPUTO:
But you will not get --
LEG. BISHOP:
And we've asked for that legislation every year --
MR. CAPUTO:
But you will not --
LEG. BISHOP:
-- for about a decade and they haven't provided it.
MR. CAPUTO:
But you will not get legislation from the State of New York unless this administrative body goes to the County Attorney or to their legal counsel to draw up the changes that you want to take place.

LEG. BISHOP:
Comptroller.
MR. CAPUTO:
And then Bishop will carry it --
LEG. BISHOP:
Comptroller, we've done that. We've done that every year for about --
MR. CAPUTO:
You have to lobby for it, you have to campaign for it.
LEG. BISHOP:
Well, instead of going to Chicago, why don't you go to Albany, you

know? That might be a better trip.
LEG. TOWLE:
Are you approving that trip?
LEG. BISHOP:
Let me also ask you about --
LEG. D'ANDRE:
Albany doesn't get a budget.
MR. CAPUTO:
Let's not confuse the public with two different isolated situations.
LEG. BISHOP:
Let me ask you about these conferences, because I don't know a lot about conferences. But I'm an attorney and I think there are many other people here who are professionals in other fields. What I have found over the years is that almost every conference that is offered to me offers videotapes afterwards, cassette tapes, written summaries. There is -- are many ways to obtain this information without having the taxpayers pay to have three officials go on vacation to Chicago; isn't that true?
MR. CAPUTO:
That costs you money for those diskettes and tapes just the same. And it's not a --
P.O. TONNA:
No, it's not the same. It's not the same, Joe.
MR. CAPUTO:
Every one of those sessions costs money. And if you want -- if you want to take the whole library of sessions, you could spend thousands of dollars.
P.O. TONNA:
Joe, I can't --
LEG. BISHOP:
And I don't -- you know, I don't know. I'm not the Presiding Officer.

I've never been privy to the information that comes across his desk.
MR. CAPUTO:
It's not a vacation.
LEG. BISHOP:
I don't know if you're someone or your staff are people who take advantage of the opportunity to go to many conferences or not. It may be that you're just advocating for one annual conference and that's the sum and substance of what the Comptroller's Department --
MR. CAPUTO:
You're absolutely right, it's one annual conference --
LEG. BISHOP:
That's all you do.
MR. CAPUTO:
-- for two people and one conference for one person.
LEG. BISHOP:
And that's all you do. But I know that there are other department heads --
P.O. TONNA:
That's not all that's done.
LEG. BISHOP:
-- That I've heard about who go on numerous --

MR. CAPUTO:
There are things that happen with NYSAC, there are things that happen in Albany that people attend on an ongoing basis without any special authority whatsoever, they just get in the plane and go and they come back on the same day.
LEG. BISHOP:
Right. I mean, that's understandable.
MR. CAPUTO:
That happens throughout this County. You want to deny that also?
LEG. BISHOP:
I know there are many department heads, and as Comptroller, I'm sure, you know, this is something that you've looked at and studied over the year, who have an aggressive record of going throughout the country to attend whatever is offered any time it's offered.
MR. CAPUTO:
No, that's not true.
LEG. BISHOP:
Is that not true?
MR. CAPUTO:
No, that's not true at all. I do --

LEG. BISHOP:
Okay. Well, why don't you come back next time and bring -- provide this Legislature the lists of conferences attended by department heads in the last two years. I would be fascinated to see that.
LEG. LEVY:
There's a bill to do that, actually.
LEG. BISHOP:
I think it be a very good audit --
P.O. TONNA:
Joe.
LEG. BISHOP:
-- for the Comptroller to conduct.
MR. CAPUTO:
I'm not going to waste my resources to conduct something like that.
LEG. BISHOP:
No, because you might find out that there's been a lot of abuse in the area and you might find out that the Presiding Officer's stand is a courageous one and he's doing the right thing by the taxpayers of this County.
MR. CAPUTO:
No, the --
LEG. BISHOP:
But, you know, a better way to approach it is to close your eyes and tell us to reform the Tax Act, which we have no control over.
MR. CAPUTO:
You have absolute control over it. You have to send the information to the State that you want that accomplished and then you'll get it accomplished.
P.O. TONNA:
Joe.
LEG. BISHOP:
We've done that.

MR. CAPUTO:
You have to lobby the State.
LEG. BISHOP:
We've done that every year.
MR. CAPUTO:
You have to pay for a lobbyist. Like you want the sales tax changed or not changed, you pay $25,000 to a lobbyist for the Presiding Member of the Assembly, so that that person is --

P.O. TONNA:
Joe.
MR. CAPUTO:
-- is reached by the lobbyist and then you get your change.
P.O. TONNA:
I made a New Years resolution this year to not try to get into any type of banter with the Comptroller of the County, and so it's a tough role to hold. But I figured with the raise that you have, you wouldn't be here, you know, with all of this stuff. I just want to say two quick things. The issue of the --
MR. CAPUTO:
Did you get a raise, Mr. Tonna?
P.O. TONNA:
What?
MR. CAPUTO:
Did you get a raise?
P.O. TONNA:
Absolutely. We all got a raise, Joe.
MR. CAPUTO:
What are you talking about the raise that I had?
P.O. TONNA:
That's what I said, I didn't think I'd see you.
MR. CAPUTO:
The raise is going to put me to sleep?
P.O. TONNA:
I broke my New Years resolution. Anyway --
MR. CAPUTO:
The raise -- you expect the raise to put me to sleep?
P.O. TONNA:
No. What I expect is this: I think the first issue that you brought up is a good one and we'll look into it. We have a bill to help you fill those vacancies. And, Joe, anybody who advocates to make sure that they have a fully staffed office so that they can do their work, that's great.
The second issue with regard to the conference attendance forms, all I can tell you is this: We look at the conferences. We look at who wants to attend. We look at the people in the department. We look at the issues discussed. I look at every single one of those things. And I disagree with you on this: I think controlling the pennies is just as important as controlling the dollars. And if you want to look at some of the problems that Nassau County had, it's because they didn't control the pennies. And as the Comptroller of this County, you more than anybody else knows that it's penny by penny that you're supposed

to audit and look at. So what I say is, Joe, I'm sorry.
MR. CAPUTO:
I'll tell you what --
P.O. TONNA:
Lobby people to make sure they don't vote for me for Presiding Officer next time. But as long as I'm Presiding Officer, I'm going to scrutinize those conference attendance forms. I've asked my people. I've seen in departments and yours is a good department. You bring over responsible stuff; okay? But I just felt that since people are already going to New York State, and I don't think I denied the people in your department to go to New York State, I think going to California to go -- I saw the brochure, I saw the activities afterwards, I saw the other things. We've called, we asked, you know, what this conference is. When we called over to the heads of the conference, what are the activities they participate in, and everything else, and I made a decision that this is something that I didn't want to put my signature to say that we can spend that money. That's it. When you were Presiding Officer, and your picture's right there, I'm sure you had a different philosophy. That's the philosophy that I have and you're not going to change my mind. I appreciate your advocating for your department. I'm not going to change my mind on that. And I figured that if you're going to one of these conferences, surely, you'll take enough copious notes to bring it back, have your staff meeting, sit down with them, say, "Look at what I've learned," you know, and, "Here's what we want to implement."
LEG. D'ANDRE:
Mr. Chairman.
P.O. TONNA:
I figured that you're -- if not, then get somebody who would and then, you know, we'll let them go but.
LEG. D'ANDRE:
Mr. Chairman.
MR. CAPUTO:
Okay. I'm willing to do that.
P.O. TONNA:
But leave that as it may. The third issue --
MR. CAPUTO:
I'm willing to do that, Mr. Tonna.
P.O. TONNA:
And I have the floor right now and I'll finish my third thing.
MR. CAPUTO:
Go ahead.
P.O. TONNA:
The third issue with regard to changing the Suffolk County Tax Act, I don't think there's a Legislator here who wouldn't want to change the

Suffolk County Tax Act. We don't think it's something that's done for us, we think it was something that was done to us. All right? You were absolutely 100% correct. But lobbying in Albany, all right, and I would ask if any County Legislators wanted to do that, I'm not going to approve an airplane trip, I just want you to know. I'd make sure that you drive your car there; all right? But anyway, when you drive your car up to Albany and start to lobby, that would be fine. But so far,

we've been -- I think, less than productive use of time. So with the three things, that's great, we'd love to watch the big dollars, but I'd ask, you're elected here to make sure that you watch the pennies, too. And, as Presiding Officer, when I put my signature to something, I want to be able to justify it and I just couldn't. I'm sorry, it's a difference of opinion.
LEG. D'ANDRE:
Mr. Chairman.
P.O. TONNA:
Until they vote me out, let somebody else sign it.
LEG. D'ANDRE:
Mr. Chairman.
P.O. TONNA:
Thank you.
LEG. D'ANDRE:
Be that as it may, Joe is an excellent Comptroller.
P.O. TONNA:
Okay. I didn't say he wasn't. Legislator -- first of all Legislator, Caracappa, and then Legislator Postal.
MR. CAPUTO:
Can I respond to you first, Mr. Tonna, before Mr. Caracappa?
P.O. TONNA:
Sure.
MR. CAPUTO:
I'd like to say that if you are willing, I will rescind the authorization that you gave to me to go to Chicago and allow James Poitras to take my place.
P.O. TONNA:
Okay, great.
MR. CAPUTO:
Would that be acceptable to you?
P.O. TONNA:
That's fine.
MR. CAPUTO:
And I'll stay home.

P.O. TONNA:
Great.
MR. CAPUTO:
Okay.
P.O. TONNA:
That's good. I gave, out of respect for you, I felt somebody in your department, and I wanted to give the lead guy.
MR. CAPUTO:
Well, I don't have --
P.O. TONNA:
But if you want --
MR. CAPUTO:
I don't have to go. It's important --
P.O. TONNA:
I'd be glad to --
MR. CAPUTO:
-- to my department that he goes.

P.O. TONNA:
Fine. And I allocated one and I think that's fine. I didn't think we needed two there. Thank you. All right. And I would be glad to do that this week. Joe, and then Legislator Postal.
LEG. CARACAPPA:
Thank you, Mr. Chairman. First, Joe, thanks for coming down. I'm happy to see you feeling better.
MR. CAPUTO:
Thank you.
LEG. CARACAPPA:
Second, not to beleaguer the point, but to maybe drive it home to the public and to everyone here regarding the Suffolk County Tax Act. Since I've been a member of this Legislature since 1995, it was then Presiding Officer Blydenburgh, Legislator Postal, Legislator Foley who were strong advocates to get Albany to respond to the changing of the Suffolk County Tax Act for all the reasons you mentioned earlier. In 1997, I went to Albany myself with County Executive Gaffney to deliver this Suffolk County agenda to our State delegation. I went up there in my capacity as Deputy Presiding Officer at the time. And every year I know it's the County Executive's -- one of his mandates or one of his wish list items to have Albany finally respond to changing the Suffolk County Tax Act. So we as a Legislature, the County Executive as an administrator, and the County as a whole has been pushing this for far too long, and, hopefully, you know, more debate and more lobbying will make that change available to us in that process that would save millions upon millions of dollars, not only for the County, but for school districts as well. So the County's doing everything we can. I had personally been part of it, so we're moving forward on that. It's

just that Albany is not listening, as usual.
P.O. TONNA:
Thank you. Legislator Postal.
LEG. POSTAL:
Yeah. A little history, because Legislator Bishop is right. Back in 1988, when I became a member of this Legislature, a committee was established, which included Don Gruen, the former Head of the Budget Review Office, former Legislator John Foley, and myself, and we worked for quite sometime preparing -- well, looking at the rationale behind amending the Suffolk Tax Act to put in place the two-plus-two system of taxation. We looked at it from a variety of angles and we came up with a plan which we felt was a really good plan to phase it in over a three or four-year period, so that there would be pain and -- great pain and suffering inflicted on those taxpayers who pay their taxes directly.
We did pass at least one Sense of the Legislature resolution, probably two, I don't know how many, before my Assemblyman and Legislator Bishop's Assemblyman, Bob Sweeney, decided to react to our senses. I mean, I was really impressed. It was probably one of the few times I've been here that anyone up in Albany paid any attention to any memorializing resolution we have passed. But he looked at that and took it very seriously, and put in a great deal of time on putting together an amendment to the Suffolk Tax Act which would put in place the two-by-two system. He addressed the problem of the initial year and the tax shock that would ensue by bonding to carry us through that

initial year, and because this was beneficial to school districts as well as towns and the County, he -- his plan would have had the school districts paying a small portion of that bonding, assuming a small portion of the responsibility for that bonding, which would allow them to reap a tremendous savings.
There was a meeting, Joe, called at AIL by Assemblyman Sweeney. I was present there. There were representatives of the Town Tax Receivers. Esther Bivona was there, I remember. I believe that John Cochrane was then the Treasurer, he was there. You were there. Representatives of the School District Business Adminstrators Association were there, and we kind of hashed this thing out, because Assemblyman Sweeney was ready to go ahead with it. And I have to tell you, everybody had an objection. The school business official said, "No, we don't want to pay any portion of the bonding to do this." The Tax Receiver said, "Oh, no, we can't do this, this is going to generate so much additional work for us that it will cost us a fortune in staffing and equipment and supplies." And nobody there, and I think -- I don't remember whether Legislator Brian Foley was at that meeting --
LEG. FOLEY:
Yes.
LEG. POSTAL:
-- or his father, Legislator John Foley, but I think the only people who spoke up in support of the concept were Legislator Foley and myself. And I have to tell you, you didn't, John Cochrane didn't. And Assemblyman Sweeney left and said, in essence, "If nobody wants this except the Suffolk County Legislature, then I'm not moving ahead with

it," and that's where it died. And I know that Assemblyman Sweeney is ready to this day to sponsor an amendment to the Suffolk Tax act if he knows that there's support for it, support from not only this Legislature, but from the County Executive, and from the Comptroller's Office, and from the Treasurer's Office, and from the Tax Receivers, and the towns, and the school districts. He's ready, because he's spoken to me about it on numerous occasions. But he's not going to do it again without support. So I think -- I just wanted to set the record straight with regard to that. But I have another question that's unrelated to anything you said.
MR. CAPUTO:
Before you go to unrelated, I don't remember being there, be that is as it may,
LEG. POSTAL:
Well, you know, I wouldn't swear that you were there, but there was -- you know, I think you were and there was certainly a representative of your office there. But I do have another question that's unrelated to anything, other than I was kind of surprised and I guess dismayed when I opened my payroll envelope last week, last Thursday, and I took out the facsimile of my check, because I have direct deposit, and I found a letter from the Schaefer Agency, an insurance agency in Smithtown, that reminded all -- it was addressed to Suffolk County employees, and it reminded Suffolk County employees that they could elect to take a pre-tax payroll deduction I guess at this time of the year, and I assume it was to cover insurance, I don't remember. But what surprised me was that we were enclosing something from a specific business in the

-- in with the paycheck of every Suffolk County employee. I've written to the Ethics Commission, because I think that that's really improper. And I don't know how that came about and I don't know if you can explain how it came about. But if you can, I'd like to hear how it did.
MR. CAPUTO:
Your telling me this today is the first I've heard of it. The County Comptroller's Office has no authority and no procedures whatsoever in distributing the payroll. The payroll is distributed by the Treasurer's Office.
LEG. POSTAL:
Okay. Then I would --
MR. CAPUTO:
Now, usually, Schaefer Agency, in order to solicit County employees, would have the approval of a collective bargaining unit in the past. I do not know if that happened in this case. However, it is wrong that that solicitation did take place through the payroll distribution. We do have a flex benefit program that County employees are authorized to use and are encouraged to use, but that has to be signed up for before December 1st of the preceding year, and that flex program is managed by an independent company based in Rochester and Buffalo, New York.
LEG. POSTAL:
And I would have had no problem if there was an insert educating employees about their ability to use that Flex Benefit Program, or to

use that Flex Benefit Program for insurance purposes. But I would ask that the Presiding Officer, through the Deputy Presiding Officer, communicate with the Treasurer, if it's the Treasurer who's responsible --
MR. CAPUTO:
The Treasurer distributes the payroll to all the departments.
LEG. POSTAL:
For distributing the payroll to find out how those things ended up getting into payroll envelopes.
D.P.O. LEVY:
That's an excellent idea.
LEG. POSTAL:
I think that that's really important.
D.P.O. LEVY:
That will be passed along. And do you have a copy of that, Joe?
MR. CAPUTO:
I've just been given a copy from --
D.P.O. LEVY:
Oh, okay. Well, if we can have the Clerk get a copy for each Legislator and distribute it, and the note will be made to the Presiding Officer for a letter to be drafted with his approval to the Treasurer of the County of Suffolk to ask for answers regarding this matter.
MR. CAPUTO:
I see it was transmitted to the Legislature's payroll officer by my payroll department. There's a person there that works for my payroll department. I will go back to my office and find out why
LEG. POSTAL:

Okay. All right.
D.P.O. LEVY:
Okay, thank you. Thank you, Joe.
MR. CAPUTO:
Okay. Thank you for hearing me.
LEG. FOLEY:
Thanks, Joe.
LEG. D'ANDRE:
Thank you for coming, Joe.
LEG. FOLEY:
Glad you're feeling better.
LEG. D'ANDRE:
Thank you for coming.

MR. CAPUTO:
Thank you very much.
D.P.O. LEVY:
Our next speaker is Ralph Schiano, speaker on pesticides.
MR. SCHIANO:
I'm Ralph Schiano, the President of the South Fork Groundwater Task Force. I'm here to remind you that in this County, groundwater is our only source of drinking water, yet we continue -- and that's literally beneath our feet. That's our reservoir. Look straight down, there it is. And, yet, we continue to apply pesticides for that reservoir into our estuary system.
In Suffolk County in 1997, which is the last year we have reliable numbers for, we used nearly two million pounds of pesticides. If you look back to last summer at the release of the DEC authorized report, the work performed by this County the Department showed us that on the East End, we have a major crisis. We have thousands of acres contaminated by pesticides. What is my group doing about it? Well, we're lobbying for pesticide reform, and we fought unwise projects in aquifer protection districts. And we're also working to educate the public. We have a year-long program called "Go Organic 2000" that we're working in conjunction with the North Fork Environmental Council to educate the public.
Judging by some of the things I heard hear today, I advise you to go to our day-long event, an organic fair at Suffolk Community College Eastern Campus this weekend, Saturday, nine to five. We're going to talk about the dangers of pesticides and alternatives for just about every process imaginable. So come on down right down Route 51. We invite you to come down there.
Now, I want to talk about mosquito spraying. And I dare say that the so-called cure is far worse than the disease, and I'd like to read a little bit about some of the adulticides that are being proposed in the 2000 Spraying Plan. Malathion: It's a nerve system poison.
Long-lasting nerve and sensory damage documented. Behavioral effects at levels below clinical poisoning. Causes sugar in urine and blood elevated white cell blood cell levels. Controversy about whether or not it causes tumors, but there's mounting evidence it does. Adrenal and liver effects, mutations, immune system changes. In other words, increased susceptibility of disease. Highly toxic to fresh water fish and bees. Also toxic to birds, aquatic invertebrates, and amphibians.

Very water soluble. Highly mobile in loam soils. Low levels may effect animal behavior and physical functions. Well, that's one of them.
Let's talk {Permithrine} for a minute. {Permithrine} is a synthetic pyrethroid and it's a neurotoxin. Symptoms include tremors, lack of coordination, elevated body temperature, increased aggressive behavior, and disruption of learning. Laboratory tests suggest {permethrine} is more acutely toxic to children than to adults. The U.S. EPA has classified {Permithrine} as a carcinogen, because it causes lung tumors in female mice and liver tumors in mice of both sexes. {Permithrine}

inhibits the activity of the immune system in laboratory tests, and also binds to the receptors for a male sex hormone. It causes chromosome aberrations in human and hamster cells. {Permethrine} is toxic to honeybees and other beneficial insects, fish, aquatic insects, crayfish and shrimps. For many species, concentrations of less than one part per billion are lethal. {Permithrine} causes deformities and other developmental problems in tadpoles and reduces the number of oxygen carrying cell in the blood of birds.
D.P.O. LEVY:
Ralph, if you can conclude, please. Thanks.
MR. SCHIANO:
Okay. A couple of more sentences. {Permithrine} has been found in streams and rivers throughout the United States. It's also routinely found on produce, particularly spinach, tomatoes, celery and peaches. A wide variety of insects have developed resistance to {permithrine}. High levels of resistance have been documented in cockroaches and head lice.
Finally, I'd like to tell one very quick anecdote. In the fifties, there were proposals in government circles to use nuclear weapons to do mining, and looking back now, we say, "That's nuts". Well, with the mounting evidence against pesticides, looking back on plans to spray poisons all over environment, people are going to say, "That's nuts."
D.P.O. LEVY:
Thank you, Ralph.
LEG. D'ANDRE:
Young man. Mr. Levy.
(Applause)
You know, the Governor's about to come out with some new explanations of organic grown plants. I don't know if you're aware of that. They're about to come out with a new -- a whole new explanation for what's truly organic. Everybody calls things organic, but are they? Organic standards. But what makes you think that organics are safe?
MR. SCHIANO:
Well, you know, other people will address that. But like I said, we have a day-long event with experts. And, you know, talk about scientists. Let's get some scientists here and put real information on the table, not people whose jobs are to defend the status quo like Mr. Ninivaggi, Clare Bradley and the rest of them.
LEG. D'ANDRE:
But you come in here --
MS. JULIUS:
Microphone, Mike.

LEG. D'ANDRE:
-- all blowing everything up --

D.P.O. LEVY:
Use your microphone, please, Mike.
MS. JULIUS:
Mike.
LEG. D'ANDRE:
-- scaring everything.
LEG. CRECCA:
Talk in the mike, Mike.
LEG. D'ANDRE:
Scaring people. There's nobody that wants to spray for the sake of spraying. You have to evaluate the dangers. And when you go to organics, you know, curari that's famous in Sherlock Holmes novels, deadly, deadly poison that comes from a plant. And pyrethrum comes from a daisy.
MR. SCHIANO:
You know, let's get back to organic standards.
LEG. D'ANDRE:
Yeah, let's get back.
MR. SCHIANO:
My group is part of a group that's helped organize the Long Island Organic Horticulture Association. As a matter of fact, as we're speaking, there's a press conference about it up in Mineola.
LEG. D'ANDRE:
But you can't do anything until the government releases --
D.P.O. LEVY:
All right.
LEG. D'ANDRE:
-- the new information.
MR. SCHIANO:
We're establishing standards.
D.P.O. LEVY:
Let's have Ralph finish his comment and then move on.
MR. SCHIANO:
Organic people are establishing standards.
LEG. D'ANDRE:
The federal government establishes the standards, not you.
MR. SCHIANO:
Yeah. I hate to tell you, some of the federal standards that are out there now are not good enough. For example, with nitrates --

LEG. D'ANDRE:
You can be stricter.
MR. SCHIANO:
There is a powerful pesticide lobby in this country and you have us in our small not-for-profits trying to fight against it. There needs to be much more research into pesticides. We're just seeing the tip of the iceberg in terms of health effects.
LEG. D'ANDRE:
Since Rachel Carson --
MR. SCHIANO:

You want to see references? I'll be happy to cite plenty of references. I'll give you a whole book about pesticides.
LEG. D'ANDRE:
Since Rachel Carson, it's gone the other way, the argument.
D.P.O. LEVY:
All right.
LEG. D'ANDRE:
They're not leaning on pesticides. They're going into certain organics, but it --
D.P.O. LEVY:
If I can, Mike.
LEG. D'ANDRE:
It isn't a clear sound that organics are bodily safe. They're all dangerous.
D.P.O. LEVY:
Mike, we're on -- we're on person number eight.
LEG. D'ANDRE:
So don't try to scare the crowds, you know.
D.P.O. LEVY:
We've got 31, so we're going to try to move along. Ralph, thank you very much.
MR. SCHIANO:
You know, you should go to that --
D.P.O. LEVY:
Last word.
MR. SCHIANO:
-- thing on Saturday. You don't know what you're talking about.
LEG. D'ANDRE:
I've been to enough of them.

D.P.O. LEVY:
All right. Out of order move. Let's move on to Bob DiBenedetto.
MR. DIBENEDETTO:
Greetings, Ladies and Gentlemen. This has been very interesting. I, first of all, applaud you in allocating relatively substantial resources to prevention of mosquito problems. However, now it's time to raise the bar and not only strive to be ahead of the pack, but to set a new standard and goal which aims at the total elimination of dangerous adulticide pesticides currently being used.
The misinformation disseminated by Suffolk County officials regarding the safety of the pesticides continues in the March 8th of the Long Islander, County Spokesperson Tim Ryan described Malathion saying, and I quote, "It has virtually no effect on the environment." These are our experts. He went on to say that spray is active for a very short period of time. "Once it hits the ground, it evaporates quickly." That's another quote. We cannot be convinced that our County Departments of Health and Vector Control are truly focused on eliminating pesticides when they continue to describe these dangerous chemicals as harmless.
This Saturday, Dr. Robert Simon, a toxicologist and expert witness of 33 years, a chemist who has been looking into all these topics for years and years, spoke of the environmental persistence of malathion, Anvil and Resmithrin. He is the man who warned us about MTBE in 1992.

It's almost a decade later and now we're starting to act. He is an expert. Dr. Simon is now strongly warning us about the dangers of Malathion, Resmithrin and Sumithrin. He is available. He is -- some of you have spoken to him. He is available to you. He is an excellent resource. On March 4th, he analyzed air conditioning filters from a Huntington home and found the breakdown product of Malathion called Malaxon, which is 40 times more acutely toxic than Malathion itself. This is a substance which Tim Ryan says breaks down before it hits the ground and it was found five months after it was last sprayed. He also found large quantities of Resmithrin. The truth is Malathion is highly toxic to many forms of wildlife, including crustaceans such as lobster. The half life: It takes for 50% of this product to degrade in water as 1.5 days to 21 weeks in soil that's from one day to 25 days for half of it to go away.

The CDC recently stated that during the Malathion spraying in Florida, 123 people were classified as probable or possible cases of acute pesticide related illnesses from Malathion. I'd like to point out that these illnesses prompted the Florida State Department's epidemiologist to recommend an end to showering urban populations with Malathion-based spray. He's an expert. Tim Ryan did not mention that Malathion is currently being reviewed by the EPA. Our experts seem to be content with not knowing whether it's a carcinogen, wondering whether it's a mutagen, wondering whether it has reproductive hazards. Those are our experts. I can go on and on about the dangers of these pesticides that are used by Suffolk County's Vector Control. Time, however, does not permit. However, Steve Johnson, an EPA pesticide adminstrator, has said Malathion is part of a chemical class that has been identified by the agency as one of the riskiest classes of chemicals. On the other hand, new information from Queens shows that thousands were probably

infected with West Nile Virus and, yet, had no symptoms whatsoever. Those killed were mostly over 68 years of age, and we haven't been given any information about the medical profile of these individuals. We have a right to know.

To sum it up, I'd like to say that EarthSave, in alliance with many other health, environmental and breast cancer coalition community groups and individuals looks forward to making all of this information that we have from scientists available to our public officials and the public at large. Unlike last year, should our Vector Control Department spray, affected people will be very visible and will provide a clear testimony as to the widespread health problems which come from these pesticides. Vector Control must remove these chemicals from its arsenals. The routine spraying of these Malathion and other chemicals must end.

D.P.O. LEVY:

Bob, if you can wrap up, please.

MR. DIBENEDETTO:

Yes, I'm doing that. Thank you. I see the moves that Suffolk County Legislature is making in the area of pesticide control and I thank you for helping us to create both the a higher quality of life on Long Island and to set an enlightened and cutting edge example to the rest of the world.

Finally, our expert, Dr. Zaki, thinks that everything is a chemical.

Surgeons rely on surgery. This might be seem like blasphemy to some people. Radiologists rely on radiation. These experts are limited in their scope of their response by their own specialties. Vector Control has always used dangerous chemicals and will continue to do so until they're convinced by health advocates like us who are in touch with more experts and are looking forward more and are more flexible in our approach. Thank you.
D.P.O. LEVY:
Thank you, Bob. A quick question from Legislator Towle and then Legislator Fisher.
LEG. FISHER:
We've reversed our order, if you don't mind.
D.P.O. LEVY:
Okay, very good.
LEG. FISHER:
Hi, Bob. Nice to see you again.
MR. DIBENEDETTO:
Hi. Nice to see you, Vivian.
LEG. FISHER:
I noticed when you were speaking that you seemed to underscore the word lobster. Are you implying that there is a link between the use of Resmithrin and the decimated lobster population?

MR. DIBENEDETTO:
I'm going to go beyond implying, and I'm not going to say specifically about this chemical, but I'm going to say that our supposed experts have no clue, you see a big zero, no clue of the effects of Resmithrin, Malathion, Sumithrin, any other chemicals of the 70,000 other chemicals that are used in our society and how this is all affecting the lobsters. And they look for one thing and they say, "Gee, it's not that, and it's not this, must not be any chemicals." But what about the cumulative synergistic effect that has never been studied?
LEG FISHER:
But there isn't -- there hasn't been a study that has definitively linked Resmithrin and the decimated lobster population right now, is there?
MR. DIBENEDETTO:
No, no. The only thing I've seen is that they -- in testing some lobsters, they found some of the synthetic pyrethroids, which would be the Anvil or the Scourge.
LEG. FISHER:
Okay. Thank you, Bob.
D.P.O. LEVY:
Legislator Towle.
MR. DIBENEDETTO:
You're welcome.
LEG. TOWLE:
Yeah, just two comments. First of all, Bob, I want to correct you on one point and I want to mention another point. You mentioned that Tim Ryan was a spokesperson for the County. That's not correct. He's a spokesperson for the County Executive. He obviously --
MR. DIBENEDETTO:
In the paper --

LEG. TOWLE:
Yeah.
MR. DIBENEDETTO:
-- he was stated as for the County. Okay.
LEG. TOWLE:
Getting to my point --
MR. DIBENEDETTO:
Thank you.
LEG. TOWLE:
That you shouldn't read every -- you know, believe everything you read. You know, the other thing that I take some offense to by yourself and the other gentleman that spoke is we've had an opportunity to interview some of these people before they were appointed, such as Dr. Bradley, and, you know, I have the greatest respect for her. And I

don't always agree with every decision that she may or may not make, I don't always agree with every decision that Dominick Ninivaggi may or may not make, but to come here today, for you and the rest of the speakers to attack these people or to question their intention I personally take offense to that. I don't think either of those individuals are advocating the first and best option every time to deal with the mosquito issue is spraying. Because in my district, along the South Shore of Brookhaven, which is surrounded by water on one side, I have an enormous mosquito problem, enormous. And there's some people in the -- from the district that are in the audience today. I receive three, four, five hundred telephone calls during the mosquito season about the problem of mosquito's. And we don't always encourage spraying, that's not the department's first option. It's usually the last option from the dealings that I've had with those two agencies. Because when I get those calls, I do get on the phone with Dominick and his staff to ask what we can and what we can't do. I do get on the phone with the Health Commissioner to find out what we can and what we can't do to try to resolve those problems, people that can't even get out of their houses during the summer months because the mosquitos are so bad and they're also concerned what effect those mosquitoes may have in biting their children or their family.
So, you know, there is another side to this. I mean, I've heard speaker after speaker this morning almost suggesting that the County's advocating spraying and that is not the case. I don't think we take spraying lightly, I don't think we encourage it. And as one person who is called on numerous occasions, I know Legislator Bishop shares the same problem I have, because we have South Shore districts, you know, I just don't think that's accurate. And I think it's important, and I only wish they were here now to hear some of the presentations that are being made, so that when they get up to address us today on some of the bills that we're going to be looking at that may or may not affect their department, that they'll have an opportunity to comment on that.
MR. DIBENEDETTO:
I've are heard them comment several times on this issue, and all of the statements they make, they're very intelligent people, I don't men to take that away from them, I don't mean to take anything from their expertise in public health. However, I would say that there are more options that we can look at. And until the public puts pressure on

everybody to look beyond chemicals, there will be no change. DDT only was stopped because of pressure just like this. And it wasn't disrespect, it was caring for people and seeing beyond what is currently being dealt with by the current use of dangerous pesticides. That's the only reason we're here, it's because we've seen something extra and we need to have everyone see what we've seen.
D.P.O. LEVY:
Okay. Legislator Bishop, were you speaking, or is Legislator Alden? Legislator Alden.
LEG. ALDEN:
Just to pick up on one more point. And the pressure being put on by the public is more than welcome. But I want you to go home with one other thing in mind. You know, there's a balance that has to be struck here. Unfortunately, and Legislator Towle has mentioned, and

Legislator Bishop's district, we have -- you know, we're on the South Shore. Legislator Carpenter and I are also on the South Shore and we have problems down there. Personally, I have a problem. I had cancer, so part of my immune system was taken out in an operation. If I go outside and I get bitten by mosquitoes, there's a possibility I can die from that. So I have other people and we all have other people in our districts that are similar to that. So as far as acceptance of the status quo, maybe there's an uneven or an uneasy acceptance to the status quo, or maybe a little bit more of a go slow attitude, because we have to balance that where we can't just walk away from all the people that have that kind of a need, we have to protect them from being bitten and also other types of things. So, you know, there is a concern. And I do share Legislator Towle's concern, that, you know, I've had conversations with our Director of spraying, our Health Commissioner. And if anybody's going to be an advocate, it's going to be me for, you know, like let's move on if we can get away from chemicals. So I know that the pressure is on both internally and I welcome the external pressure that you're giving today. Thank you.
D.P.O. LEVY:
Legislator Fields.
MR. DIBENEDETTO:
Okay. Thank you. I would -- also, the fact that you had cancer, that's an issue, that's what we're talking about. These things don't creep up overnight. We've been exposed to 50 years of these chemical pesticides now and our cancer rate has gone -- has tripled, so --
LEG. ALDEN:
How did you know how old I was?
D.P.O. LEVY:
Legislator Fields.
LEG. FIELDS:
This is just one statement that Legislator Alden just made. Not only will -- you made a statement that being bitten can harm you or your immune system or in a compromised immune system. But I do believe that there is data out there that will prove that spraying is not to be used when people's immune systems are compromised.
MR. DIBENEDETTO:
That's correct. I've seen a lot of suffering as a result of immune compromised people being sprayed with pesticides.

LEG. D'ANDRE:
How do you isolate them?
MR. DIBENEDETTO:
How do you isolate them?
LEG. D'ANDRE:
Yeah.
MR. DIBENEDETTO:
Well, we know they are now, because a lot of them are sick. You've

heard the stories that I've heard. But next time, like I said, if there is another spraying, we will have it documented, so you won't have to listen to me talking about them, you'll be able to see blood tests and real information from real people.
D.P.O. LEVY:
Okay. Next --
MR. DIBENEDETTO:
Thank you very much.
D.P.O. LEVY:
Thank you very much. Next speaker, Lisa Tyson.
LEG. BISHOP:
I just have a question of Counsel, Steve, which --
D.P.O. LEVY:
What's that?
LEG. BISHOP:
I didn't have a question of the speaker. Do we have a plan that we're voting on today? Is that's what's --
LEG. LEVY:
There's a CN allegedly coming over regarding --
LEG. BISHOP:
CN coming over, okay.
D.P.O. LEVY:
-- the plan for this spraying.
LEG. BISHOP:
And Legislator Towle, was it, or somebody earlier who called for Mr. Ninivaggi to be here?
LEG. FIELDS:
He will be here this afternoon.
D.P.O. LEVY:
Yes.
LEG. BISHOP:
He will be here?
D.P.O. LEVY:
Yes. Yes, he will.
LEG. BISHOP:
Okay. Thank you.
D.P.O. LEVY:
Lisa.

MS. TYSON:
Good morning.
D.P.O. LEVY:
Good morning.
MS. TYSON:

I'm going to speak first on Resolution 1304, which is sweat-free legislation requiring full disclosure of working conditions. I'm the Associate Director of the Long Island Progressive Coalition, and the Long Island Progressive Coalition feels that the issue of sweatshops is a global issue and needs to be taken up on the local level, and that's why we proposed this legislation to the County Executive Robert Gaffney and brought together labor unions, religious and community organizations.

Quoting a New York Times article, apparel and footwear factories overseas has slowly improved working conditions in response to a highly local anti-sweatshop movement. Pressures from college opponents of sweatshops have lead some factories that make goods for industry giants like Nike and Gap to cut back on child labor, to use less dangerous chemicals, and to require fewer employees to work 80-hour weeks. This improvements are great, but we need a lot more improvements like this to take place and that's why we're here today with this legislation.

We hope that you support this legislation. Reverend {Noelle Damico} Form Mount Sinai Presbyterian Church, Sister Rose Sheridan from Catholic Charities, Mary {Dewer} from the Long Island Council of Churches, and Dick {Kubeck} from Catholic Charities are all in support of this legislation and hope that you pass it today, so that we can become a sweat-free County. They cannot be here today due to a Catholic forum in Albany.

Now, on the next piece of legislation, which is I.R. 1146, a local law to require well water testing prior to acquisition of residential homes. First, we commend Legislator Caracappa for bringing such important legislation to the Legislature. The Long Island Progressive Coalition is currently implementing a project to hook up low income families with safe public drinking water. We were recently contacted by a homeowner in Islip who had his private well water tested after his infant child had an unexplained rash. The test results were astounding. The amounts pollutants, including lead and many other heavy metals, his family have been consuming is extremely hazardous for their health, and this public health hazard is intolerable. If I.R. 1146 was enacted, this could have prevented this incident from happening, because he was a new homeowner.

People on Long Island who drink private well water that is not tested are at risk of having contaminated water. That is why we need to pass this important legislation. Thank you.

D.P.O. LEVY:

Thank you very much, Lisa. Legislator Fisher?

LEG. FISHER:

Hi, Lisa. Thank you for being here. Lisa, are you aware that, also,

many high school students in the area have been pushing these sweat-free laws and commitments, and that there are some school districts on Long Island that have committed to purchasing only sweat-free products? Three Village Schools recently.

MS. TYSON:

That is happening all over the State, actually.

LEG. FISHER:

Because of the students.

MS. TYSON:

Exactly.
LEG. FISHER:
Because of the students.
MS. TYSON:
And that's very important, because students want to understand and need to understand where these items are being bought. This is initiative all across the country. It's happening -- college students, it's really getting college students activated again, as well as locally in New York State, the Labor Religion Coalition has a sweat-free campaign, which if anyone would like information on, I would love to give it. We're doing it in my own district and many districts along Long Island, because it is so important.
LEG. FISHER:
Thank you for being here, Lisa.
MS. TYSON:
Thanks.
D.P.O. LEVY:
Thank you. Next speaker, Chris Oconnor. Chris Oconnor?
LEG. CARACAPPA:
He just stepped out.
LEG. FISHER:
He was here a second ago.
D.P.O. LEVY:
All right. We'll get him as soon as he comes back. In the meantime, we have Peggy Eckart.
AUDIENCE MEMBER:
She'll be right back.
D.P.O. LEVY:
Peggy's also out. Okay. Reverend Rasmussen. Good morning.
REV. RASMUSSEN:
No. Good afternoon, actually.

D.P.O. LEVY:
Close. You've got 30 seconds.
REV. RASMUSSEN:
We're a minute away. I want to thank you for giving me the opportunity to speak this morning. My name is Erik Rasmussen. I'm a United Methodist Minister in Amityville. And in addition, I'm on the Board of Governors of the Long Island Council of Churches and on the Board of the Labor and Religion Coalition.
As was previously noted, this concern for 1304 on purchasing relates to some other things that are going on, very exciting things that are going on in your Legislative districts, students who are active in their school systems. I have spoken with a number of students, I have spoken with clergy on the Long Island Council of Churches, I have spoken with clergy within my own denomination and in a variety of other places. And not only are schools looking at this, but some of the denominations and church communities and faith communities are also beginning to looking at their own purchasing to see the ways in which we unknowingly purchase products from folks who are using sweatshop labor. This bill, I understand, is being reported out positively by Ways and Means. I hope that true, because I think it provides and excellent opportunity for Democrats and Republicans to vote together in

a bipartisan way to say in a clear voice and in a way that indicates leadership to these students and to others that the political community of Suffolk County says with one voice, we will not participate in sweatshop labor or in any kind of labor programs that in any way diminish the safety and the personhood of those who are producing those items that we are purchasing. So I do hope that you will support that legislation.
There was mention made before about pennies and dollars. And I guess one of the things that has to be said is that this may mean for school districts, and for Suffolk County, and for churches, that we spend more money for some of the things that we buy. But if we choose not to do that, if we choose instead to go with the cheapest route, then maybe we face the ethical dilemmas, the questions that come, for are we not, when we go that route, supporting legalized slavery? Those are rather strong words. Those are rather strong words. And I know that you will agree with me, that this County, as well as all of -- by the way, all of parochial school districts have gotten words from the Roman Catholic Church that they will not be sweatshop communities. That this County will be among those saying no to sweatshop labor. And I thank you.
LEG. CARACAPPA:
Thank you.
LEG. GULDI:
Thank you.
LEG. D'ANDRE:
Mr. Chairman.
D.P.O. LEVY:
Thank you, sir.

LEG. D'ANDRE:
Mr. Chairman. Young man.
D.P.O. LEVY:
Legislator D'Andre.
LEG. D'ANDRE:
Young man.
REV. RASMUSSEN:
Young man? Well, I haven't been called young man for awhile.
LEG. D'ANDRE:
Well, you are now, because we talked about sweatshop labor.
REV. RASMUSSEN:
And it has no place in Suffolk County or New York State, for that matter, or the country.
REV. RASMUSSEN:
I agree. Thank you.
D.P.O. LEVY:
Okay. Thank you. Let's go back to Chris Oconnor on initiative and referendum.
MR. OCONNOR:
Well, it's nice to be speaking before you again. I think it's been awhile. I think it's been about six months. My name is Chris Oconnor. I'm the Project Director for the Long Island Neighborhood Network, and I would like to speak about initiative and referendum for a little bit, and then very quickly, I can't resist the opportunity to talk about pesticides, too.

Initiative and referendum. What we're asking you to do today is vote on a Sense of the Legislature which would essentially implore the Governor and the State Legislature of New York to approve meaningful and initiative -- initiative and referendum legislation.
Now, a Sense of the Legislature is interesting, because what it is is basically a philosophical statement on where you -- where you think things should be. It's where you personally think something should happen. And Suffolk County has long been a leader in taking certain aspects of government reform and pushing it forward. I mean, we recently here in this County reduced the amount of signatures that we had to get by referendum for a referendum. Having been a person who has fought many times in this County on a number of referendums, whether it's been on the county-wide or on the town level to get referendum for council districts passed, I know that for many people referendums are like blah, bugaboo, you know, the people out there voting for it. Well, don't be scared of the people, they're the ones who elect you. They're the ones who have had the common sense to elect you and to ask you to make decisions for them on these matters. Initiative and referendum has proved to be a good thing for here in Suffolk County because we've managed to pass a number of very good

pieces of legislation, such as the Pine Barrens Referendum. You know, it is true that -- you know, as you said to you before, some people do feel, you know, a bit unnerved by referendum and the people voting for it. I mean, in my town, our town spends tens of thousands of tax dollars to stop referendum and because they don't want the people to vote on it, and we have to go to court. So here you get a chance to state where you stand on it. And I ask you that you do approve this resolution.
If there are any questions, I just want to --
D.P.O. LEVY:
Just a quick question, Chris. Do you know if there's any other states that have already adopted the concept of initiative and referendum?
MR. OCONNOR:
Well, as a matter of fact, though that we would be the first County approving such a resolution, 32 other states in this country have such initiative referendum. So we're not paving new ways in this country, we're only paving new ways in this state, and in that sense, we are behind the times.
LEG. D'ANDRE:
California has. That's how you got Proposition Thirteen.
MR. OCONNOR:
There you go. Do we agree on something?
LEG. D'ANDRE:
We always agree on reducing taxes.
LEG. FOLEY:
He's going to call you young man in a moment.
D.P.O. LEVY:
All right.
MR. OCONNOR:
The -- yeah.
D.P.O. LEVY:
No, that's it.

MR. OCONNOR:
Okay. And very quickly, I do want to say something about pesticides. I'm not going to go into the spraying and all that stuff, because that has been said before in the -- with the Legislature. But something was mentioned rather quickly about the start -- and a press conference that is held in Nassau about the Long Island Horticulture Association. That is an association that is made up of arborists, growers, municipal employees, landscapers, retailers, and suppliers. It's for the first time in this nation is bringing together the people. I mean, I remember a number of times, Michael, you and I have argued that we should always work together and we should always bring these types of people together. And I'm also happy to announce that our first vice president of this association will be Michael Frank, the former

Commissioner of Parks.
LEG. D'ANDRE:
He's good. He's fair, he's good.
D.P.O. LEVY:
Chris, if you could just wrap up.
MR. OCONNOR:
And I'm just going to pass out just the brief informational pamphlet for the Legislature to look at, and I thank you for your time.
D.P.O. LEVY:
Thank you, Chris. Did Peggy Eckart return? Peggy?
LEG. FOLEY:
Chris, maybe there's a connection between the use of pesticides and the inability of the town to put council districts on the ballot.
LEG. TOWLE:
We better have them tested.
D.P.O. LEVY:
Something in the water.
MS. ECKART:
My name is Peggy Eckart. I'm here representing the John D. Eckart Conservative Club of Southampton, and also TAXPAC. I was here quite a number of years ago on this same subject, which is the sales tax energy tax. Back then, we were having a crisis for people unable to pay their energy bills. We're in the same situation. And back then, I was told when I explored this, in 1976, 1% of our portion of our sales tax was pledged to the Southwest Sewer District bonds. Therefore, it couldn't be rescinded. Then to add insult to injury, along came the State with a quarter percent sales tax for the MTA. We got stuck with that on energy also while neighboring Nassau paid nothing and other districts paid nothing, because they had rescinded their entire sales tax when the State on energy, when the State took it off to help people pay for their heating and fuel costs. We're back again with the same thing. I think we owe Legislator Towle and Mr. Guldi for bringing this subject up and finally trying to get rid of this unfair tax on energy. And I must say something to Joe Caracappa. Back when I made the statements before the Legislature, your mother and I discussed this. She also felt the same as I did, but because they were pledged to the Southwest Sewer District, she couldn't do anything about it.
LEG. CARACAPPA:
Thank you.

MS. ECKART:
Now, also, I would like to bring up another subject which the John D. Eckart Conservative Club and TAXPAC also decidedly opposing, which is funding for a stadium for the Jets. The hard-pressed taxpayers should not have to support millionaire corporations. Many of our necessary services on federal, state and local government levels have been cut

drastically. Why even think of spending the monies that are extracted for the residents of Suffolk County for corporate welfare? I thank you.
LEG. CARACAPPA:
Peggy. Peggy, hold on.
D.P.O. LEVY:
Joe.
LEG. CARACAPPA:
Thank you. Where did anyone say or where did you get the information that we're using taxpayer dollars to build a Jet stadium?
MS. ECKART:
It is supposed to come out in a resolution maybe in a couple of --
LEG. CARACAPPA:
Well, the resolution's on the agenda today. But where in that resolution or --
MS. ECKART:
I'm saying that if you are, we want you to know that we're on record as to objecting to it.
LEG. CARACAPPA:
Well, I can agree with you there, because to build a professional stadium nowadays for a professional franchise, the Jets, as in this case, on Long Island would cost somewhere between five hundred to seven hundred million dollars. It would be both financial and political suicide to go forward and do a taxpayer financed stadium. Now, that's not what my goal is here. The New York Jets are moving from the Meadowlands, hopefully, by the Year 2008. What I'd like to do is just put together a panel to look at the feasibility to see if there's any way that this can happen to just lure them here, just on the merit of Suffolk County being what it is on this day. On that panel will be a whole host of people, experts from environmentalists, to financial experts, to traffic experts. It's just a survey, it's just a study.
And in nowhere in there does it say we're going to use taxpayer dollars to fund anything of this magnitude. Because, again, as I said, it's just too massive. In fact, in Seattle just the other day, they imploded the Seattle Kingdome which the taxpayers are still paying and owes $240 million on that building that is in a pile of rubble at this point in time.
So, again, that's why this bill is being put forward to do a study to see if there's any other way to do it. And I'll tell you right now on the record, using taxpayer funded -- using taxpayer dollars to fund a stadium of that magnitude is just incomprehensible. Okay?
MS. ECKART:
Well, we want you to know it, because, also, the Newsday editorial recently favored using taxpayer dollars and we wanted to make sure that you people knew that we're opposed to it.

LEG. CARACAPPA:
No. Actually, the editorial, the two that were in there, one by Bob {Wiemer} and one editorial at large was completely the opposite. In fact, the Jets lease expire in 2008 and they said my career would expire with that lease. So that's --
MS. ECKART:
All right. Well, thank you very much. We want you to understand we would be opposed to taxpayer funding.
LEG. CARACAPPA:
And I agree. Thank you.
D.P.O. LEVY:
Pete Candela.
MR. CANDELA:
Good afternoon, Ladies and Gentlemen. My name is Peter Candela. I'm the Chairman of the Southampton Chapter of TAXPAC. My speaker ahead of me, Peggy, touched on the subject that I will also to perhaps elaborate a little bit more on and that is the funding of these stadiums. But before I do that, I'd like to preface my remark with a quotation from one of our founding fathers.
Quote, "I place economy among the first and most important virtues, and public debt as the greatest of dangers. And to preserve our independence, we must not let our rulers load us with perpetual debt. If we can prevent the government from wasting the labors of the people under the pretense of caring for them, we will be happy," end of quote. Thomas Jefferson. Having Said that, Peggy I mentioned the fact that there was this editorial in Newsday, and when I read it, I was very upset, because they missed the entire point in terms of constructing these stadiums. I said that Newsday editorial headline, which was on March 14th, quote, "Build Jets Stadium in Suffolk? It's too much to ask." The editorial then went on to say how many municipalities have picked up part or all of the cost in millions of taxpayer dollars to subsidize -- to subsidize professional football teams by building them multi-million dollar stadiums.
Now, in that same editorial, they quote, they speak about the United States Senator Arlen Spector, a Republican from Pennsylvania. He introduced a bill, which is still pending, I take it, in Washington, calling for Major League Baseball and National Football League owners to pay at least 50% of construction costs for new stadiums. How generous of the Senator to offer us tax-wracked citizens some relief from paying the full cost of construction -- constructing, rather, a stadium for multi-millionaires who own these professional teams. This is pure unadulterated corporate welfare. Like spoiled brats, these millionaires very often threaten to leave down unless municipalities or taxpayers foot the cost of new stadiums. Unfortunately, our lawmakers, government officials, school districts, many of them operate as though our hard-earned dollars belong to them, and, therefore, can spend it as they see fit. Now, perhaps we taxpayers have been too laid back or too apathetic to question how our money is being squandered on frills instead of substance.

Now, Senator Spector should know better. Our elected officials should know better. It is apparent that when most of our elected officials take the oath to uphold the constitution, they probably either never

read it or choose to ignore its legal intent.
D.P.O. LEVY:
Pete, if you could just conclude, please.
MR. CANDELA:
Yeah. I'm surprised. I know that I'm not an authority on the State Constitution, but I am familiar with certain articles. And, for example, how many in this room are familiar with the State Constitution Article VIII? Well, I suggest you familiarize with it, because Article VIII in the State Constitution, Under Local Finance, Section 1 states, and listen very carefully, Ladies and Gentlemen, "No county, city, town, village or school district shall give or loan any money or property to or in aid of any individual, or private corporation, or private undertaking, will become directly or indirectly the owner of stock in and/or bonds of any private corporation or association," end of quote.
D.P.O. LEVY:
Pete, Legislator Caracappa has a question for you.
MR. CANDELA:
Well, let me finish.
D.P.O. LEVY:
Why don't you finish up and then he'll ask a question.
MR. CANDELA:
Let me finish. Article VIII cannot be any clearer than what is being proposed by Suffolk County Legislature is in direct violation of the constitution, and the County has already violated Article VIII when it spent $14 million of our hard earned money to build a baseball stadium for the multi-million dollar owner of the Long Island Ducks. Now, Ladies and Gentlemen, I beseech you that this -- the Constitution should take primary priority. You're not paying attention to the Constitution, you are blatantly violating it.
D.P.O. LEVY:
Okay. Peter, we got the point. Let me open it up to Legislator Caracappa.
LEG. CARACAPPA:
Thank you. I'm sure you heard what I had to say to Peggy regarding what the actual Jet bill does. It just is a survey and a study of experts to see if we can move forward with luring, and I stress the word "luring" -- don't can you tell me off, I just listened to you. Luring the New York Jets to look at, look at Suffolk County to come here and make it their home. Nowhere does it say taxpayer dollars. Nowhere does it mention dollars, it's just a study.
Legislator Bishop had a press conference yesterday to use -- to put together a study or a plan to lure Suffolk -- lure shoppers into Nassau -- from Nassau and Queens into Suffolk due to the fact that we don't

have sales tax here. That's a great idea. There's also a study that Legislator Levy wants to do in regards to looking about the prospects of a convention center, and I think that's great, too. This is just another study and another panel to look at -- no, no, hold on a second. Hold on a second. Another study that says, "Well, wait. This is something that's on the table, something in the Tri-State region, something that a lot of people have interest in. Let's take a look and see if it's feasible to do this and -- wait a second. And go to New

York Jets and say, "Hey, Suffolk County's a great place to make your home. How about it? We're not going to fund it for you, but maybe we can work with you in regards to making this happen." What's wrong with that?
MR. CANDELA:
Well, as long as the private corporation or the multi-millionaires pay for their own stadium, we'll welcome them with open arms. But as far as using taxpayers' dollars, your in direct violation of the Constitution. You shouldn't even consider it.
LEG. CARACAPPA:
Well, nowhere has that been stated or said that we're going to do.
MR. CANDELA:
Well, you have violated the Constitution by building a stadium for the Ducks.
LEG. CARACAPPA:
Well, I'll tell right now --
MR. CANDELA:
That's illegal.
LEG. CARACAPPA:
Going into the agenda right now, we're violating it on about 10 to 12 different issues while we have bonding resolutions to do the business of the people of Suffolk County and we do that on a daily basis in regards to bonding for projects such as sewer improvements and land preservation. So you could take that statute in the State Constitution and stretch it as long as you want, but it doesn't apply to everything.
MR. CANDELA:
Well, it's been stretched considerably, believe me. Thank you.
LEG. D'ANDRE:
Mr. Chairman.
D.P.O. LEVY:
Thank you very much for your comments.
LEG. D'ANDRE:
Mr. Chairman.
LEG. CARACAPPA:
Let me finish on one more point.

LEG. D'ANDRE:
Mr. Chairman.
D.P.O. LEVY:
If you really must.
LEG. CARACAPPA:
Yes, I really want to --
D.P.O. LEVY:
Okay.
LEG. CARACAPPA:
-- because I got to stress a point here. In regards to taxpayer funding for stadiums and other things such as that, there's a process involved. And, in fact, it was spoken about by Chris Oconnor a few minutes ago and that's Initiative and Referendum. In ninety --
MR. CANDELA:
It doesn't make it legal.
LEG. CARACAPPA:

No, hold on.
MR. CANDELA:
I'm sorry. Initiative and Referendum still violates the Constitution.
D.P.O. LEVY:
Let him finish, Pete, and then we've got to move on.
LEG. CARACAPPA:
In 90% of when taxpayer dollars were used to build a facility for a Major League franchise, it has been done through approval of Initiative and Referendum, so just keep that in mind as well.
MR. CANDELA:
I'm sorry.
LEG. D'ANDRE:
Mr. Chairman.
MR. CANDELA:
I can't agree with you.
LEG. D'ANDRE:
Mr. Chairman, this young man --
D.P.O. LEVY:
Mike, we've got a lot of speakers to go.
LEG. D'ANDRE:
I've got to listen, too, here. This young man made some very good points. If we had him for President, we wouldn't have these debts.
D.P.O. LEVY:
All right. Now we're talking. Okay.

MR. CANDELA:
Thank you, sir. And I appreciate -- you know, I feel like a gray haired teenager.
D.P.O. LEVY:
Thank you very much, Pete. Let's move on.
LEG. D'ANDRE:
Maybe that's what we're missing.
LEG. CARPENTER:
Mr. Chairman.
LEG. D'ANDRE:
We're missing your expertise and -- these young fellows in here, you know, they don't know what it is, what a Depression was.
MR. CANDELA:
Absolutely.
LEG. D'ANDRE:
You know, I know, and we don't want to see it again.
D.P.O. LEVY:
I'm feeling very depressed right now because we can't move on.
MR. CANDELA:
Thank you very much.
LEG. D'ANDRE:
Thank you for coming.
D.P.O. LEVY:
So let's -- thank you very much.
LEG. CARACAPPA:
Thank you, sir.
LEG. CARPENTER:
Mr. Chairman, if I could, I would like to make a motion to override the

veto of Resolution Number 80 while the members of the West Islip Fire Department are still here.
LEG. BINDER:
Second.
LEG. CARPENTER:
Thank you.
D.P.O. LEVY:
Let me pass over to the Presiding Officer.
LEG. CARPENTER:
Well, we had a motion and a second.

LEG. BINDER:
I'll second it.
LEG. CARPENTER:
Thank you.
P.O. TONNA:
A motion and a second to take it out of order, is that, and to -- for the veto --
LEG. CARPENTER:
Right, the veto override.
P.O. TONNA:
Override?
LEG. CARPENTER:
Yes.
P.O. TONNA:
Okay. Is all Legislators here? Let's just make sure all Legislators are here. Can I have the gavel? They are? Okay. There's a motion and a second to override -- no. Let's get Legislator Cooper in here. I just ask, Meghan, get Legislator Cooper. Tell him hang up the phone. Okay. This is a vote for the veto override. Or is this a motion to take it out of order?
LEG. CARPENTER:
Well, this is to override. It's here before us.
LEG. BINDER:
It's not on the agenda.
P.O. TONNA:
Okay. So this is the real thing. This isn't a procedural motion, this is on the merits.
LEG. CARPENTER:
On the merits.
P.O. TONNA:
Okay.
LEG. CARPENTER:
On the merits.
P.O. TONNA:
On the merits, Legislator Carpenter.
LEG. CARPENTER:
Thank you, Mr. Presiding Officer, I appreciate it. For those of you who might have had to have stepped out of the auditorium earlier this morning when the members of the West Islip Fire Department were here to make the case for why we should be overriding this veto, I think they were quite articulate. They had a map of Gardiner Park showing very well that this is County property that they are, in fact, protecting

for all of the residents of this County.
I also made the comment that I would hope that everyone listen to and remember the words that the Minister said this morning about courage and compassion and commitment. I think we all have a commitment to the residents of this County to protect them in any way they possibly can. And with this expenditure of $40,000 to assist the West Islip Fire Department in purchasing a boat, this is just a portion of the cost of the boat. This is a partnership between the County and the West Islip Fire Department, as we have had these kinds of partnerships in past.
It distressed me enormously to hear that many of the Legislators that supported this initiative, there were 14 of us initially, are considering the possibility of supporting the veto. And that would be unfortunate, because then I think we would be letting raw politics come in the way of protecting the residents of this County, and what a sad day that would be for not only the communities that I represent, but for the entire County of Suffolk.
I will just ask that everyone be fair about this and vote to override the County Executive's veto. I think he had some misinformation. I don't think he was being deliberately arbitrary in putting forward this veto. I really do believe he had some misinformation, because many of the things that he quotes in the letter, reasons for the veto -- thank you Mr. Presiding Officer. Reasons for the veto are the very reasons we should be supporting it. Just like we supported the boat for the Copiague Fire Department a couple of years ago so that they could protect the residents of this County who might go out to that island that we own in the bay, I think it's even more imperative that we support this resolution, which is protecting the residents who go to a County facility, to Gardiner Park, not only protecting the residents that go there, but to protect the very, very fragile ecosystem that we have at that park. So with that, I would ask that we support and override the veto.
LEG. BINDER:
Mr. Chairman. Mr. Chairman.
P.O. TONNA:
Yes, Legislator Binder.
LEG. BINDER:
The County Legislature has been in this place before, as was said by Legislator Carpenter. The County Executive has -- is being consistent. He vetoed the Copiague resolution. But the fact is that the County Legislature, as a policy statement, said it's a policy of this Legislature to move in this direction to protect County property, County-owned lands where we see that fire departments are doing the work that needs to be done for the County. Since we've already set this policy, let's make sure that we're as consistent as the County Executive. I don't fault him for the consistency, he vetoed in both cases. But I think that we should also show the same consistency. We've set a policy, we've set a direction for the County, we set our precedent. Let's move forward. Let's not make this -- let's pick Legislative districts where we're going to do it and where we're not going to do it. Let's not let this be a place where we're talking

about the big push is on. A lot of us have been approached. The

bottom line is it's a question of policy. That's what we do as a Legislature. And it is our -- and I think it our duty our responsibility to protect County property. Let's be consistent here. Let's override the County Executive as we did with the Copiague vote.
LEG. CARACAPPA:
Roll call.
P.O. TONNA:
Roll call.
(*Roll Called by Mr. Barton*)
LEG. CARPENTER:
Yes.
LEG. BINDER:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. GULDI:
Yes.
LEG. TOWLE:
Yes.
LEG. CARACAPPA:
Yes.
LEG. FISHER:
Yes.
LEG. HALEY:
Yes.
LEG. FOLEY:
Pass.
LEG. FIELDS:
No.
LEG. ALDEN:
Yes.
LEG. CRECCA:
Yes.
LEG. D'ANDRE:
No.
LEG. BISHOP:
Yes.

LEG. POSTAL:
Yes.
LEG. COOPER:
No.
LEG. LEVY:
No.
P.O. TONNA:
Nope.
LEG. FOLEY:
Yes.
MR. BARTON:
Thirteen.
LEG. CARPENTER:
Thank you very much, Ladies and Gentlemen.
P.O. TONNA:

Okay. Let's recess for lunch.
LEG. POSTAL:
No, no. Wait. What do you have?
LEG. BINDER:
Something's going on here.
P.O. TONNA:
Something's going on here?
LEG. BISHOP:
Mr. Chairman.
P.O. TONNA:
What's going on here?
LEG. BISHOP:
How many cards?
P.O. TONNA:
Hold it a second. What's going on here?
LEG. BISHOP:
Mr. Chairman, how many cards do you have remaining?
LEG. TONNA:
I have -- about 20.
LEG. BISHOP:
Well, what I would suggest is that we should at least go for another 20 to 25 minute, because -- now, let me explain the logic. At 9:30 --

P.O. TONNA:
I'd like to hear the logic.
LEG. BISHOP:
At 9:30 -- no, listen.
P.O. TONNA:
You have a minute to explain the logic.
LEG. BISHOP:
It will take less than a minute. At 9:30, we had several presentations and a musical interlude, which took 25 minutes altogether, if not more, and that is time that's coming off the public portion. And the reason that we have the public portion --

(Applause)

Now, I have -- the musical presentation was outstanding, everybody enjoyed it. It's about culture and we want to do more of that. The real way to do that would be to have the meeting at 9:00 for presentations. Unfortunately, we know Legislators wouldn't show up at 9:00. So the only fair -- the only fair method left is to extend this past 12:30 to at least 1:00.
LEG. CARACAPPA:
I agree.
LEG. TOWLE:
Second.
LEG. LEVY:
Just remember we have the photo that we have to arrange as well.
P.O. TONNA:
Yeah. Just wait. Everybody, just hold it one second. Listen to me. We'll do a vote of the -- we'll do a vote of members of the Legislature to find out. Personally, you're asking for a motion. We should have a motion whether we want to extend for another -- until 1:00; okay?
LEG. CARACAPPA:

Second.
LEG. BISHOP:
And then we'll break from 1 to 2:30 and then we come back and --
P.O. TONNA:
Right. The only thing that I'd say, also, it's not just about that wonderful musical interlude, or whatever you want to call it, it was also that Legislators were not here at 9:30 to start the meeting; okay? And I just want to say --
(Applause)
Forget about 9:00, 9:30.

LEG. CARPENTER:
Some. Some Legislators.
P.O. TONNA:
Yes. Some Legislators weren't here, we didn't have a quorum. And if Legislators would be here at 9:30, we would save ten or fifteen minutes. Okay. Anyway, I should talk, right?
LEG. LEVY:
Mr. Chairman.
P.O. TONNA:
I mean, but this is a new me. This is Year 2000, you know.
LEG. HALEY:
In that case, you've got my support, Dave.
LEG. LEVY:
I just want to --
P.O. TONNA:
Okay.
LEG. LEVY:
I'm always for expanding public speaking, but it's got to be with some notice, because a number of us had planned -- scheduled appointments in between the break and now we have to break them or rearrange them on very short notice.
LEG. BISHOP:
A majority of us will stay.
LEG. HALEY:
Are we going to spend a half an hour talking about it?
LEG. LEVY:
They'll have to excuse me if I'm gone.
P.O. TONNA:
All right, let's call the vote and let's just get this thing over with, so we're not wasting anymore time. All right. All in favor to move the -- you know, to adjourn at 1:00, extend to 1:00, say aye.
(Aye said in unison by Legislators)
P.O. TONNA:
Okay, great. We win. Go ahead. Lisa --
LEG. FIELDS:
Quinn.
P.O. TONNA:
Quinn.
MR. BARTON:
17, one not present.

P.O. TONNA:

Thank you. Lisa Quinn. I'll just ask that Legislators, let's listen to what they have to say and let's move them along. Go ahead, Lisa.
MS. QUINN:
Good afternoon.
P.O. TONNA:
Thank you.
MS. QUINN:
I'm here to urge you to please support the booting bill. We need to send a strong message to deadbeat parents. Many children are on Public Assistance because they are owed this money. All of us as taxpayers are paying this. Our children are the ones suffering. Many go to school hungry, come home hungry. They're left at day-care centers or, even worse, home alone many hours a day, up to six days a week just so custodial parents can provide the basic necessities.
More importantly, and speaking from my own experience, I was robbed of my time with my two daughters. I am owed right now over $10,000 in child support; I don't know about you, but $10,000 to me is a huge amount of money. This time I will never, never get back with my kids. Yes, I makeup for it when I am home with them, but thinking back, holidays that I had off at work and had to work just so I could buy the food and the clothes that they wanted; I'll never, ever get that time back. Yes, this bill will help the taxpayers and the noncustodial parents, but more so this bill will help the children; they are the real victims here. Please, please, just stop for one minute and think about these children. If you pass this, maybe these deadbeat parents will start to finally get the message. Thank you.
P.O. TONNA:
Thank you very much, Lisa. Joseph Mullroy, Jr., or Maloney. I can't read it, that's why.
MR. MULLANEY:
It's just Mullaney.
P.O. TONNA:
All right. Joseph?
MR. MULLANEY:
Yeah. This will be pretty short. Basically, I'm here to save the taxpayers some money. I'm not the County Comptroller, but I'm here to hopefully have a say in the resolution authorizing the County Department of Law to abandon the Mullaney versus Gaffney appeal and pay the damages.
Approximately a little over two years ago, my property was damaged by the Suffolk County Department of Public Works and I've attempted on numerous times to have the County come back, restore the property to its original state. The Department of Public Works came through with an agreement that they were supposed to restore it, reimburse me for various charges. It was associated with the sewer line. To make a

long store short, what basically had happened was the property was left in a shambles. I have photographs to show anyone who's interested in viewing that. But it was left in a hazardous condition, and they did come back do a little bit of work, but the driveway area was depressed with the heavy vehicles that were used by the Department of Public Works, and the depressions were so great that whenever it rains, it floods, causing damage to the basement, and no one can park in the

driveway.
And I've attempted to get the matter resolved through a small claims action, and for the past two years, the County Attorney's Office has repeatedly attempted to get the case thrown out of court, wasting more and more taxpayer money. I was told by the County Attorney's Office that $1,200 was so far spent, this was back in May of 1999, $1,200 were spent at taxpayers' expense just so this case should not be heard by the courts. And through various motions, I finally received the judgment, but because the County failed to appear, the County Attorney's Office wants the judgment vacated. Now, the County knows they were supposed to appear in court and the burden is up to them to go to a court appearance, and because of their negligence, they just want to keep continually stringing the taxpayers along on this item. Now, I have witnesses that came here. We've been to court at least five different occasions, night court. I've taken off of work, my witnesses have taken off of work, and this is because of damage caused by Suffolk County Department of Public Works. All I want is the matter to be resolved. They don't want to resolve it, either through repair and now through the court action. I received the judgment and I'm leaving it up to you to hopefully decide on this matter. Thank you very much.
LEG. CARACAPPA:
Thank you.
LEG. BISHOP:
Joe.
P.O. TONNA:
Thank you very much.
LEG. BISHOP:
Mr. Chairman. I would encourage Mr. Mullaney to distribute the photographs. Just in real brief, we're talking about a -- what is it, $1,200 judgment.
MR. MULLANEY:
It's a $1,300 judgment. The County's already spent in excess of 1,200.
LEG. BISHOP:
That Mr. Mullaney won in the first round, and the County is seeking to -- has sought and successfully reopened it and wants to litigate this further, and it seems that, to Legislator Postal and myself, that that would be an unwise allocation of County resources and effort.

LEG. POSTAL:
A year ago it cost $1,200.
LEG. BISHOP:
Right.
LEG. ALDEN:
Did you put a resolution in, Dave?
LEG. POSTAL:
Yes.
LEG. ALDEN:
All right.
LEG. BISHOP:
Yeah, we have a resolution which --
LEG. ALDEN:

It's in the packet.
LEG. BISHOP:
Which we are going to make a motion this afternoon to vote on. It was defeated in the Ways and Means Committee, but at -- in the Ways and Means Committee didn't have a chance to see the merits of the case, they were just acting on the advice of the County Attorney. And so we would like to move it forward this afternoon. So please distribute the photographs.
MR. MULLANEY:
And I'll be the only speaker. I had three other people that were going to speak, but in the matter of expediting this, okay?
LEG. CARACAPPA:
Thank you.
LEG. BISHOP:
Well, why don't you have them stand up?
LEG. FOLEY:
Thanks.
LEG. CARPENTER:
Have them stand.
LEG. GULDI:
Can we adjourn now?
LEG. POSTAL:
Mr. Chairman.
P.O. TONNA:
We have speakers, yeah.
LEG. POSTAL:
Yeah. I just wanted to say that these people are witnesses. They're

here because they witnessed the damage that was done by the Department of Public Works.
AUDIENCE MEMBER:
Hi. My name is --
MR. MULLANEY:
You don't have to speak.
AUDIENCE MEMBER:
Oh, good.
LEG. FOLEY:
Thanks, Dave.
MR. MULLANEY:
And I just want to add one other thing. This matter's been aired through four different articles from Suffolk Life Newspapers. They've been courteous enough to give me that information.
LEG. HALEY:
Quit while you're ahead.
P.O. TONNA:
Does Emily have something to say, too. There is an Emily Mullaney?
MS. MULLANEY:
It's just that I was a witness and to this here situation and I've seen all the activities that went on.
P.O. TONNA:
Okay, thank you. Okay. Ms. Esposito?
LEG. FOLEY:
Adrienne.

P.O. TONNA:
Adrienne?
MS. ESPOSITO:
Yes.
P.O. TONNA:
I couldn't read the -- I'm sorry. You know what it is?
MS. ESPOSITO:
No, I don't.
P.O. TONNA:
That "A".
LEG. LEVY:
Penmanship.
LEG. FISHER:
You're getting old.

LEG. CARACAPPA:
You're getting old, Paul
P.O. TONNA:
All right.
LEG. FISHER:
You're getting old, Paul.
P.O. TONNA:
There you go.
LEG. FOLEY:
Glasses.
P.O. TONNA:
And senile.
MS. ESPOSITO:
Good afternoon.
P.O. TONNA:
Good afternoon.
MS. ESPOSITO:
My name is Adrienne Esposito and I'm representing Citizens Campaign for the Environment. And I very quickly would like to give this Legislature six suggestions on how to improve the Vector Control Plan for the Year 2000. I will not talk to you about the perils of pesticides. I think you heard plenty about that this morning and very eloquently so. And so now I think we have to say, "Well, where do we go from here?"
You'll be asked today to approve a Vector Control Plan for this year, for the Year 2000, and I have read and evaluated that plan and have six suggestions about what is not in the plan that we really think we need to see to be in the plan. The first one is that everyone seems to ask, including many people here, "Well, how do we know these nontoxic alternatives work?" "How do we know that they'll be effective in fighting mosquito battles?" And I say to you that's a very good question. Let's find out the answers.
One of the things that this plan does not have in it is pilot programs and funding for pilot programs on nontoxic alternatives to battle mosquito outbreaks. The plan has substantial increases for things like equipment control. It goes from seven members in 1999 to 21 people in the Year 2000. That's fine. There's another biologist, a couple more technicians added on for the Year 2000. We would like to see, since

there have been additions in the Vector Control Plan, to also allow for pilot programs using nontoxic alternatives, so we here in Suffolk County can collect the data that we need to see what works and what really doesn't work. And even if we have to go out and hire a consultant to tell us what kind of programs to use, let's do that. Otherwise, we lock ourselves into the same debate that we continue to have, which is we're poisoning ourselves to death. And in order to get

away from that type of a response, I'm sure we all agree we need new information, and information that we can trust that we gather right here in Suffolk County. So we'd like to see that as part of the plan.
The second thing is that the plan does not identify -- the plan does not identify thresholds of when the Vector Control Department will move from one level activity to the next more aggressive level of activity. It's very -- it seems it's extremely arbitrary, at least in this plan that you have, or will have before you this afternoon. We need to see threshold levels that will really establish moving from one level of action to the next level of action.
The second thing is that this plan, and please do not be confused, Legislators, this plan is not a West Nile Response Plan. This plan is a Vector Control Plan for all sorts of mosquitoes and quote, unquote, nuisance, you know, issues. You should be seeing and evaluating and having input in a separate West Nile Response Plan. This is not that. Please do not allow for this to take the precedent and for this to be a West Nile Response Plan. It says in it that a West Nile Response Plan would be too numerous to really, you know, elaborate on in this plan. So let us not be confused that you should reserve your right and we think it should be in this plan that it is not the West Nile Response Plan that you're waiting for, that will be out, the State's plan, anyway, will be out April 1st and whatever your County the Department decides to do should follow shortly after that. But let's not be confused, this is not that. This is -- the County will be -- this plan here will actually be a prototype for how we deal with mosquitoes in our County for many years afterwards and that's why we thing this is equally as important as the West Nile Response Plan that you should be receiving.
P.O. TONNA:
Okay. Your time is up.
MS. ESPOSITO:
All right. I got to get --
LEG. BISHOP:
I'll ask --
LEG. FISHER:
May I ask her a question?
LEG. BISHOP:
What are three through six?
MS. ESPOSITO:
Thank you. I'm glad you asked that question. Next one is that if there is spraying -- if spraying does occur in the County, we also need an environmental monitoring program to look for the effects that that spraying causes. So we spray to either get down on the nuisance problem or to eliminate health problems. But we also -- this spraying has an impact environmentally and ecologically in the County. What is

that impact? Wouldn't you like to know? Well, we only know the answer to that question if we look for that answer. There has to be environmental monitoring programs associated with spraying.

00079

And the other thing is I think we also need to have in this plan more distinctly the Last Resort concept that has been sponsored by Legislator Fields and Bishop and Guldi, and that is that the current Last Resort legislation that you'll be hearing about this afternoon at public hearing is very, very good and we support that bill. But I think that that also should be in this plan, that aerial spraying of adulticide pesticides should be a last resort, not a first step of action. And that are the -- those are the six --

P.O. TONNA:
Was that -- that was --

LEG. FISHER:
I only had five.

LEG. FIELDS:
I got five.

LEG. GULDI:
That's five, you missed one.

LEG. BISHOP:
I'm trying to right them.

MS. ESPOSITO:
Okay. Okay. Thank you very much. You're absolutely right. I was just checking to see if you could count.

P.O. TONNA:
The sixth one is?

MS. ESPOSITO:
The sixth one is to see that along with -- along with producing public information with the Department about Eastern Equine Encephalitis, West Nile Virus, Malaria, and other mosquito born illnesses or arboviruses, as they're called, we also believe that this plan should also provide for public education on how to protect yourself with exposure to pesticides. We are extremely concerned that the public will be asking for pesticides in the absence of information about the hazards and health problems associated with pesticides. And it's the same good science that gives us information about West Nile Virus and EEE, which is the Eastern Equine Encephalitis. It's the same good science that provides that information that gives us the important information concerning health effects to pesticides. We have to take both sciences seriously and get that information out to the public. If you can find it in the budget to get information out about viruses, you got to find it in the budget to get information out about pesticides where the County's supplying them.

P.O. TONNA:
Okay. Thank you.

MS. ESPOSITO:
Thank you.

00080

LEG. FOLEY:
Thanks, Adrienne.

LEG. FISHER:
Thanks, Adrienne.

P.O. TONNA:
Thank you, Adrienne. Joan Kulchinsky. Is that close?
MS. KULCHINSKY:
That was it. Thank you.
P.O. TONNA:
That was it?
KULCHINSKY:
That was it.
P.O. TONNA:
Wow.
MS. KULCHINSKY:
Kulchinsky. Okay. I am --
P.O. TONNA:
I'm growing into this job. Go ahead.
MS. KULCHINSKY:
-- Joan Kulchinsky and appear for the Suffolk District PTA. From its founding, PTA has been concerned with the health and well-being of children and youth. Over the years, environmental issues have become priority issues for national and New York State PTA. By recognizing and reducing environmental hazards harm to children who are especially vulnerable is preventable. Parents have the primary responsibility for the health of their children while the school and the community have a vital reinforcing role. PTA urges any use of pesticides only as a last resort and urge the promotion of alternative methods of pesticide control to protect children's health.
PTA's goal to education its 685,000 members, 68,000 from Suffolk, 80,000 from Nassau, is well underway. What has prompted this effort to educate? The American Lung Association of Nassau and Suffolk at its conference last week in Melville offered its Tools for Schools to all schools to learn about asthma and chronic illnesses. Over 10 million school days were lost to asthma since 1990, with a cost to society forging upwards to $12 billion. Mortality rates have risen and there is no headway in stopping asthma. We are learning what triggers asthma attacks in our schools. Pesticides are a trigger and most schools are taking steps to eliminate them. Along with the rest of that, rise of asthma is the number one disease related cause of death in children, cancer, and the rate of childhood cancer continues to rise.
Two graphs from the National Cancer Institute from 1973 to '95, I'd to just quickly read them. Leukemia, ages zero to four, risen 18%. Kidney cancer is 32%. Soft Tissue, 37%. Brain and other nervous system cancers, 53%. All cancers combined for ages eight -- zero to four was

10%. Teenagers, 15 to 19 years old: Thyroid cancer up 20%. Non-Hodgkin Lymphoma, 128%. Ovary in females, 18%. Testicular in males, 85%. I'm sorry, that says -- bone and joint cancers up 30%. All cancers combined, 24%.
A newborn has one in six hundred chance of contracting chance of contracting cancer by ten years of age. Approximately 8,500 children ranging from newborn to 15 years of age are diagnosed with cancer each year. Similar to asthma and cancer, children can be affected at an early age by these chemicals that often occur before birth. These children with asthma, cancer and birth defects do not smoke cigarettes, drink alcoholic beverages, or work in dirty industries, nor can their

cancer be the result of something they were exposed to 20 years ago. So what's going on?
PTA takes a very strong stand, again, as I said, to using pesticides as a very last resort and, hopefully, alternatives will be pursued, as been pointed out, by many of the speakers today. In fact, I'm very curious to know if Vector Control has included in their formula bringing in mosquito-eating birds or insects? I know Half Hollow Hills is going to have a Hug-a-Bug release, where we're going to be releasing bugs that will be, hopefully, seeking out mosquitoes and other insects that are harmful to the -- to our agriculture.
P.O. TONNA:
I just pressed the buzzer, but your time is up.
MS. KULCHINSKY:
That's okay, finished.
LEG. D'ANDRE:
Mr. Chairman, may I.
P.O. TONNA:
Sure.
LEG. D'ANDRE:
Young lady, I see you neglected to mention polluting cars, buses, trucks. Why are they not mentioned for these to protect our young people?
MS. KULCHINSKY:
Only because I didn't have time. I would have brought everything in if I was possibly --
LEG. D'ANDRE:
And bring back the trollies that don't pollute.
P.O. TONNA:
Okay. Thank you, Legislator D'Andre. Thank you very much, ma'am.
MS. KULCHINSKY:
You're welcome.
P.O. TONNA:
Grace Ioannidis.

MS. IOANNIDIS:
Ioannidis.
P.O. TONNA:
Ioannidis. Sorry about that, Grace. I'm getting there, though.
MS. IOANNIDIS:
Apologize to the Greeks.
P.O. TONNA:
No, that's okay.
MS. IOANNIDIS:
I'm here representing the Citizen Action Coalition. I was here two weeks ago on behalf of Mastic, Mastic Beach and Shirley. The Coalition, as you know already, gets involved with other communities to support an issue that is very much involved with quality of life. Here and today, I'm delivering 200 petitions on Sober Houses. And, again, let me just remind you what our petitions say. "Sober Houses are here, like it or not. Sober Houses are residential facilities for alcohol, drug treatment, and support services. We need a law to control where these houses are going to be placed throughout the County, not just Mastic, Mastic Beach and Shirley."

A local law sponsored by our local Legislator, Fred Towle, which we'd also like to thank him for considering our community concerns, states a local law for Sober Houses is required now establishing control of these sites, how many be placed throughout the County. Mastic, Mastic Beach and Shirley are presently overly saturated. We want fair distribution throughout the County. We support Res. 1155 being sponsored by Fred Towle.
I want to read quickly. I know that my three minutes is not a very long time, but I believe you gave other speakers a longer period of time, so I would like to be entitled to that.
P.O. TONNA:
No. You have three minutes, ma'am. You have -- I have --
MS. IOANNIDIS:
Okay.
P.O. TONNA:
-- many cards.
MS. IOANNIDIS:
So let me hurry up and --
P.O. TONNA:
Take your three minutes and be happy.
MS. IOANNIDIS:
So let me hurry up and say it before you take my minute. "Dear County Legislator." This is a letter from a resident in our area. "I reside in Shirley and work at William Floyd School District. I am presently

living next door to a home that was purchasing to house people from Lake Grove Treatment Center. Our family had endured situations that have had me at times on the phone with a supervisor of this treatment center shaking and in tears. My husband and I have numerous sleepless nights and nights where we were awakened out of sound sleep by the going on next door. The house next door to me has a side entrance that is across from my bedroom window. This house is occupied by a group of women who will go outside to smoke at all hours of the night. Along with the women, they discuss some of the treatments that they are working on, that smoking, they will go -- in the group decisions. They spoke of kinds of drugs they have used and smoked. They laugh in loud voices with no regard to the fact that they were disturbing others.
One occasion, they had a dog in the yard that barked for about an hour-and-a-half. The bark of the dog was apparently a German shepherd, so apparently a big dog. We called the police and the police tells us they can do nothing. For a short time, my daughter and I -- and her family were staying with us. They had moved back to New York after my son-in-law finished his six years in the Navy. One evening, while my son and son-in-law were having a cigarette, they called my -- called us to the deck and there was a woman who was undressed. I was not only upset for what I was going through, but I was concerned for my grandchildren. I have called Legislator Fred Towle and explained the conditions that we are exposed to."
This is an ongoing process in our community. This is a situation that needs to be stopped, it needs to be regulated. Please, I beg you. Mastic, Mastic Beach and Shirley is not the only area that overly saturated with these conditions, it's now the County. Please vote yes.
(Applause)

LEG. CARACAPPA:
Thank you, Grace.
LEG. FOLEY:
Thank you, Grace.
D.P.O. LEVY:
Annette Sporacio.
MS. SPORACIO:
Good afternoon. I'm a resident of Mastic, Mastic Beach and Shirley, a resident of Mastic Beach, but I'm speaking on behalf of the three areas, and I'm a member of the Citizens Action Coalition.
The Citizens Action Coalition works on ways of improving quality of life in the area through the institution of laws, and that's why we're here today. The area of Mastic, Mastic Beach and Shirley has been targeted with an influx of Sober Houses. Citizens Action has been deluged with telephone complaints. For the sake of time, I will only give you three examples. One woman called, one resident called and she said she had 12 men living next door to her, and the men would come and go at all times. They were loud, and during the summer, they peered over her fence in her backyard. The resident's children and their friends were frightened. The second one was a house that had six men and the resident was concerned because his grandchildren visit and

play. On several occasions, he went out front and the Sober House residents were staring at the children and talking to them from the street. In the same house, there was an individual that perhaps had a mental problem. He stood in the middle of the road and was talking to himself.
Recently, I spoke to a member of the clergy who told me that he had a man come to his rectory and was high as a kite and that the gentleman said he was thrown out of his Sober House. The caretaker did not allow the resident to go back into the house, because he was intoxicated or on drugs. The clergyman called a taxi -- the clergy was instructed to call the taxi and the gentleman was picked up and was put into a facility.
The problem is that we have no accountability for these houses, and, also, that we don't know what the success rate from these people coming out of the houses.
A woman called -- came to my house and told me that her husband was going into an AA program, and that when he went to the program, there were several people there that are bussed in from the Sober Houses to go for the AA meeting. At that point, he heard them say they were only staying there for the winter. So this is now a shelter, it's not only a sober house.
The proposed law I think should be -- should have the residents be notified prior to permitting these places to be, you know, allowed to be put in. Notification should be made to residents at least within 200 feet radius. Also, a skip-trace on these individuals, perhaps, should be instituted where they could have finger imaging and a criminal background check. We don't want these people around our children.
Also, the people that have called in have told me that they notify the police, they complain to the police, and the police tell them they cannot respond, that the -- it's up to the resident supervisor of the

house to take care of the matter.
D.P.O. LEVY:
Wrap up, ma'am.
MS. SPARACIO:
Yes. We need laws. We need laws to protect our elderly and children. Please have the courage to pass this law, the compassion to understand our position and the property owners, and the commitment to follow through.
P.O. TONNA:
Thank you very much, ma'am. Okay. We have time for one more speaker, Susan Gonzalez.
MS. GONZALEZ:
Hello. I'm here with a prepared statement from Margaret Bianculli-Dyber of Farmingville. "To the Suffolk County Legislature: Members of the Farmingville Community who are also members of the Sachem Quality of

Life Organization, which is a member of the Citizens Action Coalition, would like to express support for Mr. Towle's law, a law that would adopt reasonable selection procedures for Sober Houses in order to protect the interest of the ill while ensuring acceptance by local communities."
"Last year you refused to adopt a law that would have outlawed street hiring, as a result, this month our community has been barraged with more day-laborers than we ever had before. The hazard to day-laborers and community residents has been exacerbated by your refusal to reasonably address the issue."
"Last year we complained to our local law enforcement officials about the prostitutes servicing the day-laborers, and because nothing was done about that, we now have an operating house of prostitution on the Main Street. Don't let this cry for equality in distribution of Sober Houses go unheeded. Farmingville has at least three Sober Houses operating now. Please do not saturate our area with any further burden that you are presently fostering by your refusal to address other quality of life issues."
Our concern is the safety of and civility of our community. It is our right to believe to enjoy the same residential quality of life that our neighbors enjoy. We look to you for help and to remedy." Please vote for Mr. Towle's law. Margaret Bianculli-Dyber."
LEG. FOLEY:
Could you submit that for the record, please.
P.O. TONNA:
Thank you very much. Thank you, Susan. Okay. We're going to break now and take an immediate picture, and then from there --
LEG. BISHOP:
Could you explain to the audience what the --
P.O. TONNA:
Okay. What the process is?
LEG. BISHOP:
Yeah, because I think they --
P.O. TONNA:
Why don't you? No. Anyway the --
MS. IOANNIDIS:
I wanted to give you the 200 petitions.

P.O. TONNA:
Fine. You can give it to the clerk and they'll distribute that. Thank you very much, ma'am.
The process is that we break until 2:30. After 2:30 comes the public hearings. Anybody who's speaking on public hearings that we have on our agenda, after that, then we go back to the cards. So we have about ten more speakers, so that probably 2:30, 3:30, probably around 3:30,

4:00, depending on how many people come to speak at the public hearings. Thank you.
[THE MEETING WAS RECESSED AT 1:00 P.M. AND RESUMED AT 2:40 P.M.]
P.O. TONNA:
Okay. All Legislators please come to the horseshoe. I'd like to have a roll call. When you're ready, I'm ready, Henry.
(*Roll Called by Mr. Barton*)
MR. BARTON:
Ten. (Not Present at Roll Call: Legislator Caracciolo, Legislator Guldi, Legislator Fisher, Legislator Haley, Legislator Alden, Legislator Crecca, Legislator Bishop, Legislator Binder)
MR. BARTON:
Ten.
P.O. TONNA:
Okay. Let's go to the first public hearing. (1151) Adopting a law to create Suffolk County Ferry Advisory Committee. There are no cards. Is there a motion? Legislator Caracciolo? Okay. I'm going to make a motion to close the hearing. Is there a second?
LEG. D'ANDRE:
Second.
LEG. LEVY:
Second.
P.O. TONNA:
Second by Legislator D'Andre. Legislators, if you can come in here so we can vote. Okay. All in favor? Opposed? Okay that hearing is closed.
LEG. BISHOP:
Which one is that?
P.O. TONNA:
That's the Ferry Advisory Committee.
LEG. CARACAPPA:
Here's Legislator Caracciolo.
P.O. TONNA:
Okay. Number 1206, adopting a local law, a Charter Law to adopt "Pay as You Go" financing for a Quarter Percent Environmental Protection Program. What would you like to do with this? There are no cards.
LEG. CARACCIOLO:
Close.
P.O. TONNA:
Close? Motion by Legislator Caracciolo, second by myself. All in favor? Opposed? Closed.

Okay. Public hearing (1254), a charter law to implement smart growth by designating open space of critical environmental concern in connection with Suburban Renewal at Pilgrim State site. Legislator

Bishop, what is your wishes?
LEG. BISHOP:
Is that Pilgrim State?
P.O. TONNA:
Yes.
LEG. BISHOP:
Recess, please.
LET. TOWLE:
Second.
P.O. TONNA:
Okay. Make a motion to recess by Legislator Bishop, second by Legislator Towle. All in favor? Opposed? Recessed.
Okay. Number 1263, a charter law to establish Last Resort Vector Control Spraying Policy for Suffolk County. We have a number of speakers on this issue. Okay. Bettina Barbier.
MS. BARBIER:
Can I go last?
P.O. TONNA:
No.
MS. BARBIER:
Okay.
LEG. COOPER:
Nice try.
MS. BARBIER:
Hi.
P.O. TONNA:
Thank you. Go ahead, Bettina.
MR. BARTON:
I wish I were a little better prepared. My name is Bettina Barbier.
P.O. TONNA:
That's okay. You should see how prepared I am.
MS. BARBIER:
That makes me feel a little bit better.
P.O. TONNA:
There you go.

MS. BARBIER:
I live in Huntington. I'm here to talk about Bill 1263 regarding pesticide spraying as a last resort. The very language of the bill itself seems to acknowledge that there are dangers in spraying these pesticides that most people now acknowledge, Cancers, other illnesses. I don't see how it makes sense to stop spraying next year. The language of this bill says that this would not take effect until next year. How does it make sense to continue spraying these deadly chemicals if, indeed, we accepted they are deadly, and a lot of people are excepting that, this year? Is there anything to protect us this year against such spraying?
It's better to use spraying as a last resort than it is a first resort. But have we even established whether the cure is worse than the disease or not? There isn't a whole lot of information still about West Nile Virus.
I attended a lecture Saturday night given by a toxicologist who was unable to get any information at all on the victims, the so-called

victims who died from this disease. The city wasn't releasing it, or whoever has it. This man was saying allegedly died of West Nile Virus. And because of something that is alleged that a man from an established laboratory can't even get information on, why are we spraying these pesticides that can harm hundreds of thousands of people when we don't even really know what the threat is?
I don't have a lot more to say right now. But I do think that I just want to make the point that, as a citizen, I care enough about this to come out here and speak to you all to object to using these chemicals at all as a first resort, as a last resort. A think a lot more need -- looking into it needs to happen, and I think there should be a moratorium on this spraying until we get a lot more information. I don't believe that this bill should wait to go into effect until next year. If it's worth doing, it's worth doing now. And I thank you very much.
LEG. FIELDS:
In answer to the question you asked about effect in 2001 --
MS. BARBIER:
Yeah.
LEG. FIELDS:
-- it's a Charter Law and it has to go up for referendum to be voted upon, and if approved, it would then take effect in 2001.
MS. BARBIER:
Okay. Can I ask you a question? If we understand that these -- if we all agree that these chemicals are bad for us and that this law is worth passing, why would we wait until next year? Can't you all do something to stop their use this year, or at least back it off?
LEG. FIELDS:
Again, because it's a Charter Law and it has to be approved by the voters on the particular bill that I authored --

MS. BARBIER:
Right.
LEG. FIELDS:
That would not be able to be.
MS. BARBIER:
I understand it's the law, but is there something that you as a Legislative body can do to --
LEG. FIELDS:
I think that's why we're here today, so that we can have public input and make educated decisions on whether or not to approve this --
LEG. D'ANDRE:
The State -- sorry. I'm sorry.
LEG. FIELDS:
This Vector Control Plan.
LEG. D'ANDRE:
The State controls the pesticide laws, not the County. Only we can tend is our own parks, but we cannot make laws to advocate spraying, that's the State's domain.
LEG. TOWLE:
Legislator Fields, I'm assuming you're running the meeting. Legislator Fields, I'm assuming you're running the meeting.
LEG. FIELDS:

No.
LEG. TOWLE:
Did he hand it over to you or --
LEG. FIELDS:
I just --
LEG. TOWLE:
Okay. I guess I'll take over for a second. I just want to make sure I understand you, ma'am, because we've had a lot of speakers today, and I know Dominick is here from our Vector Control Unit. And I think it's important, you know, if you can hang around, to listen to what is the County's current policy. Because many of the people that have come here today believe that our first and only option is to spray, and, clearly, that's not the case, having dealt with Dominick's division for the last five years that I've been here as a County Legislator. But I just want to make sure I heard you right, that you don't support any spraying under any circumstances whatsoever, period?
MS. BARBIER:
I support learning a lot more about the disease in question. I support finding out a lot more solidly whether the mosquitoes pose even a fraction of the threat that the actual pesticides pose. I've heard Mr. Ninivaggi speak, by the way, and I understand he has done a lot to reduce the use of these chemicals, and I appreciate that and I think a

lot of people really do. But the --
LEG. TOWLE:
Actually, most of the people that came here this morning beat him up, which he wasn't here for that part, but --
MS. BARBIER:
I wasn't here for that, but --
LEG. TOWLE:
Yeah. And I agree with you, I think he's done an excellent job, to tell you the truth.
MS. BARBIER:
I think that he has. He's -- and I know he's done a lot to reduce the use of them. But we are exposing large amounts of people to chemicals that we still don't have all the information on. Again, the EPA makes it illegal to represent these things as safe. We had County Health officers last year on the news calling them safe. We had people -- we have schools sending kids home with fliers representing these chemicals as safe. We can't do that. We shouldn't be exposing people to things that can cause cancer in their future, especially not little kids who are many, many times more susceptible to these chemicals. So I am saying question now whether to spray this year.
LEG. TOWLE:
It's okay. Worry about him. I can hear you.
MS. BARBIER:
But we need to question now that whether we should spray this year. Why should -- why -- I understand the bill has to wait, but isn't there something else you guys can do?
LEG. TOWLE:
You live in Huntington, you said, right?
MS. BARBIER:
Yes, I do.

LEG. TOWLE:
So you're, obviously, responding to the -- what the County deemed as an emergency to require spraying in your community for the first time in probably a long time, that's what brought you down here?
MS. BARBIER:
I want to make sure it doesn't happen again, yeah.
LEG. TOWLE:
I represent the South Shore of Brookhaven. It's not -- It's not an emergency, it's something that happens every year that I have lived in that community, Mastic, Shirley, Mastic Beach, which is all my life. Every year the County has been required. I'm not aware of any years they have not had to go down and spray at some point, because the mosquito threat is that bad.

MS. BARBIER:
I know. I've spoken to people down there and so many people say they know so many people that have breast cancer and a lot of these other diseases, and one wonders if the spraying isn't its own kind of epidemic. It's very scary.
LEG. TOWLE:
I think it will be important if you can hang around when Dominick gets up to a little later to talk about, you know --
MS. BARBIER:
Absolutely. I request --
LEG. TOWLE:
-- what the County's policies are and, you know.
MS. BARBIER:
Yes, yes.
LEG. D'ANDRE:
Young lady, you have everything --
LEG. TOWLE:
Thank you, Legislator Fields.
LEG. D'ANDRE:
-- to be concerned about, exhausts from buses, exhaust from buses, exhaust from cars.
MS. BARBIER:
There are many, many things --
LEG. D'ANDRE:
Pollutants from chimneys. You have these electric -- not electric fire, the --
P.O. TONNA:
Michael.
LEG. D'ANDRE:
Motors on the --
MS. BARBIER:
I can't hear you.
P.O. TONNA:
Michael, we have a lot of speakers on this subject.
LEG. D'ANDRE:
We have motors on the trains, the diesels. I mean, they're spewing all day long when they're driving.
MS. BARBIER:
So why add to it? The more we add to it, the worse it gets.

P.O. TONNA:
Okay.
LEG. D'ANDRE:
Well, people, people. When you get a million people in one spot --
LEG. HALEY:
Michael.
LEG. D'ANDRE:
-- you got problems.
P.O. TONNA:
All right. Michael, we're going to have to ask -- we have so many cards, you're going to have to --
LEG. D'ANDRE:
I'm through, sir.
P.O. TONNA:
Okay. Thank you. Legislator Caracappa.
LEG. CARACAPPA:
Thank you. Question to the speaker. You mentioned the EPA. I wasn't clear if you said the EPA is breaking laws by spraying these chemicals --
MS. BARBIER:
No, no. Under EPA regulations, it is illegal to represent a pesticide as safe.
LEG. CARACAPPA:
Okay. If their website is right and the research I've done is right, and I'll just glance over to Dominick and ask him this, don't you have to get approval from the EPA in regards to your permitting process to use these chemicals?
MR. NINIVAGGI:
All pesticides that we use have to be registered by the EPA and by the State DEC.
LEG. CARACAPPA:
And you've done that in regards to Malathion and the other insecticides and adulticides, or whatever you've been using, for both the West Nile Virus and the mosquito population in general? Fire
MR. NINIVAGGI:
We comply with all relevant environmental laws.
LEG. CARACAPPA:
Okay. So my question to the speaker, where is Suffolk County breaking the law in regards to using certain pesticides?
MS. BARBIER:
I didn't say any --

LEG. CARACAPPA:
I'm trying to clear it up.
MS. BARBIER:
Okay.
LEG. CARACAPPA:
Now, what were you saying regards to their breaking the law?
MS. BARBIER:
Let me reiterate.
LEG. CARACAPPA:
Okay.

MS. BARBIER:
Let me reiterate what I said. I said that we had children being sent home from school with fliers, which implied or said that the pesticides which were being sprayed from helicopters and trucks were safe and that people did not have to worry about them. The Nassau County Health Officer got on News 12 and said in so many words, "These chemicals are safe. I would take my family out into the spray. It's okay."
What I am saying to you is that the general public regards these things as safe. They believe that they wouldn't spray them if they were bad for you, "they" being the counties, or the governments, or those who are in that position to spray these things. People believe these would not be used if they weren't safe, that if we couldn't get them sprayed upon us and be okay. But even the very EPA, just because it registers a substance, that does not mean that it is safe, it means they have weighed risks and advantages, but it doesn't mean those chemicals are not giving us cancer or bronchitis, or any of the, you know, rashes, asthma, many, many different illnesses that these might cause.
LEG. CARACAPPA:
Well, you're absolutely right and it says it right on the website, "However, no pesticide is 100% safe and care must be exercised in any use of any pesticide." But I just wanted to clear, so maybe there was a miscommunication there in what you were saying, that Suffolk County was not listening to the EPA in regards to when we went out to act in an emergency purpose. I was just clearing that up and I appreciate it.
MS. BARBIER:
I was just saying that people were representing them as safe to the population and that was very, very dangerous, because then it makes people not take even simple, ordinary precautions, keeping their kids inside, closing their doors and windows, maybe drive the kids to school instead of letting them walk.
LEG. CARACAPPA:
I appreciate it. Thank you.
D.P.O. LEVY:
Thank you. Legislator Fields?

LEG. FIELDS:
I would just like to clarify what I said to you before. I think I sit corrected. Paul, on the referendum.
MR. SABATINO:
There is a referendum requirement, but it's permissive, which is 60 days. But the reason it ties into January 1st is because, under the Administrative Code, the Vector Control Plan has to be adopted every November prior to the year before. So the amendment would make everything coincide in terms of January 1st, 2001. But there is a permissive referendum attached to the bill.
MS. BARBIER:
Well, I guess I'd like to really see an effort made to make that last resort stipulation apply to this year. Is that it?
D.P.O. LEVY:
Thank you, ma'am.
MS. BARBIER:
Thank you very much.
D.P.O. LEVY:

Our next speaker is Ralph Schiano.
MR. SCHIANO:
It's pronounced Schiano, again, for the second time. I represent the South Fork Groundwater Task Force, I'm its president. Not to reiterate what I said this morning, but I don't think there's any doubt where I stand on pesticide use, is there? And I agree with the previous speaker, that you should look into what's happening this year. I'm no lawyer, I don't know what the Legislative problems are, but you should address the problem for this year.
And, also, in terms of this bill, we think it's a step in the right direction. You need to look at notification and what goes on. I know a lot of people that said they got no notice last year, and I think you need to address notification more specifically.
But let me talk a little bit about what I was talking about this morning, the health effects of these pesticides. And I think that if you look at the number of people and animals affected by West Nile, for example, you also need to look at the statistics for pesticides. We're dealing with very small numbers. And what I am saying to you all today is I think there are more people affected by the problems associated with pesticides than the disease it's being used to address. So I think you have to look at those numbers very carefully. And you also need to do your homework on this stuff. I think you need to have experts down here to talk about alternatives and people outside of the usual channels. For example, I mentioned the conference we have. We have Dr. Jeanette Sherman who has written books, Chemical Exposure and Disease, Life's Delicate Balance. Talk to people like that who deal with problems related to pesticides every day and then see if you feel the same way about pesticides.
And, finally, I mentioned our conference. Let me also tell you that

NCAMP, which is the National Coalition Against the Misuse of Pesticides, is having a conference in New York City on April 7th, 8th and 9th, and I believe they did do a mailing to all of you. If you can't make it, send a representative there. Learn about all the problems associated with pesticides and learn about the alternatives. They're out there. So what I'm saying is, yes, move ahead with this bill, but I think you need to beef it up a little bit. Look at health threshold, consider what you mean by last resort, and look at notification. Thank you.
D.P.O. LEVY:
Thank you, Ralph.
LEG. TOWLE:
Mr. Chairman.
D.P.O. LEVY:
Legislator Towle
LEG. TOWLE:
So, if you'd just come on back up here, because I didn't get to ask you this question this morning, so I'm kind of glad you came back today. You talked about the fact that our notification policy should change. I have two questions. One, do you know what our notification policy is today? Do you know what we are required to do by law and what our policy is beyond the law?
MR. SCHIANO:

Well, let me tell you, that when Mr. Ninivaggi came out to the Springs, I sat in there and he said under certain circumstances, they decided to spray at three o'clock and were spraying that same evening. So how much notification could there be?
LEG. TOWLE:
Okay. So I guess the answer to my question is no, you don't know what our policies are.
MR. SCHIANO:
Well, this is from your person right here.
LEG. TOWLE:
Okay. I think it's important, though, if you're going to represent something when you come before the Legislature and say that we should change our policies, that you really should know what they are, number one. Number two, since you don't know what they are, I'm curious what you think they should be. You know, what would you deem in your mind that's acceptable? Because I got to tell you, you lose all credibility with me when you -- as a Legislator when you come here today and say, "The policy you have stinks and you should change it." You didn't use the word "stinks", but for a lack of a better term, and you don't know it.
MR. SCHIANO:
Well, I can't cite the law, but I'm telling you what your Vector Control person said, and he said there were circumstances where they

decided to spray and sprayed on the same day. So I don't care what's written down, this is what this man told us, and there were 30 other people in the room. So what does it matter what's written down in the law if this is what the practice is?
LEG. TOWLE:
Well, it's obviously not the practice. There's a section of the law, and I'll let Dominick address that when he gets up, that gives him the ability, should the Health Commissioner declare a state of emergency, which, obviously, is what the Health Commissioner did in that instance. All right? But there are standard operating procedures, there are standard operating laws, and there are also standard policies that the department has, many of which I know, because, as I've stated all day, I call his office frequently for my district regarding problems. And I don't like spraying anymore than anybody else that comes here, but at some point, all the other things that we do are not effecting and not dealing with the mosquito problem, and there is a threat as far as that issue is concerned. And, obviously, there are trade-offs with every decision that we make as government.
The other thing I wanted to ask you was what do you think we should be doing? What do you think is acceptable as far as the notification process is concerned? Should we mail to every person in Suffolk County and request their approve before we spray? What should we do. I'm curious, what do you think is acceptable to you as a standard?
MR. SCHIANO:
Well, you know, I've seen other people approach this with actual mailings to everyone in their particular affected area. I don't know if a newspaper publication is enough, I don't know if radio is enough. That's something you have more experience with this than I do. Why don't you do do a survey and see what has the best response in terms of

media. But to get back to something you mentioned, health emergency, well, let's look at what the criteria are for health emergency and let's not create a bigger health problem by applying pesticides prematurely.
LEG. TOWLE:
Okay. Thank you.
D.P.O. LEVY:
Thank you, Ralph. Next speaker is Debbie O'Kane.
MS. O'KANE:
Good afternoon. My name is Debbie O'Kane and I'm here today representing the North Fork Environmental Council. Since I spoke this morning -- since I spoke this morning, I will keep this very brief. I would just like to -- I'd like to reiterate that if we are moving toward a position of spraying as a last resort treatment for mosquito control, then non-essential spraying, especially the routine weekly spraying of Scourge that takes place from May 1st until October in Orient should be suspended. Adulticides sprayed on a weekly basis undermines the idea of spraying as a last resort. The NFEC would like to see us moving toward last resort spraying. We think it's a very good thing. And if it could be applied this year, could the 2000 Plan be amended to incorporate pesticide spraying as a last resort for this

year? Thank you.
D.P.O. LEVY:
Thank you very much, Debbie, we appreciate it. I would just ask Legislators to come into the horseshoe as we call up Kevin McAllister. We are going to have a Certificate of Necessity on this matter today, and it's important that we be properly informed and hear the public on this important matter. Kevin McAllister, on the same issue, 1263.
MR. MC ALLISTER:
Good afternoon. My name is Kevin McAllister, I'm the Peconic Baykeeper. I'm one of 42 programs both nationally and in Canada. We essentially protect rivers and estuaries throughout our country. I'm going to speak today in support of this bill. I think it's being proactive. Up until now, my feeling is we've been very reactive as last season's encephalitis scare. And I want to address and bring into light, I guess, some of the concerns I have about the implications to the estuary, the health of the bays. Obviously, we talked about some of the biocides that are being used. And, forgive me, I was not here this morning, I don't know how deeply you were briefed. But in any case, I have significant issues with the broad spectrum chemical use, particularly up in through the tidal marshes through either aerial spraying or fogging.
A quick lesson I guess on food chain dynamics, the estuary or the tidal marshes are the bread baskets of our bays, of our waterways. There's a lot of life that's giving rise in there in the form of egg development, larval stage development. These toxins are lethal to these organisms at that level. And I can tell you, there's obviously considerable study. These are registered pesticides, etcetera, but they have not looked at this level of life, that I can assure you. They're probably looking at adult stages, human implications, etcetera. Particularly, we speak of Malathion. And I guess that is one chemical that's still identified in the menu for potential use, albeit as a last resort.

Nevertheless, that has been documented to cause fish-kills, so it is a significant biocide that we really should be moving away from.
Again, I applaud this resolution, I think it's going in the right direction. I want to speak to probably some of the implications, though, however, trying to back off on the biocide use and that's the physical destruction to the tidal marshes through mechanical ditching. Obviously, this practice has been going on for a number of years. For the most part, through really coastal managers throughout the country recognize that this is not in the best interest of our estuaries, in the best interest of our tidal marshes. For probably the last ten or 15 years, a lot of these areas that had been previously ditches have been silting back in and recovering the values and functions of tidal marshes. They are essentially the kidneys. So when you have pollutants coming off of the uplands via fresh water inflow, there's a lot of biological and chemical processes that's going on that are actually making harmful pollutants benign in this system. By this cross-stitching, this gridding pattern in these tidal marshes, we are going to convey those pollutants more readily and more quickly out into surface waters. And I'll speak of one in particular and that is coliform bacteria that's coming off in heavy doses off of the uplands. It's going to be conveyed through these tidal marshes, where, in a

natural system, they would otherwise undergo biological change and not enter the surface waters. We're going to be conveying them. We're going to see more and more shellfish beds become contaminated. The State of New York's going to be stepping in and closing down these areas as a result. So, again, as we back off chemicals, I can see us getting more aggressive, and it is happening now with the physical mechanical ditching again.
I want to talk about one last point with this. And, you know, I was at the Health Committee with Miss Fields, Mr. Caracappa, Mr. Foley, and there were some pointed questions asked of me. You know, What do you do here? What's the compromise of balancing, I guess, ecological considerations with human health considerations? At that time, obviously, I recognized this board, this organization has, you know, a responsibility to balance those two concerns, but with -- again, with respect to managing surface waters and the ditching process, I feel strongly that if we feel that, as a group, that this is the means by which we have to control mosquito population and be more aggressive in that campaign, thus, backing off the chemical use, I think it has to go hand in hand with the practice of ditching these mosquito ditches, or plugging these mosquito ditches.
I have been in discussions with Ninivaggi on a couple of cases, as well as before the Health Committee. He made it clear that that is not a priority for Vector Control, and I submit to you it has to be. That has to be -- go hand in hand with this mechanical practice.
I'm a biologist. I like to tout my credentials when necessary, but the plugging of mosquito ditches is not brain surgery. It's a matter of filling sand bags or using a machine to actually put earthen dikes, earthen plugs in these areas. And, again, I can't overemphasize that it is not brain surgery. He is staffing up. Train the staff, call on other resources out there. Fish -- Ducks Unlimited, excuse me, Fish and Wildlife Service, myself. There's an array of biologists

throughout Eastern Long Island, throughout Suffolk County, that can assist in this practice. It has to be implemented. It cannot take the back seat because, we're going to see ramifications to, again, to our shellfisheries out there as a result. Thank you.
D.P.O. LEVY:
Thank you, Kevin. Next speaker is Elisa Nevel.
MS. NEVEL:
Good afternoon. My name is Elisa Nevel. I'm a member of the North Fork Trails Association and CONPOSH in Sag Harbor. I just wish to go on record as being totally in favor of the proposed law that would prohibit Suffolk County's Vector Control's use of hazardous chemical pesticides as their first response to insect infestation instead of alternative methods and programs that would be less harmful to people, wildlife and the environment. Thank you.
D.P.O. LEVY:
Thank you.
LEG. CARACAPPA:
Thank you.

LEG. GULDI:
Thank you.
D.P.O. LEVY:
Julie Penny. Julie Penny.
MS. PENNY:
Good afternoon. I concur with all the previous speakers. I'm here today to represent not only the South Fork Groundwater Task Force, but also the Coalition of Neighborhoods for the Preservation of Sag Harbor and the Noyack Citizen's Advisory Committee. I just want to -- I'll just -- I'm going to leave this with you and I'll just read a couple of paragraphs from it.
The South Fork of Long Island is facing an epidemic of breast and prostate cancer beset by the contamination of the agricultural use of pesticides and their use on golf courses; many of our private wells are contaminated. Therefore, avoiding added avenues of exposure as occurs in spraying for mosquitoes, ticks, etcetera, is heartily recommended. Exposure via our skin by inhalation are outdoors, which finds its way indoors in contaminated dust, only exacerbates our population's health problems. This proposed law would mandate using a first line of controlling these pests by alternative measures to spraying. We recommend using these alternatives to the -- alternatives to the noxious use of pesticides and their deleterious effects on humans, animals, fish and beneficial insects. Over the years, we have been unwitting and unwilling victims of vector spraying, and this proposed law has been a long time in coming and we support it. Where do we --
D.P.O. LEVY:
Submit that to the Clerk, please. Thank you very much. Next speaker is Neal -- excuse me. Nigel Lea. Nigel?
MR. LEA:
Yes. I came out here today, I live in Fort Salonga, New York, and basically to say pretty much what has been said before. I object to all the spraying, because I think, first of all, it's not an effective --

D.P.O. LEVY:
Sir, Nigel, can you just please speak into the microphone for the sake of our stenographer. You have to speak very close into it. Thanks.
MR. LEA:
Oh, okay. Yes. I do not think the spraying is going to be an effective control for mosquitoes. You cannot hit every one of these mosquitoes with the spray, and the ones that are hit, some of them will survive, which will be more resistant to the spray, and they will be the ones that will continue to breed. And, plus, others will be under leaves and under over hangs, or whatever, and will not be affected.
Also, you have to realize that much of the standing water is in people's backyards, in gutters, birdbaths, children's pails, all kinds of things like that, and you will have to repeatedly spray everybody's

residential properties. And we all know of the deleterious affects of these chemicals on especially the health of children, old people, and everybody in general.
What I think has to be done is you have to try out all new creative methods of control, which are nontoxic. There are companies that produce mosquito traps that lure them in and they can't get out, and that will preclude affecting the other fauna, which is killed off by these chemicals, such as dragonflies, which are a natural predator of these bugs.
And I don't think enough attention has been paid to exploring other avenues of pest control. And whichever method you take, you'll never eradicate all of them. You're going to have to live with a certain number of them. And I think we've been doing that for years anyway, because I think this West Nile Virus, if it's been researched properly, you'll find that it's been around longer than you think. Many people have been tested for and found positive for antibodies to this virus and which -- and they are in good health now, which shows they had been affected by the virus and the body's dealt with it. And I don't think we can act out of a -- use this as a long-term treatment program. We're acting in a crisis situation or a panic situation.
So, again, I advocate that you must try all the nontoxic, nonchemical methods as -- instead of resorting to chemicals right away. Long Island is overdeveloped and certainly oversaturated with chemicals of all kinds for lawns, golf courses, and for bug control, and it affects our health and especially the groundwater. That's basically all I have to say today.
D.P.O. LEVY:
Thank you very much.
MR. LEA:
Okay. Thank you.
LEG. FOLEY:
Thank you.
D.P.O. LEVY:
William Cooke.
MR. COOKE:
Good afternoon. My name is William Cooke and I'm the Director of Government Relations for the National Audubon Society in New York State. I appreciate the opportunity to comment this afternoon. I want to focus on the the West Nile Encephalitis issue and the vectors and

the impacts of pesticide use and choices.
First, it should be clear to everybody that the only current vector for West Nile is the Culex pipien mosquito, the only mosquito. In a laboratory setting, they have been able to culture it in one other mosquito. What we are talking about in reference to West Nile encephalitis, one mosquito, one mosquito only. Anybody who tells you different is giving you bad information. That's according to New York State Department of Health, CDC, Cornell University, and all of the

people involved.
When you look at the Culex pipien, you need to recognize that that is a house mosquito. What does that mean? It means that it breeds and resides in the area immediately around and in houses. It does not breed or reside in salt marshes, it does not breed or reside in large lakes or water bodies. It has to have a habitat that goes wet, dry, wet, dry. So when you're looking at controlling for West Nile Encephalitis, from our perspective, it will be prudent to recognize what you're trying to control.
As far as Malathion and whether or not it's safe, the EPA will announce in the next few weeks that it has been reclassified as a suspected carcinogen. If you look at the label for Malathion, you will find that it says avoid contact with people and water. Highly toxic to aquatic organisms and fish and other wildlife. Now, people will tell you, "Well, we spray it in such amounts that I'm sure it's safe." Well, EPA says that you can't say any pesticide is safe. And, in fact, when mayor Giuliani said Malathion was safe, he was not technically breaking the law, because he did not work for a pesticide company and was not a commercial applicator. Had he been, he would have, in fact, been -- would have been breaking the law.
One of the biggest things that Audubon is concerned about is making sure that when people make decisions, that they do it based on the best information available. We have been participating with the State the Department, County Health Departments, and all of the people involved from Cornell, Wildlife Conservation Society, NRDC, Citizens Campaign. We have been involved in this for months and have participated in every part of the development of the plan that the State is advancing.
Back to the Malathion for just a moment. As I just said, it will be reclassified. It has been. It's just not been announced yet, it will be in a couple of weeks. This is a result of ongoing research. And when people say, "Oh, it's safe and these pesticides aren't that bad," the truth is we do not know enough about them yet. And I would remind those people who are old enough to remember, that DDT was safe, DDT was legal, DDT was permitted. Well, after years and years of research, we now know that that is, in fact, not the case. You could say the same with smoking, you could say the same with PCB's. The bottom line is we need an awful lot more research on pesticides and their impacts before we can say definitively what those impacts. You should also be aware that when they do research on pesticides, they do it on a single chemical only, when, in fact, new research is pointing to the fact that we need to do it with several types of chemicals and see what the combined impact from multiple chemical exposure is.
As far as exposure to pesticides, it is my position that reasonable, prudent, smart people would take whatever opportunities they can to

reasonably reduce their exposure to a pesticide. The fact that we're simply standing on Long Island means that you are going to be exposed to pesticides as long as you're on Long Island, whether it's {Diazonine} from the grub control that your neighbors might be using, whether it's residual chemicals from the farming that took place here traditionally, whether it's the golf course or whether it's the Malathion spraying. What you need to look at when you make the

decision on what to do in this County is what's the best choice for the people?

As far as West Nile Encephalitis and who can get it, well, anybody can get it. But who -- in what groups does it represent a serious health threat? It represents a serious health threat to those people who are over 60 years of age, under five, or have a compromised immune system. If you do not fall into one of those categories, then West Nile Encephalitis is, in fact, not a threat to you at all. Now, are there large numbers of people who are over 60, under five, or have a compromised immune system in Suffolk County? Yes, certainly, there are. When you make a decision on what to do in response to the West Nile Encephalitis, we would ask only that you weigh all of the considerations, including the nontarget impacts. Now, I don't mean just nontarget impacts to fish, to aquatic life, to pollinators, to beneficial insects, to bees, to butterflies, I also mean the nontarget impacts to people.

You've heard people talk about the fact that pesticides are suspected carcinogens, estrogen disrupters, and may, in fact, cause problems in women who are pregnant. If Suffolk County decides to use pesticides as part of its West Nile Encephalitis Response Plan, I would certainly urge you to reach out to those at risk groups to make sure that they have the latest most accurate information, so that when you people make a decision and the people who live here in Suffolk are affected by that decision, they can also understand what they should be doing. Women who are pregnant, who are potentially going to be exposed to spraying, frankly, the medical community says they should leave the area. Literally, they should get in their car and they should leave. It is that much of a risk.

One of the things that I really hope that the County will be focusing on is what people can do to reduce the potential that you'll have to deal with West Nile Encephalitis in a manner that was similar to last summer. Clearly, people can take active steps around their homes to dramatically reduce the habitat for these breeding mosquitoes. The Department Commissioner of the State of New York suggested simple things like making sure that you don't have standing receptacles collecting water, like birdbaths, like recyclables, like old tires.

She also spoke about the importance of fixing the screens on your house and looking for mosquitoes that may actually be in your house. Culex pipiens travel a few hundred feet in their lifetime. They don't travel miles, they don't travel kilometers, they travel a few hundred feet. So what people do around their house may, in fact, be the most effective way to deal with this potential crisis.

I do want to mention one thing. A lot of folks thought that the answer to this was Deet. And while there are still a lot of questions about the effectiveness and about the adverse consequences of using Deet, the

federal government will announce within the next two years that Deet will be considered unsafe for use with children.
There's a lot of things we don't know, but we certainly know enough to recognize that the inappropriate use of pesticides represent not only a potential problem to our environment, but also to our children. I would not suggest how Suffolk County should handle their business, I

would only ask that it be science-based, that it be rational, and that every reasonable effort be made to ensure that all of the residents of this County know as much about this issue as they can, so that collectively we can all make good decisions. I appreciate your time this afternoon.
LEG. D'ANDRE:
Young fellow.
(Applause)
Young fellow, you neglected to say we have over a million people in one spot.
MS. FARRELL:
Mike.
LEG. CRECCA:
Mike, Mike.
LEG. D'ANDRE:
Nature does not like that, when you get so many people in one spot, your sanitary conditions. All those automobiles parked out there, there's no buses there yet, but they're on the roads, all the trucks, all the trains that are not electrified, when they get into the mix, it distorts everything. We just have people pollution close together chimneys spewing.
MR. COOKE:
What you are talking about is cumulative impacts from a number of exposures.
LEG. D'ANDRE:
So you can't just get on one thing --
D.P.O. LEVY:
Do you have a question, Mike, please?
LEG. D'ANDRE:
-- And talk about -- you have to get into it, because you just can't talk about the pesticide affect when everything else affects.
MR. COOKE:
Actually, what I can say, reasonably, is that we should all take reasonable steps, because we're not going to live in a bubble, we're not all going to move to Alaska, we should take reasonable steps to reduce our exposure to contaminants wherever we can. Now, does that mean that you never fill up your car because the vapors coming off the fuel pump are a suspected carcinogen? No. But maybe it means that you don't have your 12 year old son or daughter do it. You need to understand as much as you can, but we don't have all the answers and I'm not down here to tell you we do.
D.P.O. LEVY:
Okay.

LEG. D'ANDRE:
No. But you had some good answers about cleaning water standing around

the home, birdbaths.
MR. COOKE:
When you are talking about Culex --
D.P.O. LEVY:
Legislator Fields is next.
MR. COOKE:
When you are --
D.P.O. LEVY:
Legislator Fields.
MR. COOKE:
If I may respond. If I may respond.
D.P.O. LEVY:
All right. Quickly, please.
MR. COOKE:
Appreciate it. When you are talking about trying to deal with West Nile Encephalitis and the single mosquito that currently carries it, the Culex pipien, what you do around your house may have a dramatic impact on whether or not your family is exposed to West Nile. I'm sorry?
LEG. D'ANDRE:
You got that right.
D.P.O. LEVY:
Legislator Fields has a question for you.
LEG. FIELDS:
Were you involved in the New York State Task Force for this discussion about spraying?
MR. COOKE:
The National Audubon Society, yes, I am involved. But we also got involved, one of our national board members, who's an M.D. We also brought to the table Cornell University, the top {crow} person in the country. We also brought to the table a representative of NRDC. Yes, I have been involved in this for a number of months. National Audubon Society has been involved in this at all levels and will continue to as it unfolds.
LEG. FIELDS:
Have they come up with some standards that they wish to pass on to Suffolk County, or are you -- do you have knowledge we must follow any of those standards in Suffolk?
MR. COOKE:
What I know is that the State the Department in the next few days will be finalizing their plan to deal with West Nile. There will be

encouraging counties to follow that plan. They are expecting that the County Health Departments will submit to them within the next three weeks a plan, a County plan for review and approval by the State the Department. What the counties do is up to the counties. The State has told me and the lawyers have told me that the State the Department will not direct the counties to do specific actions. They will expect that they will. They will certainly tie reimbursements to an effective plan that is adhered to.
LEG. FIELDS:
Can you explain reimbursements to me?
MR. COOKE:

The State the Department reimburses the County Health Departments at a sliding scale for actions taken in relation to dealing with the West Nile Encephalitis issue. If you take actions like surveillance, mitigation, education, you'd be reimbursed. If spraying happens, the counties will be reimbursed for 50% of the cost of spraying. It's my understanding that Nassau County, your neighbor, spent somewhere in the neighborhood of $8 million last years spraying. Clearly, spraying is the most expensive response possible.
D.P.O. LEVY:
Legislator Foley.
LEG. FOLEY:
Thank you, Mr. Cook, for a very informative presentation. I just want to start with one of the points you raised, which is the Culex mosquito is the only known mosquito to carry this particular virus?
MR. COOKE:
That is correct. In a laboratory setting, they were able to culture it in one other type of mosquito. The reason I say in a laboratory setting is because outside of the lab, they have been unable to verify that it is in any other mosquitoes than the Culex pipien.
LEG. FOLEY:
That's a very interesting question, because in Legislator Fields' Health Committee meeting, at the last several meetings, it was presented to us by the Health Department that this 40, 50, 60 some-odd different species of mosquitoes here in Suffolk County and that there are many within that group, many vectors that can transmit viruses, leaving the impression, leaving the impression that the potential exists, if not the probability, the potential exists for West Nile to be transmitted, not just by the Culex, but by potentially tens of other mosquitoes as well. So what you're telling us here today, sir, is that based on the signs that you have read and people that you have spoken to who have dedicated their professional lives in this area, that as we speak, it's really only one rather limited in travel, if you will, mosquito that actually carries this particular virus.
MR. COOKE:
Before I came down here this morning, I had the opportunity to sit with a couple of the top the Department people in the State, and I asked them specifically that, because my information had been dated a couple of weeks. There are a number of possible vectors, and I might possibly

win the lottery, but the statistical probability is very thin. There is one, one only, known vector for the West Nile Encephalitis, one mosquito, anyone who tells you different is giving you misinformation, and that's the Culex pipien.
D.P.O. LEVY:
On that note, Legislator Fields has a question, followed by Legislator Caracappa.
LEG. FIELDS:
I would ask the Legislator --
LEG. FOLEY:
Well, I had some other follow-up questions, but if the Chair --
D.P.O. LEVY:
Are you done.
LEG. FOLEY:

If the Chair wants to, certainly, the Chair of the Health Department, that's fine.
D.P.O. LEVY:
All right. And then we'll get back to the floor for Legislator Foley.
LEG. FOLEY:
That's fine.
LEG. FIELDS:
I just wanted to point out one sentence, if the Legislature would like to look at Page 5 on the Vector Control Plan. It says, "In the laboratory, the salt marsh mosquito, Aedes solicitans," if I'm correctly pronouncing that, and then here's the statement, says, "is quite capable of transmission"? I might ask you if you know the answer to whether that's true, or Dominick Ninivaggi if that's actually an accurate statement.
MR. COOKE:
In a laboratory setting, that mosquito, in a single case, was found to be capable of transmitting West Nile. But the facts are that outside of a lab, with all of the research that has been done by the counties, by the State, by CDC, today, at this time, we find ourselves with one mosquito that we're dealing with, the Culex pipien, and anybody who tells you different, you should strongly question why they would tell you such information.
D.P.O. LEVY:
I'm going to ask Dominick to speak to that when we get to the pill itself; okay?
LEG. FOLEY:
If I may reclaim my time.
D.P.O. LEVY:
And we'll go back to Legislator Foley.

LEG. FOLEY:
Thank you. So, in other words, to have an extensive spraying system or to have an extensive mosquito control system within the marsh areas, as it relates to West Nile, to interpret what you're saying or to take it to the next step, those things need to be done for -- more for nuisance control than for the West Nile, particularly if those marshlands are hundred of yards, if not some miles away from a community of houses. There's no need -- you can't use the West Nile issue as a reason to have extensive spraying, whether in a neighborhood or in marshland area, if, in fact, it's only the Culex mosquito that only has a, let's say an area of a few hundred feed where it actually travels; is that accurate?
MR. COOKE:
That is an accurate statement, yes. I also need to point out that current research being done at Yale University, the preliminary results are pointing to the spraying of Malathion for mosquito control being very ineffective, and, in fact, it is their understanding that you reach between 12 and 15% of the live adult mosquitoes you are targeting. So even on the best of days -- I also need to mention that when it comes to --
LEG. FOLEY:
Whose report is it? I'm sorry, I don't mean to interrupt you.
MR. COOKE:

This is current research being undertaken at Yale University. I don't have the professor's name with me right now, but I certainly would try and get that for you.
LEG. FOLEY:
Has that been subject to any peer review or to --
MR. COOKE:
At this -- it is preliminary. At this time, it has not.
LEG. FOLEY:
Okay.
MR. COOKE:
I also need to point out that when it comes to the spraying of Malathion last fall for mosquito control, there is currently no data available that shows any connection between that spraying and a reduction of cases of West Nile Encephalitis in people. They can show a connection that they killed a lot of mosquitoes, but they cannot show a connection. And I have asked for this information. I have said, "Is there any data, is there any evidence that the spraying of millions of people with an insecticide in any way reduced the number of cases of West Nile Encephalitis in people, because, frankly, that's what we're talking about here, and the answer has been they have no information, they have no evidence, they have no research that points to that.
LEG. FOLEY:
Thank you.

D.P.O. LEVY:
Legislator Caracappa, do you need to be recognized?
LEG. CARACAPPA:
Yeah, just for my own edification. You mentioned one mosquito being the vector of West Nile. In other parts of the world, where this is, you know, a plagued area such as Africa and Romania, would you be aware of what the primary mosquito was in those regions of the world? Was it the Culex pipien as well?
MR. COOKE:
No, I would not be aware of that. I've been solely focused on New York State's problem.
LEG. CARACAPPA:
Okay. Because in our ability to get information, and I know, in fact, Legislator Caracciolo brought this point up in the Health Committee, is that as we gather information here in Suffolk County and throughout the eastern seaboard of the United States relating to this problem, we're looking to other parts of the world that have dealt with this. And I think -- I guess we'll be asking Dr. Bradley and Dominick later in regards to maybe what the vectors were in other parts of the world. And it just seems hard to believe that one, the Culex pipien, is the carrier of this. You know, I'm not doubting your --
MR. COOKE:
CDC. I'm not a scientist. I'm a lobbyist and a farmer. This is CDC, New York State Health Department. These are the best and brightest in the world.
LEG. CARACAPPA:
But take it a step further. When you say it's only the Culex pipien, it poses a great danger here in Suffolk County, especially in lot of the residential areas that we represent, due to the fact that you

mentioned they need a breeding ground that's wet, dry, wet. We have a lot of catch basins that are wet, dry, wet. We have a lot of sumps that are wet, dry, wet that are adjacent to thousands and thousands of homes. So if -- no, let me finish. If there's an outbreak of West Nile Encephalitis and the Culex pipien is carrying that virus, we have a big problem regards to dealing with those types of areas that need to be dealt with.
MR. COOKE:
And that is correct. And if you folks wait until there's an outbreak to start to address it, you've made a very big mistake. You should be using larvicides in those catch basin areas and in the areas that you cannot mitigate, and you should be doing that now. New York City has just undertaken a process where they are going to apparently use well over 100,000 briquettes at individual locations that have 180-day duration. And the bottom line is the most effective strategy on the West Nile Encephalitis is to disrupt the breeding patterns of those mosquitoes. So we talk about how homeowners and residents can take specific actions to reduce the habitat in their area. But, clearly, the County and the State have a role in this, because there is a lot of land still on Long Island that is not privately owned where there may be breeding areas, and there are certainly going to be a number of

breeding areas that cannot be drained, dried or mitigated. And while we are certainly very concerned about the use of pesticides, we also recognize the severity or potential severity of this, and we certainly have been and will continue to be supportive of using larvicides, recognizing that they have nontarget impacts also, but when you look at this, I think that's a reasonable thing for people to do.
LEG. CARACAPPA:
Thank you.
D.P.O. LEVY:
Legislator Binder.
LEG. BINDER:
I might have missed it. Did you say that you are a scientist or you said you weren't?
MR. COOKE:
No, I am not a scientist. I am depending on data from CDC, the State Health Department, Cornell University, and the Wildlife Conservation Society at the Bronx Zoo.
LEG. BINDER:
How do you come at this that you have the ability or expertise to interpret that data?
MR. COOKE:
I am not attempting to, nor will I attempt to, interpret data. I am -- all I am doing is saying what --
LEG. BINDER:
That's what we do with data.
MR. COOKE:
All I am doing is saying what the experts, the best and the brightest have said is the facts, not suspicions, the facts.
LEG. BINDER:
Have you spoken with our team, who I think have been incredibly patient? They sit there not even making faces, which I mean, I have to

say that I tip my hat to them, because I know what -- I probably know what they're thinking, because I've heard some of the things that they have said. I mean, have you spoken with them? Do you know what they're doing? Do you know what their backgrounds are?
MR. COOKE:
I've been at meetings with Dominick. Yeah, I've spoken to him.
LEG. BINDER:
Okay. And --
MR. COOKE:
I raised some concerns about a couple of comments he made in reference to organic farmers and not being concerned about protecting their land. Yeah, I've spoken to Dominick. I've been in a number of meetings with him. We are participating in the work group --

LEG. BINDER:
Let me tell you something, that I had an organic farmer and they were so concerned that they flew around an organic farm in my district, because they were concerned about an organic farm during the spraying to make sure that it wouldn't hurt them. So, I mean, I don't know what you've heard him say. And I can tell you something, that I think some of the best and the brightest are right here in Suffolk County at Vector Control. I've heard them, I've heard the research they've done, I've heard what they know, and I can tell you something, I am very happy with the job that they're doing, and I think it's -- I think these are scientists. These people are scientists and have the background to interpret data. Because you can say, "Oh, this one's the best and the brightest, so I'm going to take what they say." Right here we have people who are on the ground, and they're taking all the data they're trying to interpret, because they are scientists, and I could tell you, I am very happy with what these people are doing.
LEG. CARACCIOLO:
Steve.
D.P.O. LEVY:
Legislator Caracciolo.
LEG. CARACCIOLO:
I believe I heard you make a statement earlier regarding Malathion and Deet, and I believe the statement you made was that within the next few weeks, the State or the federal government will be issuing a revision with respect to that? Could you just repeat that?
MR. COOKE:
The comment was made in reference to Malathion. EPA will announce in the next few weeks that they have changed its classification and will now be classifying it as a suspected carcinogen.
LEG. CARACCIOLO:
When was that determination made? I mean, if you know it's forthcoming, that's a serious change in the label status of that particular product.
MR. COOKE:
Yes, it certainly is.
LEG. CARACCIOLO:
Why a delay of several weeks?
MR. COOKE:
I would suggest you ask them. I don't know they would delay such

information. I know that this has been a process that has been ongoing for many months, and that the outcome was very recent, and I have no idea why they would withhold that information from the public.
LEG. CARACCIOLO:
Could you tell me what the source of that information was, how you heard about it?

MR. COOKE:
Yes. One of the scientists that had been involved in the study.
LEG. CARACCIOLO:
Did you -- I mean, was this through a verbal exchange change you had?
MR. COOKE:
Yes, this was.
LEG. CARACCIOLO:
Okay.
MR. COOKE:
Actually, it was over the phone. I've talked to a number of scientists around the country about these issues both directly and over the phone. As far as the reference to Deet --
LEG. CARACCIOLO:
Right.
MR. COOKE:
-- there was a negotiated settlement between the EPA and the manufacturer of Deet, I believe it was last year or the year before, where they agreed to allow Deet to be listed as unsafe for use with children, but there was a 60-month lag on when that would roll in. So the current label you read on Deet, if you buy some today, will not reflect that, but in a matter of a few years, you will see a new label that does say that.
LEG. CARACCIOLO:
Does it not trouble you as it troubles me when I hear you say that the federal government is allowing a product manufacturer to label product that they know today could have harmful affects on children?
MR. COOKE:
Are you kidding me? I mean, I'm talking about my federal government. Please don't tell me you're surprised, please.
LEG. CARACCIOLO:
Am I surprised? Yes, I am surprised.
MR. COOKE:
I'm shocked by that statement, sir.
LEG. CARACCIOLO:
No, I disagree with you. I mean, it seems to me that you as much as we have a responsibility when you have information that you know is coming from -- what was the source the, source of that information?
MR. COOKE:
On which, the Deet?
LEG. CARACCIOLO:
Yes.

MR. COOKE:
The Deet, the source was a woman who has been involved in the discussions with EPA and who is a researcher on this.
LEG. CARACCIOLO:

Did you share that information with any of our federal officials, federal representatives?
MR. COOKE:
Actually, I found it out quite recently and took the opportunity to share it with the State Health Department. We have been in discussions about what their pamphlets will say in reference to Deet and have been urging them to try and get out as accurate a picture as possible. But you have to balance that with their concern, and a legitimate concern, about not unduly scaring the public. A lot of people depended on Deet last year and still think it's their best protection and it may well be. But when people decide to use Deet or any other product, they need to consider all of the information available, so that when they make a decision, it's a good decision. Given all of the information currently available on Deet, I would suspect that there are a large numbers of New Yorkers that would still use it, but at least they should have that information.
LEG. CARACCIOLO:
But if there's going to be a five-year lag in labeling information and we know today what we're going to publish five years from now --
MR. COOKE:
Actually, there's about two-and-a-half or three years left on that agreement.
LEG. CARACCIOLO:
Okay. That being said, then somebody has a responsibility from my perspective to notify the public. And we've had testimony along this line before by Debra O'Kane of North Fork Environmental Council, because last year there was an incident, apparently, where Deet wound up in school-age children's hands, the adult product did, when it should not have been, and the Department has assured us that they will take every step and measure to make sure that that mistake doesn't recur. But it is very troubling to me that our federal government, our federal officials are aware of this, and now you're telling me they've been aware of it for the last two-and-a-half years, and they just look the other way and say, "We'll let you know after five years that what some people were using, they shouldn't have been using." That's really just incredulous.
MR. COOKE:
Well, let's look at --
LEG. CARACCIOLO:
But let me ask you another question.
MR. COOKE:
Let's look at MTBE. Everybody knows you need to get that stuff out of the gas. What's the federal government doing today about it? Not much. I mean, you need --

LEG. CARACCIOLO:
Well, they're talking about doing something about it in another three or four years.
MR. COOKE:
Well, let's get something a little closer, near and dear. I don't know if your aware, but there was a significant lag in the public announcement about West Nile in the horses and there was apparently negotiations between USDA and CDC that took more than a few days, when

you and I did not have that information available for decision-making. I really reluctantly must say that my federal government continues to disappoint me on so many fronts that I no longer am surprised.
LEG. CARACCIOLO:
But as a citizen, don't you think you have a responsibility to bring it to elected officials at the federal level?
MR. COOKE:
When I am in Washington lobbying, I assure you, I do just that.
LEG. CARACCIOLO:
Do you reside in Nassau or Suffolk County?
MR. COOKE:
No, I do not. I reside on a small organic farm in the Schoharie Valley, Central New York State.
LEG. CARACCIOLO:
Okay. But --
MR. COOKE:
I represent tens of thousands of Audubon members in the Downstate area, and that's why I drove four-and-a-half hours each way to speak to you folks today.
LEG. CARACCIOLO:
And that's commendable. But I also think you have to go further in bringing to your federal representatives in Schoharie County this information you have. It does absolutely your neighbors and your residents no good if you have an outbreak of West Nile. I mean, how prepared is Schoharie County to deal with a West Nile breakout today if one were to occur tomorrow? They're not.
MR. COOKE:
Actually, I would beg to differ. Schoharie County was on the phone calls with the Health Department, with the State Health Department last Fall, and while they are not actively developing a plan, they are aware of what the State is doing, and should there be any known outbreak of West Nile in Schoharie County, which I assure you there won't be, they would respond rapidly. That's -- you know, we're talking Schoharie County. We don't even have -- you know, we have a couple of thousand people, we aren't talking Suffolk.
LEG. CARACCIOLO:
Well, you know, until last year, the Western Hemisphere didn't have the

West Nile Virus either. So when you say just a few hundred miles away it's impossible to have this virus outbreak, I find that rather amazing. But let me ask you a question about what you do know --
MR. COOKE:
Yes, sir.
LEG. CARACCIOLO:
-- about last year's West Nile outbreak. Can you tell me where it occurred in this region?
MR. COOKE:
According to CDC and the State Health Department, it -- they believe it originated at a sewage treatment plant in Queens. They believe that that is a result of an infected person using a lavatory that had got transmitted to that particular sewage treatment plant where it was then picked up by vectors.
LEG. CARACCIOLO:

And what was the connection between the individual and this laboratory and the sewage treatment plant?
MR. COOKE:
No. They believe, they do not know. They believe that a person using a lavatory, who was in fact sick with West Nile Encephalitis, their waste product, which entered the sewage treatment plant, was where it started. That's what they believe. Frankly, nobody knows for sure, that's best guess.
LEG. CARACCIOLO:
Okay. How many people were infected by the mosquito that carried the West Nile Virus?
MR. COOKE:
They don't know. They know how many got sick, they know how many died, but they currently are aware of over a thousand New Yorkers that test positive for the antibodies for West Nile. So we know that there were certainly over a thousand people infected last summer.
LEG. CARACCIOLO:
In terms of the breeding habits of these particular mosquitoes, could you -- do you know anything about that, how that works?
MR. COOKE:
Based on the Health Department data, these mosquitoes are not even out right now. They will not be coming out for a few more weeks, and their life span is limited like most mosquitoes. But the real at-risk time, from my understanding, starts middle to late June and runs through the rest of the summer.
D.P.O. LEVY:
Okay. Legislator Fields, and then we'll move on.
LEG. FIELDS:
I just want to thank you for addressing us. And I want to aim a couple of remarks at Legislator Binder and Legislator Caracciolo, that I think

what we have here is a healthy discussion on this subject, and it's an information gathering that we, as Legislators, need to make informed and educated decisions. We rely high on our government to -- and our officials to make decisions for us constantly, and I can point out to you, Legislator Caracciolo, that we don't always get information that we want; Brookhaven National Lab, Plum Island. There have been many instances where we have looked for information, we haven't gotten it, and because of people pushing and, you know, questioning, then we finally do get it, maybe.
It took many years to out law DDT and I think that we, as Legislators, have a responsibility to the residents of Suffolk County. I think this whole issue came up, and I'm not telling anyone that we don't have a good department, we have a great department. Suffolk County excels and leads over many in -- and overall in some circumstances. But last year we had zero incidents of West Nile Virus, we had zero deaths, and the people that have come to us this morning and this afternoon are object to the fact that we were sprayed without that being a real public emergency, meaning in their eyes, their interpretation of a public emergency was that no deaths, no -- you know, no people were really ill in Suffolk County because of it.
MR. COOKE:
I'll close with one moment. According --

D.P.O. LEVY:
Please, wrap it up and then we're going to move on.
MR. COOKE:
Right away, and I appreciate your patience. According to Ward Stone, the State Pathologist, we may, in fact, not see any significant outbreak at all this summer. There is the potential that, literally, a handful of people will get it, it will not be fatal for any, and the summer will move on. That's best case. Worst case, we don't know, it could be a lot worse than last summer. But the bottom line is we don't know all the answers. And I ask only that the County Legislature take every opportunity it has available to inform the public as best you can, because I think information and the public understanding, it is our best defense.
Again, I thank you for your patience and for the opportunity to come here today.
D.P.O. LEVY:
Thank you, Mr. Cooke.
(Applause)
MR. COOKE:
Thank you.
D.P.O. LEVY:
We have Steven, and I think it's Stroch. I can't read the handwriting.
MR. GREENSPAN:
Greenspan.

D.P.O. LEVY:
Boy, I can understand having a letter off, but how did I go from Storch to Greenspan, I don't know.
MR. GREENSPAN:
Stephen Storch or Steven Greenspan.
D.P.O. LEVY:
No, no, no.
MR. STORCH:
Because there's really two of us.
D.P.O. LEVY:
Storch.
MR. GREENSPAN:
Storch. Oh, I'm sorry.
D.P.O. LEVY:
Okay.
MR. GREENSPAN:
I'm anxiously chomping at the bit.
D.P.O. LEVY:
Okay. I thought my eyes were pretty good.
LEG. FOLEY:
Hold down the interest rates, will you.
MR. GREENSPAN:
We'll talk about that later.
MR. STORCH:
Okay. I'm President of the Long Island/New York City Chapter of the Northeast Organic Farming Association. We have about somewhere between three and 400 acres of certified organic farms. And the farm you made reference to in the Makinajian's place in Huntington, they lost two

weeks worth of crop gathering because of the spraying, and they were never compensated by the County or Farm bureau. And the acreage, most of it is out east. My family's, the Green Thumb in Water Mill is a hundred acres. There's probably a 60-acre farm here in Riverhead, maybe another -- some ten acres and 20, and the rest are all small one to three two-acre farms, and also a lot of small gardens people have. And if you're going to spray this stuff all over the place, and you affect these farmers, whose living is precarious at best with the cost of living on Suffolk County and the cost that they get paid for their produce, you really need to compensate them in some way, whether they're organic or not, because even conventional farmers won't be able to harvest their crops if you spray indiscriminately with this, with these products.

LEG. BINDER:

Could I just interrupt, if you might. The reason that there's a

two-week lag is because of the testing, it wasn't because we sprayed over the farm itself. I mean, isn't it correct that the reason is they had to go through testing and recertification to make sure that they kept their certification?

MR. STORCH:

Well, not recertification.

LEG. BINDER:

Well --

MR. STORCH:

It was out of -- it was out of loyalty to their customers and the fact that they smelled the spray from their porch at the house.

LEG. BINDER:

Right. But it wasn't because of spraying. In other words, what you say --

MR. STORCH:

But it was because of spraying.

LEG. BINDER:

Well, but -- but it wasn't indiscriminate spraying, because it was discriminate in that -- in that --

MR. STORCH:

When you're spraying from a helicopter and --

LEG. BINDER:

-- specifically, they went around that farm because they were requested to. Now, they may smell it, but they went around the farm.

MR. STORCH:

If you read the same books I do, you will find that all these chemicals are appearing in rain water all around the world. Eighty percent of the drinking water in the world is contaminated by these various chemicals.

I just -- we're participating at a vineyard I work at in Mattituck that's being converted over to organics with the United States Geological survey, and last week I got some water tests back that we use for irrigation, and there was probably 20 to 30 chemicals on there that had been used as far back as DDT and you get all the breakdown products that turn into other things. And while they say that none of them are significant in themselves, they're all in parts per billion, which is like.002,.008, but when you add up the whole list, it comes

out into parts per thousand. So what is this cocktail that we're putting on the fields and that people can't drink?
D.P.O. LEVY:
Well, before we go back and forth --
MR. STORCH:
You know, it really -- it irks me. It irks me --

D.P.O. LEVY:
Are you -- were you done with your -- do you have more of your presentation? Because if you do, I'd like you to finish your presentation before we get into back and forth with Legislators.
MR. STORCH:
Okay. No I would just like to say that if you're going to have this program, that you need to look at these people that contribute to the quality of life and the landscape on Long Island that are continuing to farm and that are going to be losing -- losing income because they can't harvest.
D.P.O. LEVY:
Okay. With that said, any other -- any questions from any Legislators? Okay. Thank you very much.
MR. STORCH:
Thank you.
D.P.O. LEVY:
Now we can get to Steven Greenspan.
LEG. FISHER:
And you don't have to go for that eye exam either.
MR. GREENSPAN:
Thank you. My name is Steve Greenspan and I represent the PEST Institute; I'm their Executive Director. I myself am a New York State licensed pesticide applicator. I also teach and give a 30-hour course, which is required by the New York State DEC, to any professional who wishes to gain licensing in the spray professional. So, basically, anybody who wants to go out there and become a licensed sprayer, no matter what your endeavor, you've got to take my course or a course similar to mine, which is 30 hours in training, and then pass a comprehensive exam, which is administered by New York State DEC. I've also taken a stand against the spraying that's been going on. I've been involved in Nassau County as an expert witness testifying in a court case there back in the fall, when there was a TRO that was issued to try to attempt to halt the spraying permanently. I've also been involved and testified before New York City at the City Council Department of Health as to all the reasons that you shouldn't be spraying. And, unfortunately, I see the people are starting to filter out, and, unfortunately, those are the people that should be here now, because we're --
D.P.O. LEVY:
Well, if you hold on, if you hold on, I'll make sure. We really should have more in here anyway. Could -- Terry, would you be so kind as to grab some people in here? We don't even have a quorum.
MR. GREENSPAN:
Thank you very much. I'll hold off on my commnents until we get the room full.

D.P.O. LEVY:
I should announce as well this is the last speaker on this particular hearing. Then we'll have one more speaker in a different hearing and then we'll go back to public portion. Please, have Legislators back to the horseshoe.
P.O. TONNA:
Okay, sir.
MR. GREENSPAN:
For those of you who are just coming back into the room, let me reintroduce myself. Again, my name is Steve Greenspan; I am the Executive Director of the PEST Institute. I give a -- provide a 30-hour training course for the DEC, which goes out to the spray applicators who want to become licensed within New York State, in addition to which I have a background in Environmental Science. I am a graduate of the College of Forestry and Environmental Science of Syracuse University. I take the spraying or the elements of spraying that have gone on very seriously. I have been involved very closely both within New York City, Nassau County and now Suffolk County as to why you people should not be spraying, and would like to elucidate on some of the reasons and some of the facts that are out there that you may not be aware of.
Part of the problem is, at this point in time, there's a paradigm that people, all -- most people think, no thanks to Madison Avenue, that all chemicals are safe. That is patently untrue. We're all led down to this road of false sense of security, that because we have lush green lawns and we can walk on them barefoot, that, therefore, there's no harm or risk implied, that is false. Many of the chemicals that are being used out there today, not only are they not safe and is also illegal to represent that they are safe, contrary to popular opinion, but these chemicals break down oftentimes into far more toxic substances than originally intended by the chemicals that they're mixed with by virtue of the inert ingredients. Therein lies a problem unto itself, because the chemicals that were being used here in the control of mosquitoes don't take into account either the inert ingredients that go into manufacture of those formulations. For example, Malathion. Malathion is temperature sensitive. It has to be -- it cannot be stored above 77 degrees Fahrenheit.
In reference to New York City, they use a chemical called Malathion, only in that case, it was highly concentrate called {phiphenon}. Therein the chemical cooked inside the containers that it was shipped in and became more toxic than the initial chemical itself. Malathion is also known that when it breaks down, it breaks down into what they call isomers -- isomers, yes, which are more toxic than the initial chemical, one known as Isomalathion, the other known as Malathoxon, which are 3,000 time more toxic. These chemicals, Malathion in particular, have on the label, it clearly stipulates, do not use Malathion over or near a body or by an adjacent body of water. There's a reason for that. The reason is that the chemical is highly toxic to shellfish and aquatic organisms. But what you're failing to recognize, that by using a chemical such as this over our large bodies of land that are contiguous to bodies of water, their drift is an inevitable by-product of spraying. Once the chemical leaves the spray orifice, no

matter wether it's helicopter or ground spray, you will have drift.
The training manual that I use, which comes out of Cornell university, primarily put together by Cornell University for the Northeast regional addition, clearly stipulates that 95%, 95% of all chemicals sprayed never reach their intended target. That's a lot. And, furthermore, the drift will travel as far as 12 miles in some instances until that chemicals finds a permanent place to rest. Now, if you use a little logic here, if you're spraying by helicopter and your helicopter is traveling at 30, 40 50, 60 miles an hour, compound the drift problem, it's virtually impossible to designate where that chemical is going to land ultimately in -- over the contiguous body of land. A little common sense has to be utilized here.
Furthermore, there was never any proof positive established that there really was an epidemic that warranted this spraying in the first place. The fact that the CDC came out and said that we had a case of West Nile -- excuse me. Actually, it was designated or diagnosed as encephalitis first and then it was downgraded to West Nile-like, and then from West Nile-like went to West Nile. West Nile Encephalitis is the least harmful of the three that I just mentioned. There's plenty of studies out there and all the factual sheets indicate that. There were studies that were also done during the spraying that took place over New York City that on August 28th, there was a report that came out from the morbidity and mortality report that showed that the reported instances of new encephalitis, West Nile-like Encephalitis cases had declined prior to any spraying taking place within New York City compound at all. Think about that. One week where no new cases had elapsed and then they start to first spray when there was no need to spray, and you people are doing the exact same thing here.
There needs to be a criteria standard first to establish at what threshold an emergency really exists. Just because someone comes out and says that we have mosquitoes that have encephalitis, so what? There are things living in each one of your bodies right now that are toxic to your body, but there's a balance that's maintained within your body that keeps you healthy. The same thing exists with the environment. Every time you go out and spray and bombard the land indiscriminately the way you do, especially by aerial means, you further contaminate the environment and you suppress the natural organisms that are there that are designed to maintain the health and vitality of the environment that we all live and play in. By spraying the way you do, you also suppress the immune system of all the beneficial natural predatory animals and insects that live within the food chain that would naturally feed upon the mosquitoes that we're talking about, in this case, the Culex pipiens. By spraying the way you've done, you've not only decimated the beneficials, but -- I'm sorry, you've also decimated beneficials, you've killed thousands of -- hundreds of thousands of Monarch butterflies and bumblebees, which were also responsible for furthering and pollinating the food chain later on.
There is a cyclical basis here and you've got to take a look at the entire picture. Everything is interconnected and woven into a continuous thread, it's not that there's just an isolated incidence of spray over here and let's not worry over here. And trying to decimate

all of the mosquitoes over all Long Island is foolhardy at best. It only shows that there's an ignorance factor here that you people are not willing to acknowledge, because you're in denial. It's virtually impossible to destroy every living mosquito over Long Island, and spraying is not the way to go, especially aerially. There are alternative means of control that are organically based. Concentrated oil of garlic and concentrated citric oil are known to be very effective as insecticides and bacteriacides. There's also a fungus known as BT, bacillus {thorengiensus}, which occurs naturally in the soil. It has been used very successfully as a larvacide in controlling mosquito populations.
LEG. D'ANDRE:
Do you know what the kill power is for BT?
P.O. TONNA:
Sir, according to the time that Legislator Levy set, you still have 9 hours and 50 minutes left. But I think that he really meant to set it for ten minutes, so please wrap up your comments. Thank you.
LEG. D'ANDRE:
I have a question for him.
LEG. LEVY:
I like him.
P.O. TONNA:
Yeah. We'll let him wrap up his comments and then there'll be time for questions.
MR. GREENSPAN:
I think that -- I think that it's very important that there's some other things that need to be addressed and I want to go over my punch list with you. One is I'm an educator and I believe that education is the first line of defense in combatting this problem. Going out and spraying is not the way to do it. If you empower the public as to what to look for, the telltale signs and the clues and what they can do first foremost, that's the way to reduce the populations. Then you've got to examine the alternative organic means that are available to all of us; releasing beneficial insects, releasing fish that feed and prey upon the mosquito larvae in the sumps, and things of that nature are the way to go. You've got to be responsible and take account of what you're doing today is going to affect all of us, not only tomorrow, but five and ten years from now.
P.O. TONNA:
Okay. Let some people ask you questions, and then you'll be able to --
MR. GREENSPAN:
Sure.
LEG. D'ANDRE:
What is the kill power of BT?
P.O. TONNA:
Legislator D'Andre. I recognize Legislator D'Andre.

LEG. D'ANDRE:
What is the kill ratio of BT?
MR. GREENSPAN:
The kill ratio of BT, it's running around 95%. It's very effective. It's a bacteria -- it's a larvacide that's applied to the water. And the most effective means of controlling these insects, by the way, is

before they take the flight. Once a mosquito takes the flight, you missed the boat, it's too late. The control mechanism should have been in place already and the larvacide should be taking place now, if it's not already being done.
LEG. D'ANDRE:
Well, don't they kill them anymore through the tracheas.
MR. GREENSPAN:
I beg your pardon?
LEG. D'ANDRE:
Don't they kill them anymore through the tracheas.
MR. GREENSPAN:
I don't understand your question.
LEG. D'ANDRE:
The breathing tubes in their abdomen. Don't they kill them by drowning them anymore?
MR. GREENSPAN:
No. You're talking about suppressing them with an oil adhesion over the surface of the water?
LEG. D'ANDRE:
Break the --
MR. GREENSPAN:
That's done on a minimal basis. It's not the most effective means. It's also detrimental --
LEG. D'ANDRE:
But safe.
MR. GREENSPAN:
No, it's not safe, because it -- no. It's in the -- don't take it out of context now. Don't jump to conclusions and make a face that it's not safe. It's in the context. Because part of the problem is that when you apply oil over a body of water, you're also killing off other beneficial microorganisms that are living in the water that are part of the food chain. You've got to look at this thing in a rational way.
LEG. D'ANDRE:
You got to have a trade-off. You just can't selectively iron out or pick out what you want to kill. That -- it's a wonderful way if you can do it, but you can't do it that way?

MR. GREENSPAN:
Why not?
P.O. TONNA:
All right. Michael, let's just -- let's leave it to questions; okay? I don't want to debate with the gentleman. We'll have our chance to debate.
MR. GREENSPAN:
If you'd like to debate, I can give you my card. We can do this over lunch one day, I'd be happy to do that.
P.O. TONNA:
Who's paying, because I might come if --
MR. GREENSPAN:
I'll buy.
P.O. TONNA:
All right.
MR. GREENSPAN:

If I can educate all of you, it will be my pleasure.
P.O. TONNA:
Okay.
LEG. D'ANDRE:
I've sprayed enough in my time and I don't like to spray unless I absolutely have to, a target spraying if I have to.
P.O. TONNA:
Legislator Fields, and then Legislator Cooper.
LEG. FIELDS:
We're going to be asked to vote today on the approval of this Suffolk County Vector Control Plan, and I think a lot of questions have come up about threshold, the use of Malathion, and a couple of other issues that came up. Would you suggest that we vote for this plan to be approved today?
MR. GREENSPAN:
Actually, I think if it means that you're not going to spray -- no, I would not recommend you vote for this right now, because I think this is a stopgap action that's not going to end up where it's supposed to go. I think you need stronger legislation.
LEG. FIELDS:
What alternatives would you propose that we, as responsible Legislators, would decide upon given the fact that we -- you know, I think what we're hearing here is no one wants to see anyone die from West Nile Virus, but we also don't want to see the long-term effects of spraying and how many other people might die.
MR. GREENSPAN:
Ms. Fields, I just --

LEG. FIELDS:
So what would you propose?
MR. GREENSPAN:
Okay. In comment to that, Ms. Fields, no one wants -- I don't want to see anyone die either. But let's look at the facts. People die every day within a given population from many, many causes. People die every day from the flu. Is there an epidemic being declared that we're going out on a war against the flu? That's not being done. And we're not spraying the entire halls of all New York City and all of Long Island with Lysol to keep it germ-free. There's a certain part of the segment or segment -- certain segment of the population that is at risk and we know that. That part of the population has to be protected or advised or educated so they know what steps or precautions to take to avoid contracting mosquito bites. That's what needs to be done. It's an educational thing.
As far as advocating the passage of this bill, no, I do not, because I think that once, if it goes through, people are going to sit back and then they're not going to take this matter seriously any further and that's not the issue. You cannot have spraying the way it's going on. Aerial doesn't work, chemical doesn't work. You further complicate the problem. The Culex mosquito, by the way, in Rachel Carson's book Silent Spring, are you familiar with that text? Okay. On page 49, if I recall correctly, they reference the Culex mosquito again only 1949, and in that period of time, the mosquito was responsible for the transmission of typhoid fever. They used DDT in 19 -- excuse me,

1948. One year later, the Culex mosquito had become mutated and immune to DDT to control that disease. So what to say now that using Malathion or Resmethrin or Scourge, or Scouge, or whatever it's called, or whatever it's called, the same thing's not going to happen now? Because we've already had one year of history where mosquitoes have been exposed to host of chemicals, not only the ones that have been put out there, but all the other ones that we don't know about because of the cumulative build-up in the environment, and these insects are now mutating and becoming more resistant to the chemicals that are intended to kill them, which further complicates the problem.
LEG. FIELDS:
Thank you.
P.O. TONNA:
Okay. I have Legislator Cooper, and then Legislator Fisher.
LEG. COOPER:
I had a couple of questions. First, I wanted to get it back to BT, which I guess is the same as BTI.
MR. GREENSPAN:
BTI, that's correct. That's -- bacillus {thorengiensus} Is the generic, and then BTI is the specific. Bacillus {thorengiensus isrelyensus}.
LEG. COOPER:
In the 2000 Vector Control Plan --

P.O. TONNA:
That's the Latin term, for anybody who wanted to know. Okay, thank you.
MR. GREENSPAN:
That's right.
LEG. COOPER:
In the Vector Control Plan, it mentions that BTI is highly effective in most fresh water areas, but only effective in salt marshes when applied under very specific conditions. These conditions often exist for only a short period, 24 to 48 hours after the larvae hatch. What has been the position of the County Health Department on the use of BTI, and why is it not used more widely?
MR. GREENSPAN:
You know, while I'm not totally conversant on that, I'm going to withhold comment on that. Okay. I think you have the people here from the County that can comment on that more effectively than a could, and I don't want to misrepresent.
LEG. COOPER:
But are --
P.O. TONNA:
He doesn't represent the County, Jon.
MR. GREENSPAN:
I don't represent the County either, that's right.
LEG. COOPER:
I understand. And do you have knowledge, though, about if they were to use BTI, what is the window of opportunity that we have now. When do the larva hatch and --
MR. GREENSPAN:
It's growing pretty short, because once we start getting up get above

65 degrees on a daily basis -- I mean, right now. We're above the 55 degree threshold, and what happens is based -- up in Cornell, they have a -- what they call a -- it's growing degree days where they start monitoring every day the temperature accretes above 55 degrees. They start counting and measuring those degree days, so that cumulatively, after a period of days have gone by, if you have six days and each day that the temperature exceeded 55 degrees by that number of degrees, they take that cumulatively and they can predict with some degree of certainty as to when certain insects are going to pop -- hatch. Okay. And every time the temperature drops down below the 55 degrees, because the insects themselves are cold-blooded, they go back into a semi-hibernating state and curtail their development until the temperature elevates again. So, at this point in time, we do not have enough growing degree days cumulatively to cause the egg larvae of the Culex mosquito to hatch and become active, so that the window of opportunity is still now to get that chemical out there. But because you have a short window of opportunity with the bacterias, the biological, it has to be constantly reapplied. But the nice thing of

it is that it's not harmful. The stuff naturally occurs in the soil. I mean, if you dig in your garden, BT is there in the ground.

LEG. COOPER:

Another chemical that they're talking about using is {Alticid}, which apparently has the -- well, does not kill larvae outright, but instead prevents them from molting into adults.

MR. GREENSPAN:

But that's also a growth control hormone, as I recall, and that's something that's getting in the realm of chemical, again, just of a different nature, okay, something that doesn't naturally occur in the environment. BT naturally occurs undiluted, dig in the garden, there it is. That's the difference. We're talking about going over biological controls first and trying to rule out the use of or reliance upon chemicals in this instance.

LEG. COOPER:

So the most effective natural control that you could recommend then is BT?

MR. GREENSPAN:

Well, using BT at this -- on that level, also going with the beneficials. If you have standing bodies of fresh water, for example, or standing bodies of water that are salt, okay, have them with -- have them infiltrated with fish that are going to feed upon the egg larvae. It's very simple, and they're not -- these are not expensive things to do. It's not going to cost the County anymore money. Certainly, if anything, it's going to cost the County less and end up costing -- and saving them in the long run.

LEG. COOPER:

I'd like to have someone from the County address the question regarding the use of BT, if possible.

P.O. TONNA:

Excuse me?

LEG. COOPER:

I'd like to have someone from the County Health Department.

P.O. TONNA:

Okay. But I -- just people who want to ask this gentleman --
LEG. COOPER:
Sure.
P.O. TONNA:
-- some questions.
P.O. TONNA:
And we'll have -- we'll have time to do that since there's a CN today, you know, and that and this public hearing are intertwined to a certain extent, I think you'll have that time.

LEG. COOPER:
Thanks.
P.O. TONNA:
Okay, thank you. Legislator Fisher.
LEG. FISHER:
Hello, Mr. Greenspan. Thank you for being here. You made very peripheral mention of water management. I think you mentioned that it would be more responsible to do more water management, because that's more preventative and that should be done in the Spring. I'm looking at the program components that we were given that we have to decide on today, as far as the Vector Control Program, and it indicates here that number -- that water management is the primary control method used by Vector Control, and that the optimum dates are in the early Spring, January 1st to April 30th, and October 1st to December 31st in the Fall. Now, what is your criticism of the Water Management Plan that we have seen presented to us by the County?
MR. GREENSPAN:
Okay. I'm not totally familiar with the Water Management Program that you're talking about. But just going on the way that the life cycle of the insect propagates, it needs bodies of water with which to lay its eggs. If it's not going to be a body, a stagnant body of water, that flush -- that doesn't flush through, it has to be an area that has a high level of moisture. So if you go into an area that has lots of leaves even that have accumulated over the Winter laying up a ground -- against a building or a side of a house, chance -- good chances are we're going to find mosquito larvae living in there. There's just enough moisture to get that egg to hatch. The larvae then becomes the {riddler}, then they develop their wings and they take the flight. So there's really two processes that have to be done here, you've got to manage your water and you've got to keep your land masses that are going to accrete water on a dry level, or keep them clean so they can't accumulate water.
LEG. FISHER:
Okay. Well, it refers to it here as a standard water management is water flow is regulated in wetland areas and then open marsh water management where it introduces killifish.
MR. GREENSPAN:
Right. Well, that's what I was talking.
LEG. FISHER:
We've seen an optimum --
MR. GREENSPAN:
Right.
LEG. FISHER:

-- way, and then the -- and that seems to indicate here that that constitutes 70% of the Division's total operations. So then this would be a positive part. Okay.

MR. GREENSPAN:
That would be a positive part. But, also, I'd like to point out that the State of Florida has an excellent program and in place now, especially down in the Keys where we know the Keys consist of many, many Islands interrelated, and the water problem down there certainly far exceeds what we have here, and their mosquito populations at one time were tremendous. They use less chemical down there with all the water and Islands that they have than we use cumulatively up here for one season. They have an excellent management program and I suggest that you take a good look at that. I can put you in touch with those people or get you the website address to download it on your own.
LEG. FISHER:
Okay. And may I suggest that you take a look at the program that we've gotten --
MR. GREENSPAN:
Absolutely.
LEG. FISHER:
-- so that you can comment on that? Because I think we all seem to be on the same page, that we don't want to introduce carcinogenic chemicals into our groundwater, which is so fragile. On the other hand, we want to be proponents of the good parts and the positive parts of this program, pay attention to them, see how those portions of the program in Vector Control can be improved and can be supported, so that we can avoid that 5% of the program which includes chemicals, and, of course, be very certain that we have very clear threshold of use for those chemicals.
MR. GREENSPAN:
Well, I agree with everything that you're saying and in support of what you're saying. The education falls back on the population at large or the populous, the commoners, because people respond to what they're told based upon what they see on T.V. Okay? Fortunately, for me, I have a little bit of visibility and people out in T.V. land know who I am and know what my credentials are and I've been interviewed several, if not many, times, and just as recently as this past Friday, I appeared on Channel LIW, Channel -- News 12, and, again, I gave out basically what I'm giving to you people here today, that you've got to examine what it is you're going after, number one. Just because the CDC says that we have a problem with West Nile-like Encephalitis, it doesn't mean we have an epidemic. Let's just look at that first and foremost. Okay? You've got use a little bit of your own intuitive environmental common sense --
LEG. FISHER:
Panic sells newspapers.
MR. GREENSPAN:
That's right. That's right.
P.O. TONNA:
What sells newspapers?

MR. GREENSPAN:

Panic.
LEG. FISHER:
Panic.
MR. GREENSPAN:
Panic.
P.O. TONNA:
Oh. Because I know Legislator Bishop would want to know that. Okay.
MR. GREENSPAN:
And I don't mean to take anything away from the Legislatures -- from the Legislators or the politicians that are here, but it's not something that should be used to gain unfair advantage by making yourselves look good, just because people are unsure or don't know. I mean, you've got to be able to disseminate the truth honestly and accurately and that's not what has been done here, and a lot of it's done because --
LEG. FISHER:
But, actually, it's what we're trying to do here before we make a decision on where the program is headed.
MR. GREENSPAN:
That's true. But I honestly feel, at this point, the way the wording of this bill is here on 1263 is to establish last resort. The last resort still advocates the use of spraying by the word "last resort", and that's what I'm having a problem with, because you're not taking into account all the other viables that I've suggested, and there are many, many others that we can get into. There are mechanical means of trapping mosquitoes. They have machines out now that being used by the Coast Guard or the Merchant Marine down in I believe it's Louisiana or Mississippi where we have these mosquito magnets. These are large physical devices that emulate the human body and give off CO2 gas and also give off a temperature of about 98 degrees, which is what the mosquito looks for. The mosquito looks for a warm-blooded hot body, thinking it's going to get a live food, you know, meal. And what happens is this mechanical device gives off those -- that temperature and CO2. The mosquito is then lured in. There's an impeller fan rotating at the bottom of this device, sucks the mosquito in mechanically, pushes them down into a bag where the wind blowing over the mosquito causes the mosquito to dry out naturally, no chemicals. You don't need brain surgery to figure this one out. If the Coast Guard or Merchant Marine is using it down in Louisiana, there's got to be something to it because, they're an arm of the government and they have approved that.
LEG. FISHER:
I believe the sponsor of that bill is probably aware of the very many positive alternatives and safe alternatives that we can use and I would --
MR. GREENSPAN:
I wouldn't be surprised to find otherwise, because I find most people

are not privy to the alternatives that are out there. There are many. Do you know that using concentrated oil of garlic and concentrated citric oil are equally beneficial in terms of killing insects?
LEG. FISHER:
I'm sorry. I'm smiling because it sounds like a salad.

MR. GREENSPAN:
Right, and you --
LEG. FISHER:
It does sound interesting.
MR. GREENSPAN:
But, you see, that's exactly my point Mrs. Fisher, that there's a paradigm here. In other words, we're used to thinking that only chemicals are the only thing that can do the trick, because we've been brainwashed into believing what Madison Avenue sells. Okay? But the reality is if you go and look at some of these organic magazines and you travel around various parts of this country, you're going to find things that people use and say, "I can't believe that. There's no way." And there are people that have T.V. Shows based upon what I'm talking about. You know, if you do some off-the-beat reading and look a little bit to the left, you'll find some very interesting things out there that will work very well --
P.O. TONNA:
Hold it here. Hold it a second. A little bit to the left, guys.
LEG. FISHER:
Yes.
P.O. TONNA:
I just want to make sure, we have consensus there? Okay.
LEG. FISHER:
Well, I don't want to continue the dialogue back and forth, because the time is getting late. But I do want to assure you that the people sitting behind this horseshoe I believe most of the people sitting here have certainly indicated that we're not simply reacting to Madison Avenue. I think that we certainly have documented that we're not of the belief that all chemical is safe. People who are sitting here have voted to ban pesticides, we have voted to ban the use of MTBE in our gasoline. We, certainly, I believe have demonstrated that we're an informed body, so I do take some umbrage at your making that kind of implication. I do, however, appreciate the information that you have given us. And I will give you a copy of the plan here that I have, so that you can peruse it and comment on it. Thank you very much.
MR. GREENSPAN:
Thank you. I'd like to just comment on other thing, though. In reference to your reaction when I suggested orange and garlic and you smiled, your reaction, by the way, is most common. Most people laugh, sometimes under breath, because they say, "What is this guy talking about? He's got to be a complete jerk or a moron. I mean, orange juice or orange oil and garlic oil?" But you know what, don't knock it until

you've tried it. The fact is that it's got a history out there, and we wouldn't be representing this stuff if there wasn't something to it.
LEG. FISHER:
I'm not knocking it by smiling.
MR. GREENSPAN:
Okay. Okay.
P.O. TONNA:
Juice? Say it again.
MR. GREENSPAN:
Not juice. It's concentrated citric oil. It's a bacteriacide and an

insecticide.
P.O. TONNA:
And?
MR. GREENSPAN:
And I'm also working right now with concentrated garlic oil, which is very effective at killing off insects.
P.O. TONNA:
And vampires, too, but, you know.
MR. GREENSPAN:
Actually, if you want to take it one step further, not to make a mockery out of it this, and this is part of the problem. You see --
P.O. TONNA:
No, I'm not.
MR. GREENSPAN:
You see --
P.O. TONNA:
We've been here -- let me -- wait, wait. Could I say something? You could lecture me later, don't worry.
MR. GREENSPAN:
No, it's not --
P.O. TONNA:
You've done a good job on the issues. Don't worry.
MR. GREENSPAN:
But what happens is --
P.O. TONNA:
Let's just move on.
MR. GREENSPAN:
I know you've been here for a long time.

P.O. TONNA:
What happens is this. We've been here for a number of hours.
MR. GREENSPAN:
I understand.
P.O. TONNA:
And I don't want to lose all the people, so a little levity.
MR. GREENSPAN:
Okay.
P.O. TONNA:
You'll have to deal with that.
MR. GREENSPAN:
Not a problem.
P.O. TONNA:
If you're going to the left, you're going to have to deal with a little levity.
MR. GREENSPAN:
That sounds good.
P.O. TONNA:
Thank you very much.
MR. GREENSPAN:
By the way, bats are an --
P.O. TONNA:
Any other questions?
MR. GREENSPAN:

Bats are an excellent control mechanism also --
P.O. TONNA:
Okay.
MR. GREENSPAN:
-- for feeding on the mosquitoes.
P.O. TONNA:
There you go. And we have a couple around the Legislature. Okay. Or blood-suckers, I should say. Anything? Anything else on this issue? Okay. Thank you very much, sir.
MR. GREENSPAN:
Thank you.
(Applause)
LEG. COOPER:
Actually, Mr. Chairman -- Mr. Chairman, I just had one -- before he leaves, one quick question.

FISHER:
Mr. Greenspan.
P.O. TONNA:
One more -- how many calls did you make to his office? Come on.
LEG. COOPER:
No, no, no.
P.O. TONNA:
All right.
LEG. COOPER:
I just wanted to clarify -- excuse me. Vectorlex, is that only --
LEG. FOLEY:
Come back to the podium, please.
LEG. COOPER:
Is that only effective in fresh water, or is that -- can also be used in salt water?
MR. GREENSPAN:
I'd have to read the label. I'm not familiar with what the labeling requires. Because each chemical is only labeled from where it can be used specifically.
LEG. FOLEY:
You have to speak into the microphone, so the stenographer will have it for the minutes.
MR. GREENSPAN:
Okay. All chemicals come with a labeling requirement that specifies where and how the chemical can and should be used. So if a chemical is not labeled for use, let's say, in salt water and someone were to use that chemical, regardless of who that entity is, that is against the law and you're in violation of the law and you're subject to fines.
LEG. COOPER:
I'm questioning that, because, again, the 2000 Plan projected that there would be an increasing role of -- Vectorlex against West Nile Virus, because it's particularly effective against the Culex mosquito. It wasn't used that much last year, apparently, because it was too dry and I'm just wondering whether they had been using it on a more wide-spread basis this year.
MR. GREENSPAN:
Again, it's all a question of where it's -- what the labeling

requirements allow or permit it be used for.
P.O. TONNA:
Okay. Thank you, sir. All right. I have -- we still have a number of public hearings. All right.

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LEG. TOWLE:
Now you have to vote on the hearing.
P.O. TONNA:
Yeah. Let's just vote on this Public Hearing Number 1263. What is your wish, Legislator Fields?
LEG. FIELDS:
Make a motion.
P.O. TONNA:
To what?
LEG. FIELDS:
Approve.
LEG. FOLEY:
Close.
P.O. TONNA:
Make a motion to close the hearing?
LEG. FIELDS:
Yes.
LEG. FOLEY:
Second the motion to close.
P.O. TONNA:
So we can vote. Seconded by Legislator Foley. All in favor? Opposed? Okay. That hearing's closed.
Number 1264 (Adopting Local Law No. 2000, a local law to streamline anti-nepotism provisions for Police Department officials). I'm just going to move through these. I don't have any cards. I'll make a motion to close, seconded by Legislator Bishop. All in favor? Opposed? Closed.
Number 1265 (Adopting Local Law No. 2000, a charter law requiring revenue impact statements for tax policy). I'll make a motion to close. Legislator Caracciolo?
LEG. CARACCIOLO:
Yes.
P.O. TONNA:
Second it? All in favor? Opposed? Closed.
Number 1266 (Adopting Local Law No. 2000, a charter law to restore full public financial disclosure to Suffolk County ethics reform). Oh, there is a card. Phil Nolan?
MR. NOLAN:
Yes.

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P.O. TONNA:
Yes, Phil, come on up. Thank you, sir. How are you today?
MR. NOLAN:
Yes, fine. Thank you.
P.O. TONNA:
Great.
MR. NOLAN:
I think everybody has a copy on that yellow sheet. I was here almost

four years ago, as you can see, and there's a letter I sent to the Legislature at that time. I think we did everything we could to pass this. It failed by 11 to six, I believe, and I think it was not the time to bring it up. I think now's the time and it looks to me like everybody's thinking about election laws, whereas before, nobody really cared about, you know, what happened. So all I'm going to say is the Legislators do have my letter, which I wrote, as I say, about three months ago -- three years ago, over three years. And it seems to me, actually, I'm pleading with you to do the Legislature itself a favor by just removing one sentence from the Campaign Law that governs elections and just take, as I said originally, take that one sentence out, and I think everything would be fine. Because if people get the idea -- you know, I ran in 1995 for the Legislature, many of you know that, and I had a terrible experience, because nobody cared about what I was doing, and it led me around to -- you know, some of the staffers were very unkind, and because the laws aren't governing -- there is no law, actually, governing campaigns until this fellow McCain started going around the country and complaining about the soft money problem. Well, mine is not that big. My complaint is when I ran, I had an awful time just getting straight answers, and I would like that to end. That's kind of still is stupid.
P.O. TONNA:
Sir, if you were an elected official, you'd still have a tough time getting straight answers, trust me.
MR. NOLAN:
I guess I would, yes. Incidentally, I don't see your picture up here, I see what's his name, Blydenburgh.
P.O. TONNA:
I'd be the first bald candidate, and the Legislature has to vote, the first bald one, P.O., and they're a little --
MR. NOLAN:
I would suggest you get that up. It's April already.
P.O. TONNA:
Thank you.
MR. NOLAN:
Excuse me. Just one more word. I hope you can pass this motion that -- incidentally, I'd like to thank Legislator Caracciolo for putting this up. Thank you. And several other people, Steve Levy brought it forward in last -- in 1996. Ms. Postal sent me a copy of this notice,

or else I may have missed the opportunity to speak today. But I hope you can pass this.
LEG. LEVY:
Thanks, Phil.
LEG. FOLEY:
Thank you, Phil.
MR. NOLAN:
Okay? Thank you.
P.O. TONNA:
Thank you very much, Phil. Thank you, sir. Okay. Legislator Caracciolo?
LEG. CARACCIOLO:
Close.

P.O. TONNA:
To close it? I'll second that. All in favor? Opposed? Closed.
Okay. We're going to go to Resolution or Public Hearing 1280 (Adopting Local Law No. 2000, a local law to drive repeat violators of ban on sale of tobacco products to minors out of Suffolk County).
Is there a -- I see it withdrawn. Legislator Fields?
LEG. FIELDS:
It's -- I've had some conversation with Dr. Clare Bradley and there are some questions about enforcement, so I'm going to work it and reintroduce it.
P.O. TONNA:
Great. Okay. So it's withdrawn anyway, right? So we don't have to vote on that.
Okay. Public Hearing Number 1284 (Adopting Local Law No. 2000, a local law establishing a low cost land policy for County Affordable Housing Program). Legislator Postal?
LEG. POSTAL:
Motion to close.
P.O. TONNA:
I'll second that. All in favor? Opposed? Closed. All right.
Setting the date of the April 18th, 2000 meeting in Riverhead for the following public hearings. How do I do this, I just read them off and --
MR. SABATINO:
Well, omit 1292, because that's going to have to wait one cycle. But you can just read the numbers, 1290, 30 --
P.O. TONNA:
Okay. Public Hearing 1290, Public Hearing Number 1331, and Public Hearing Number 1357. All right? All had favor? What do I do?

MR. SABATINO:
All in favor?
LEG. ALDEN:
Motion.
P.O. TONNA:
Motion by myself, second by Legislator Alden. All in favor? Opposed? Approved.
Okay. Now we're going -- we have a number of cards to fill out and I just -- I want to relay to all Legislators what my intent is. We're going to finish the cards, then we are going to take a ten-minute recess, and then we're going to go back to the agenda. We are probably, because of the time element and everything else, and a number of Legislators and Budget Review, and staffers have asked that we make sure that we get to Fred Pollert's father's wake out in Southold, that if after 6:30, 6:45 it seems like we still have a large agenda, then we are going to take a recess, so that we can, for those of us who want to, could show our respects and then come back. So we're in for an evening. All right. Anthony Abrus --
MR. ABRUSCATO:
Abruscato.
P.O. TONNA:
That's a great name, Abruscato. Okay, sir, you have three minutes.
MR. ABRUSCATO:

Hi. Hello and good afternoon. I'm with the Citizens Action Coalition. After serving three years in the United States Navy and stationed in Washington State, I decided I needed some time off, so when I left the base, I opted for I quick -- instead of opting for a quick ride on an airplane, I chose instead the long way home, a bus to experience the scenic beauty of America, and perhaps take a tour of a city along the way. True, I had some wonderful times, but I never felt as good as taking the tenth and final bus to Grand Central and then taking the train out East. I had missed my stop at Mastic/Shirley and woke up in Center Moriches. I was offered a ride by a passenger to take me back home. As we rode the five miles back, I marveled at the tremendous growth in my community where I had called home for 16 years. During these coming of age years, either playing basketball at the American Legion Field or playing basketball at the high school, where now I believe the hoops have been taken down. We didn't have to worry about people forcing drugs down our mouths when we would go buy a soda at the local Handy Pantry in Mastic Beach. These days, it's a completely different story with the overabundance of Sober Houses in the Mastic/Shirley area.

Not too long ago, after passing abandoned buildings littered with graffiti, trash and debris, I was approached by a miscreant to buy drugs at the same Handy Pantry. So it wouldn't surprise me today if a kid would opt to buy drugs instead of going for a soda.

Three-and-a-half years ago, I moved to Manorville in a peaceful enclave far enough away, so I thought. But I have to eat, and in order to do

so, I would have to go to the supermarkets in Center Moriches where there is a beautiful Main Street and many other historical places in Center Moriches. But the get to the supermarket, you'd have to go by the Moriches Bypass, more commonly known as the"drug bypass", where over many years, an open air drug dealing had been going on and prostitution were a common occurrence. Although now it's in hibernation, there seems to be a resurgence in the prostitution, which leads to future drug dealing moving west towards Mastic.

I realize we need to take a stand against open air drug dealing, not to back down from it, to stand up to it, and in the future, I plan on buying a house in Mastic Beach, and I'll be damned to be run out of my community I've loved for so long. You have legislation before you today to be able to say enough is enough and to undue what's been done for far too long, and to give Newsday one less reason to print garbage about our community. It would be one small step in a long process to give the community back to the people.

P.O. TONNA:

Okay. Thank you, sir. Okay. There we go. Steven Haizlip. Steven? Is there a Steven there? Going once?

LEG. FIELDS:

Haizlip.

P.O. TONNA:

Haizlip.

LEG. FIELDS:

He's gone.

P.O. TONNA:

Gone? Okay.

LEG. FIELDS:
He was here earlier.
P.O. TONNA:
Phil Goldstein. Phil, now this is a new time for you, okay, with the new Presiding Officer. No foul language, very nice and calm. I notice --
MR. GOLDSTEIN:
How about passion.
P.O. TONNA:
I notice that you cut your hair, I'm glad to see that. Okay? So just take your time, breathe deeply, and go ahead and insult us.
LEG. TOWLE:
Start with him.
P.O. TONNA:
Go ahead, Phil.

MR. GOLDSTEIN:
I'm enjoying the levity, Paul.
P.O. TONNA:
Thank you.
MR. GOLDSTEIN:
I was sleeping before, so it's waking me up.
LEG. CARPENTER:
We noticed, but that's okay.
LEG. CRECCA:
We noticed.
MR. GOLDSTEIN:
I thank you, Ladies and Gentlemen. I would like your indulgence, because I'd like to address a number of different issues. Recently there was a primary, and my point in raising the issue of the primary is the fact that it was extraordinary. You know that, generally speaking, in primaries, if you get a 10% turnout, that's normal. If it goes close to 15%, that's extraordinary. And, yet, my understanding was there was an 18% turnout amongst Republican voters. And much to the embarrassment of the Republican establishment, Suffolk County, for the most part, went for a reformer. All right. Mr. McCain overwhelmed the Republican establishment here in Suffolk County.
Now, this is not just targeting the Republicans to embarrass them, because in New Hampshire and in Michigan, which have open primaries, unlike New York State, people turned out in extraordinary numbers as well and made McCain the victor, and these were not just Republican voters, these were Democrats, these were Independents, and so on. What's my point? Well, my point is a resolution that is going to be before this body, a sense of the body resolution concerning initiative and referendum. The point very simply is that there is a hunger abroad in the land for reform, for change. Voters are fed up with the status quo, and given the opportunity to vote for candidates who represent that kind of change, that kind of reform, that kind of putting an end to partisan politics that seems to ignore public interest and pursues instead vested interests, and even the personal interest of the members of the Legislative body, this is where it's at right now. And in the issues that I'm going to be talking about, I will be talking about in terms of politics. I'm here to represent --

P.O. TONNA:
You have 54 seconds, 54 seconds left to talk, so, please.
MR. GOLDSTEIN:
Well, you know you're not going to tie me down to 54 seconds, please.
P.O. TONNA:
Well, that's the law.
MR. GOLDSTEIN:
Oh, that's the law? Okay.

P.O. TONNA:
And we have to respect the law of the land, don't we?
MR. GOLDSTEIN:
The point very simply is that initiative and referendum offers an opportunity for reform. The Independence Party of the State of New York has this as a major item on its agenda. And, therefore, I would like to see this body vote unanimously in its sense, sending it on to the State Legislature. It costs you nothing. But you are a rambunctious bunch, and being the rambunctious bunch that you are, you would be serving the interests of the voting public, who liked Mr. McCain because he was rambunctious also. We need top send the message to the establishment that politics as usual is not going to be accepted, and that if they're not going on make the changes necessary, then we, the people, want a mechanism whereby we can bring forward the kinds of changes that we feel are necessary. That whole primary was an embarrassment to the establishment in its attempt to shove a candidate down the throat of the members of the Republican Party. This is not something new, but people have reached a point where they're fed up and they've expressed that.
P.O. TONNA:
Phil, let somebody ask a question. I'm sure one of these people would love to ask a question so you could --
MR. GOLDSTEIN:
Okay.
P.O. TONNA:
-- continue. Does somebody want to ask him a question?
LEG. TOWLE:
I want to ask a question.
P.O. TONNA:
Sorry. Sorry, Phil. Okay, bye. No, I'm joking.
MR. GOLDSTEIN:
All right.
P.O. TONNA:
Phil, how about this -- could you, please, wrap it up.
MR. GOLDSTEIN:
May I quickly bring up a couple of more items? Okay.
P.O. TONNA:
That's a question.
MR. GOLDSTEIN:
Very quickly, Ms. Postal raised something, again, in the political arena, and that is the Suffolk County Tax Act and the effort that was made in the past to do something about it. Now, this is an election year, and the Independence Party wants to play a role. And, so, therefore, I would urge you to reconvene that conference, because we

are going to focus. Since the State Legislature is up, I would urge

you to invite all of the representatives of Suffolk County, both State, Senate and Assembly, not just Mr. Sweeney, who played a lead role, but all of them, because we want to know where they stand on this Suffolk County Tax Act. If we can save the taxpayers of this County millions of dollars in tax anticipation note borrowing, then most certainly something ought to be done. The vested interests of Wall Street, the brokers, the bonding firms, the attorneys that are feeding off this --

P.O. TONNA:

All right, Phil.

MR. GOLDSTEIN:

-- have to know that we're not going to accept business as usual in that respect.

P.O. TONNA:

Phil? Phil.

MR. GOLDSTEIN:

Okay.

P.O. TONNA:

Come on, Phil.

MR. GOLDSTEIN:

A couple of more items, please.

P.O. TONNA:

Oh, come on, Phil. Phil, you've gone --

MR. GOLDSTEIN:

I waited. I waited.

P.O. TONNA:

I know, but this is the law.

MR. GOLDSTEIN:

The last -- the last --

LEG. TONNA:

All right. I'll ask you one more question.

MR. GOLDSTEIN:

The last gentleman had an opportunity to speak --

P.O. TONNA:

Phil.

MR. GOLDSTEIN:

-- at greater length.

P.O. TONNA:

Yeah. He had ten minutes because it was a public hearing. Thank you. But let me just say this. All right?

MR. GOLDSTEIN:

Yes.

P.O. TONNA:

Wrap it up.

MR. GOLDSTEIN:

Okay.

P.O. TONNA:

Please.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

MR. GOLDSTEIN:

All right. The oil tax.

P.O. TONNA:
Yes, go ahead.
MR. GOLDSTEIN:
Here again, politics as usual.
P.O. TONNA:
All right, forget it.
MR. GOLDSTEIN:
I don't care which one of the Legislators brought forward the removal of that one cent oil tax, and it shouldn't matter to you and it shouldn't be turned into a political football.
P.O. TONNA:
It isn't.
MR. GOLDSTEIN:
Because it is in the interest of the least members of Suffolk County's society. It is the poor who are impacted by this regressive sales tax and there's no purpose in its existence because that money for the Southwest Sewer District has long since gone. You are not in the energy policy business of trying to reduce our dependence upon foreign, imported oil. This is an onerous burden and as the price of oil goes up, it hurts the weakest, poorest members of our community the most and so, therefore, it should be removed.
To harken back to a little American History, when George III insisted that he was --
P.O. TONNA:
Phil, Phil.
MR. GOLDSTEIN:
-- going to put his one cent tax on tea, we taught him a lesson.
P.O. TONNA:
Phil, is that wrapped up now?

MR. GOLDSTEIN:
That's that issue.
P.O. TONNA:
No, no, no. Phil, stop with the hyperbole then and get to one more issue, that's it.
MR. GOLDSTEIN:
One more issue, sweat-free.
P.O. TONNA:
And then you can fill out another card and I'll recognize you next meeting. Come on.
MR. GOLDSTEIN:
Sweat-free.
P.O. TONNA:
Go ahead.
MR. GOLDSTEIN:
The National Reform Party has been out spoken in its opposition to WTO, you had that huge incident in Seattle with regard to WTO.
P.O. TONNA:
Right.
MR. GOLDSTEIN:
This is an aspect of that. And here you have the old people of our community, of our County who are expressing their indignation over sweatshop labor in foreign countries, youngsters like themselves who

are chained to machines, blah, blah, etcetera.
I would, therefore, urge that just as the National Reform Party is concerned with this issue, in New York State the Independence Party which is an affiliate agrees that speaking out in opposition to the use of child labor to get cheap products is wrong.
P.O. TONNA:
Right.
MR. GOLDSTEIN:
And so therefore, I would urge this body to come out in favor of that sweat-free bill.
P.O. TONNA:
Phil, I just wanted to make an observation.
MR. GOLDSTEIN:
Yes.
P.O. TONNA:
Just because I'm taking my own privilege here.

LEG. HALEY:
Is there a question in that?
P.O. TONNA:
It is a question. I have five young children and so we get to watch Pinocchio every once in a while. And you know, there's a great little guy named Jimminy Cricket who is really Pinocchio's conscience, and I just want you to know, you fill that roll very, very well.
MR. GOLDSTEIN:
I thank you very much for the compliment, Paul.
P.O. TONNA:
So thank you.
MR. GOLDSTEIN:
I take no offense.
P.O. TONNA:
No, no offense intended.
MR. GOLDSTEIN:
I didn't think so.
P.O. TONNA:
Okay. Thank you very much.
MR. GOLDSTEIN:
You're welcome.
P.O. TONNA:
Thank you, Sir.
LEG. BISHOP:
I have a question. Phil, I have questions.
P.O. TONNA:
You have questions. Go ahead, ask Jimminy Cricket anything that you want.
LEG. BISHOP:
First, you got in George III but you didn't get in the Founding Fathers; the first time that you've ever come here and not invoked the Founding Fathers.
P.O. TONNA:
No, he said the Founding Fathers.
MR. GOLDSTEIN:
I did, I did.

LEG. BISHOP:
Oh, you did.
P.O. TONNA:
You weren't listening.

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MR. GOLDSTEIN:
I mentioned King George and the one cent tax.
LEG. BISHOP:
Well, I want to know, why didn't the Founding Fathers provide for Initiative and Referendum?
MR. GOLDSTEIN:
Well, if you want me to answer that, he's going to get very angry with you, because I'll tell you, there is an answer.
P.O. TONNA:
No, no, no, no.
MR. GOLDSTEIN:
Go back to the Declaration of Independence --
LEG. BISHOP:
No, I want to know because I have follow up questions.
MR. GOLDSTEIN:
Just a minute, it's a valid question. Okay, here, "We hold these truths to be self-evident that all men are created equal and endowed by their creator with certain inalienable rights," right? I
P.O. TONNA:
And then they pass laboring laws, but anyway.
MR. GOLDSTEIN:
Among these are -- the king word is among. Life, liberty and the pursuit of happiness are not the only inalienable rights, there are other inalienable rights are not enumerated. But if you then go from the Declaration of Independence to the preamble of the Constitution which is a reaffirmation that we the people are the bosses, because in the Declaration of Independence it said that to secure these rights, governments are instituted amongst men deriving their just powers from the consent of the governed, and so, therefore, we the people are the bosses. The opening paragraph of the Constitution says we the people do our deed and establish the Constitution.
P.O. TONNA:
Dave.
MR. GOLDSTEIN:
Now if you go --
LEG. BISHOP:
Well, why don't we have national Initiative and Referendum?
MR. GOLDSTEIN:
Well, I'm giving it to you.
P.O. TONNA:
Wait, wait, Dave.

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MR. GOLDSTEIN:
Now if --
P.O. TONNA:
Dave, you could sit at his class like Socrates and have this dialogue. Please, come on.
LEG. BISHOP:

Paul, I'm not going to be insulted with your nonsense.
P.O. TONNA:
All right, all right.
MR. GOLDSTEIN:
I&R is the ultimate sovereign power of the people to assert their will over a Legislative body that is unwilling to act in accordance with the will of the people. Unless you want a bloody revolution, you have to have some outlet, and I&R is that outlet, it affords a means for the people.
LEG. BISHOP:
Wait, wait, you just glossed right into a huge leap there.
MR. GOLDSTEIN:
It's an inalienable right is my contention.
LEG. BISHOP:
They don't have it, right, they didn't put it in there.
LEG. FOLEY:
It's not prescribed, no.
MR. GOLDSTEIN:
It's an unenumerated -- wait a minute, I'll give you the answer. The 9th amendment to the Constitution --
LEG. BISHOP:
Yes, it's unenumerated.
MR. GOLDSTEIN:
I didn't get there. The 9th amendment of the Constitution says despite the enumeration of certain rights, there are other unenumerated rights.
LEG. BISHOP:
And when you read it, you say, "Ah ha, that's the one they meant, I&R."
MR. GOLDSTEIN:
Exactly, it is an unenumerated right.
LEG. LEVY:
Well, it gives the states their right.
LEG. BISHOP:
Okay.

LEG. LEVY:
It gives the states that right.
LEG. BISHOP:
But they didn't provide for it probably because they thought that an elected official --
MR. GOLDSTEIN:
They did provide for it. They said in that 9th amendment, if we don't list all of the rights --
LEG. BISHOP:
They didn't provide for it affirmatively.
MR. GOLDSTEIN:
-- there may be an assumption made that some rights are expanded from the people. And so they put in the 9th which was a catch-all and they said, despite the enumeration of certain rights, there are other unenumerated rights, and that is I&R.
LEG. BISHOP:
They didn't include it affirmatively, just like they didn't include rights for black people, for women and so forth; they didn't include

it. It was not included at the time, you want to have a reading of the Constitution now that includes it; fine, you want to have that --
MR. GOLDSTEIN:
The Supreme Court does that all the time, they interpret --
P.O. TONNA:
Wait, wait, wait, wait.
LEG. BISHOP:
You want to have that -- if I could get out a damn thought.
P.O. TONNA:
I am trying to get it so you can get out your thought, Mr. Bishop.
LEG. HALEY:
Stand up, Dave.
P.O. TONNA:
In the form of a question, of course.
LEG. FOLEY:
Go ahead, Dave.
LEG. BISHOP:
I'm trying to get to the question. And the reason that you feel that I&R is necessary today as it wasn't then is what, because what?
MR. GOLDSTEIN:
All right. Because Legislative bodies have taken control of government and have created a party of the incumbency. They have written the rules in such a way as to deny the people the opportunity to make some of the changes that they want to see occur.

LEG. BISHOP:
And what is the power behind incumbency?
MR. GOLDSTEIN:
What's the power? Okay. Let me give you some examples. Number one, we're going to have a Census. The Constitution says we must count the population in order to reapportion the Congress of the United States. But you and I know that gerrymandering screws the people by depriving them of real electoral rights.
Because what happens is when you reapportion the districts, you draw the district lines in such a way as to guarantee the incumbents --
LEG. BISHOP:
Okay, okay, we all know what gerrymandering is.
MR. GOLDSTEIN:
-- a tremendous advantage to ensure that over 90% of the incumbents get themselves reelected. And so, therefore, even when you try to change the representation in Congress --
LEG. BISHOP:
I thought that you --
MR. GOLDSTEIN:
-- you find yourself up against the system that has built-in safeguards to protect the incumbency. You have the franking privilege you have all of the corrupting influences of money that are constantly being talked about.
LEG. BISHOP:
Ah, that's the answer that I thought you were going to give me, money. So if money is the answer, if money is the reason you need Initiative and Referendum, don't you need to have Initiative and Referendum coupled we with Campaign Finance Reform?

MR. GOLDSTEIN:
Well, that's one of the --
LEG. HALEY:
Mr. Chairman, come on, let's go.
LEG. BISHOP:
Isn't it a formula for disaster to have Initiative and Referendum --
MR. GOLDSTEIN:
I&R will help to achieve Campaign Finance Reform, because if the Legislatures will not do it themselves, then we will make them do it.
LEG. LEVY:
That's right, good answer.
MR. GOLDSTEIN:
Take the State Legislature right now. The State Senate says $75 is too much per meal for us to be indulged by all these lobbyists who take us

and wine us and dine us. And so they have unilaterally said we're disarming to the level of $25, all right? But what has happened is the Assembly is holding that back, the Assembly won't go along. So no law will be enacted --
LEG. BISHOP:
And I'm going to conclude with one last thing.
MR. GOLDSTEIN:
-- and the Legislature will continue to be wined and dined by these lobbyists ad infinitum.
P.O. TONNA:
Okay.
LEG. BISHOP:
All right. Let me conclude --
MR. GOLDSTEIN:
If you're not going to police yourselves --
P.O. TONNA:
Hold it a second. Phil, Phil --
MR. GOLDSTEIN:
-- we're going to take the power and police you.
P.O. TONNA:
There is a Legislator who has valid questions to a speaker, the speaker doesn't have to yell.
MR. GOLDSTEIN:
I'm sorry.
P.O. TONNA:
And the Legislator doesn't have to yell.
MR. GOLDSTEIN:
It's my fault.
P.O. TONNA:
And we're going to blame Dave Bishop later behind closed doors, but right now he has the floor. Go ahead, Legislator Bishop.
MR. GOLDSTEIN:
I warned you; he turned me loose.
LEG. BINDER:
Motion to tar and feather, let's go back to our Founding Fathers.
LEG. BISHOP:
This wonderful anti, you know, discussion strain is really -- I just want you to see my point, you don't have to agree with it.

MR. GOLDSTEIN:
Okay.

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LEG. BISHOP:
But you're unwilling to even listen to it at this point.
MR. GOLDSTEIN:
Yes.
LEG. BISHOP:
The point is that if you allow an Initiative and Referendum process without a campaign finance process and you get one without the other, then you increase the likelihood that money and interest will have more power than they have now; is that not true?
MR. GOLDSTEIN:
I must agree with you to a limited extent in that unfortunately the Supreme Court of the United States has said that it is possible to conduct initiative with paid petition gatherers, and I think that is horrendously wrong. I do not think you should be able to hire people to go out and carry petitions and collect names and be kind of head hunters in that respect.
LEG. BISHOP:
And let me conclude with this final scenario. What if I was a big oil company and I wanted to --
MR. GOLDSTEIN:
The wisdom of the people.
LEG. BISHOP:
-- drill off shore.
MR. GOLDSTEIN:
The wisdom of the people. There have been initiatives that have been brought out --
LEG. BISHOP:
You know what?
MR. GOLDSTEIN:
-- by phony organizations using fine sounding names to try to dupe the public in those states --
LEG. BISHOP:
And you think that they're always stopped.
MR. GOLDSTEIN:
-- where we have I&R. And what has happened is the public, in their wisdom, when they learn the alternatives of one side versus the other, generally speaking the wisdom of the people wins out and they do the right thing. But even if they don't do the right thing, it is their blood, sweat and tears which pays the price of their wrongdoing. All right? The public has the right to be wrong, that's what democracy is all about. And when Legislators fail to trust the people and feel that I&R dangerous, oh my God, it means that abortion rights may be under threat or that the teachers feel that their pensions may be in danger or whatever; I don't give a God damn about any of these --

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P.O. TONNA:
Phil, you did so good so far.
MR. GOLDSTEIN:
The people are the ones who ultimately pay the price and they ultimately have the right to make that decision. And that's why I say

Constitutionally, it is the ultimate sovereign power of the people and it is the mechanism by which they can express that sovereign power.
LEG. BISHOP:
For someone who is so obsessed with the process, you have become bizarrely naive as to how that process is going to go --
MR. GOLDSTEIN:
I'm an idealist, what can I tell you.
P.O. TONNA:
All right. Phil, you got a haircut, that's good.
LEG. BISHOP:
-- on Initiative and Referendum.
MR. GOLDSTEIN:
I am an L; I won't even say the full word, but I'm an L.
LEG. BISHOP:
I support Initiative and Referendum but I think that it has to be coupled with Campaign Finance Reform and rules about spending when you have an initiative --
MR. GOLDSTEIN:
I agree with you.
LEG. BISHOP:
-- otherwise you're going to end up with a disaster.
LEG. LEVY:
Well, Mr. Chairman, as long as Legislator Bishop opened the door here, I've got to ask one last question up.
P.O. TONNA:
Wait, wait, wait. We're going -- listen to me; this is not a debate.
LEG. LEVY:
You're right. I've got a question, though.
P.O. TONNA:
This was a question to a speaker and I would ask that it be -- are you finished with the floor, Legislator Bishop, have you done enough now?
LEG. BISHOP:
Yes.
P.O. TONNA:
Legislator Levy, go ahead.

LEG. LEVY:
The question is --
P.O. TONNA:
Thank you, thank you.
LEG. LEVY:
Phil, is it not so that the Founding Fathers provided for the states to have certain powers, one of which was the power to implement Initiative and Referendum which, by the way, over 27 such states have taken the liberty to put in place?
MR. GOLDSTEIN:
Well, I don't agree with the first part of your statement, I agree with the second part. Specifically, as Mr. Bishop pointed out, there is no specific reference to I&R, okay.
LEG. LEVY:
I'm not saying it said specifically.
MR. GOLDSTEIN:
However, as I explained, to my mind, I&R is most definitely a power

that rightfully can be enjoyed. And the fact that under a Federal system the states have certain powers that are reserved to it, you may interpret the Constitution as including under the reserve powers that right to I&R, and there I would concur with you.
LEG. LEVY:
Well, obviously you have to interpret it that way because no -- the concept of I&R has never been declared unconstitutional in any state.
P.O. TONNA:
Listen, that's not a question, Legislator Levy, and you know it's not a question. Phil, thank you very much for your time.
MR. GOLDSTEIN:
I thank you all.
P.O. TONNA:
Henry, I would ask that you give Alison combat pay, all right? Very good.
All right, now we'll move on. Janet Beck? Janet, you're up. Thank you, Janet.
MS. BECK:
I almost forgot what I came to talk about. Hi.
P.O. TONNA:
You have three minutes, Janet.
MS. BECK:
All right. I'm Janet Beck, most of you have already come to know me or

recognize me. I took off a day from all three of my jobs. I brought all my badges because I feel this is very important to discuss this bit issue. I have tried calling Mr. Caracappa who is my Legislator twice. This really needs to be taken into consideration as far as this boot. You all know that my ex-husband owes me over $65,000. If this goes into effect, it will at least tell us in Suffolk County that we will not take this any longer. There will be less children in the system, less children running in the streets, less demoralization of our children if the families were able to stay together.
Maybe I would be able to stay up at night watching TV with my children rather than falling asleep before they do because I'm exhausted, physically and emotionally exhausted.
The other week on a Sunday morning, 7AM as I'm going to work -- I don't know how many of you have to get up to go to work at 7 AM on Sunday morning, but I do so I have time to listen to the radio in the car. I listened to a show that discussed how Suffolk County had a zero tolerance for weapons and how we will no longer stand it, and for the last two years, because of zero tolerance, we have become under control. Maybe it's time -- this boot law might not be the one and only, but maybe by taking a few examples to say this is it, we will no longer tolerate this behavior from anybody, if you want to make them you're going to support them. It's absolutely -- it has to go through at least to start waking up the society.
The laws, the government, the courts will not enforce what we need to have enforced if you the Legislature does not back them. My ex-husband has walked out of court numerous times in contempt, willful contempt, but unless you make the laws and pass it and say yes, it is worth it, why would the Judges enact -- why would they go after them for a contempt, why would they punish them in some way, whether it be jail or

fines, I have no idea what they need to do. But even if this boot law didn't help me and it helped one other family or two other families, that maybe those parents, whether it be a mother or a father, could maybe stay home one day a week, a few hours a week, then it would all be worth it, it would be well worth the time and energy and the tax dollars. It would be less cost effective because, yes, you would be getting people off welfare, maybe I wouldn't have to be working seven days a week.
Anybody that thinks -- I have my documentation with me. I went to CSEB to ask for my free legal representation, they told me it's Family Court only, Supreme Court holds exclusive jurisdiction. I brought my file with me, if anybody up here is an attorney that would love to read my file, especially those who think this isn't right, and tell me that this man in my file has more of a constitutional right than me or my children, we need some serious talking at that. I have my entire file for ten years that I've been living through this system. Why? Because I married him, that's the ultimate fallback, I married him. Well, I have a right to live and my children have a right to have a mother, not just a foolhardy. It needs to be passed. We can modify it, we can fix it, but I will lead you to my ex-husband's house, you can have my file, and start with him because he has been laughing at this system that I voted in. I voted each -- I voted you and my aunt, my ex's aunt has

voted for you to do for me. I am a homeowner, I am a citizen, I am a worker, I'm the BSC, Boy Scout Committee, I'm on the SPCA Committee. I need work, I need you to help me to help take care of my children.
P.O. TONNA:
Thank you, Janet.
LEG. HALEY:
I have a question.
P.O. TONNA:
Yes. Legislator Haley has a question.
LEG. HALEY:
Do you think if we boot your husband's car you are going to get that $65,000 back?
MS. BECK:
He received over $310,000 in which he walked out of court with; he might just come up with some of the money left. He claims he only got 90,000, he claims he doesn't have a dime left. But you know what? If he's sitting in jail, maybe if he doesn't have a car --
LEG. HALEY:
The reason I mention it, and I think it goes to the whole issue of just another tool of what we're looking to put in the hand -- hopefully in the hands of CSEB and that is the booting law. I would suspect at the end of the day when we look at this, let's say a year from now, we're going to find out that we've had very little impact, but I think the purpose that I'm supporting that particular resolution is to continue to show everyone that we are prepared to do whatever we can possibly do to resolve the issues, especially one like yourself.
MS. BECK:
Right.
LEG. HALEY:
But the problem we have isn't one of system, it's the judicial system

is really where we need to make some changes and in the courts and the ability to do it for effective enforcement so that you can bring some resolve. But in the meantime, we as a Legislative Branch of government can only do so much, and I think what we're doing here is we're trying to send a message and we're going to try to add more tools. And if we find out that that additional tool still doesn't work, perhaps somewhere along the line someone will stand up and say we're as mad as hell and we want you to do something about it, the State Legislature and the Judicial System.
P.O. TONNA:
Marty, a question. Thank you.
LEG. HALEY:
I started with a question.
P.O. TONNA:
I know, but it was done.

MS. BECK:
The Suffolk Supreme Court would go after the contempt. In multiple, multiple, multiple papers of mine my ex-husband has been found in willful contempt.
LEG. HALEY:
And it cost you money to do it.
MS. BECK:
It's cost me a fortune, but you know what? It's time. It has never been an issue of whether he's the father or not, and whether I make six digits. In order to get a free legal representation in Family Court, even though I can't because it's exclusive jurisdiction, I have to provide a net worth statement. Why does my income matter when his responsibility doesn't?
P.O. TONNA:
Thank you.
MS. BECK:
If I gave such disregard of my children's life and didn't provide food, shelter and clothing, I would be brought up on negligent charges; why can't these deadbeats be brought up on negligent, why can't it be a criminal offense?
P.O. TONNA:
Marty.
LEG. HALEY:
Thank you.
P.O. TONNA:
Thank you very much. Jackie Mazzeo? No, okay. John Sica -- John, just whatever you are; John, are you there? Okay, Karen Savino.
MS. SAVINO:
Good afternoon. I appear before this Legislature today to implore this law-making body of government --
P.O. TONNA:
Karen, if you could just put the microphone so we can hear you. Thank you.
MS. SAVINO:
Okay. To implore this law making body of government to deny the passage of the car booting bill. The Suffolk County Sheriff's Department Civil Bureau has enough to do with enforcing judgments and is a year behind

in income executions for judgment debtors. The passage of this bill would be a major setback for child support enforcement in Suffolk County. There are many laws, there are many laws that have been passed locally -- in fact, laws that I personally fought for in 1993 and 1994 -- that even though they are in full force and effect, they are seldomly, rarely utilized by the Suffolk County Child Support Enforcement Bureau as well as what Legislator Haley referred to before, the court's miserable failure to enforce child support orders.

I am heartbroken over what the speaker prior to me just stated as to what she's going through. There should be no reason that they cannot represent you in Suffolk County because your order is a Supreme Court order, they force you to do what's called a MOAC Petition.

MS. BECK:

I did that.

MS. SAVINO:

Those should be -- there has to be a jurisdiction. When it isn't -- it's not alimony, it's child support. The quality of life for the children of divorce is so sadly, woefully out of control the way no one seems to care how these children are living, and especially the courts. The courts and the Child Support Enforcement Bureau need to work in cadence with each other. The Sheriff is merely an arm, supposedly an enforcement arm of this agency. They do not need to be given more overwhelming tasks to do which are only going to really inflame the relationship between the party, it is not going to do anything by booting the car. If, in fact, this particular judgment debtor or deadbeat, or whatever you wish to call it, is in arrears, that the value of the car would cover the judgments, then they should take the car. The law provides that they can legally take that car, liquidate the assets and then forward the proceeds to the child support recipient who should be able to enforce their judgement through the Sheriff, the means of the Sheriff.

I have seen through the years, since 1989, a quagmire of bureaucracy that is to me one of the worst things that a person who is in this position can ever encounter. What needs to be done is the Child Support Enforcement Bureau needs to be entirely revamped, cannot be called an enforcement bureau because it does not enforce. What they need to do is leave it possibly in place as an administrative bureau where they can collect on orders that are performing orders, that means that the respondent, responsible party is, in fact, paying his child support, or if there is an income execution in place that is performing, the CSEB would have no problem with that. But for these particular men who have been having a cake walk in the courts and who have made themselves judgment proof because they or they're basically self-employed or they have all of their assets in other peoples' names, there can be skip tracers, professional debt collectors who will go after them and find the assets that need to be located so that these judgments can be enforced.

P.O. TONNA:

Karen, can you please wrap it up?

MS. SAVINO:

I am going to try to wrap it up. Okay, basically what I am going to tell you is that the bill cannot pass. If it does pass, it will not

serve any valuable purpose. What we need to do is enforce the laws that we really already have in place. There are laws in the Family Court Act and there are laws in the Civil Practice and Procedure Laws that are not even -- they are not even known to the people who work in the Child Support Enforcement Bureau. If you are going to look at the Child Support Enforcement Bureau, and I implore you to really investigate that department, you need to hire people who are educated

before they come to work, not get on-the-job training. If you go and ask the people who work from the administration down to the caseworker --

P.O. TONNA:
I would just ask a Legislator to ask her a question so that she can finish her comments.

LEG. FISHER:
I will ask her a question.

P.O. TONNA:
Okay.

LEG. FISHER:
I read your letter, Ms. Savino, and it was a very, very much -- it really was exactly in line with the types of things that we've been discussing in the Social Services Committee. And I would like you to outline for us some of the suggestions that you mentioned in your letter.

MS. SAVINO:
Okay.

LEG. FISHER:
Could you please do that?

MS. SAVINO:
Okay. I also have copies of the laws which were passed in Congress as well as in the State Senate and the Assembly, which I would be more than happen to share with any lawmaker here who would like to know what the laws are. And as well, we have laws in Suffolk County, which I know some of the Legislators who are here today were not here when those laws were passed, and those laws are not effective; it's sad because they could be. There is a law that was -- it was law No. 1172, a Local Law which would prohibit the renewal of occupational licenses for child support judgment debtors; this is never used. If you ask the people who work for CSEB, they haven't got a clue, they don't know about it. There needs to be education, there needs to be training. I myself would be more than happy to volunteer any of my -- any assistance being that I've been through this.

They cannot help me or hurt me any longer because my case with them is over with. I still am owed over $50,000 which I'll never see, but my children are in college now and they have survived, fortunately. But I feel for people like this lady and what she is going through and her children and all of the children in Suffolk County who are children of divorce. So let's hope that will change.

P.O. TONNA:
Thank you.

LEG. FISHER:
Thank you, Karen.

P.O. TONNA:
Okay, thank you very much. I am going to recognize Legislator Fisher.
LEG. FISHER:
Well, I was going to ask her a question.
P.O. TONNA:
No. You're going to make a discharge, right?
LEG. FISHER:
Are we done with the speakers?
P.O. TONNA:
I think we're done with all the cards, we're done with everything, so.
LEG. FISHER:
Okay. I would like to make a motion to take 1260 out of order.
P.O. TONNA:
Okay. Motion to take 1260 out of order, I will second that. This is the appointment of Peter Scully as Parks Commissioner. And the reason why we're taking it out of order, I understand that Peter Scully has a school board meeting that he has to attend at six o'clock, and the last thing that I would want to do is have another official miss a meeting, you know, so that we can expedite this.
LEG. FISHER:
It's on page nine.
LEG. GULDI:
What's the number, please?
LEG. FISHER:
1260, it's on page nine under Parks.
P.O. TONNA:
Okay. We have --
LEG. D'ANDRE:
I'll second that motion, Mr. Chairman.
P.O. TONNA:
All right. It's already been seconded. All in favor? Opposed?
LEG. GULDI:
Hold on, on the motion.
P.O. TONNA:
This is just to take it out of order, okay.
LEG. GULDI:
Okay.
P.O. TONNA:
All in favor? Opposed? Okay, it's now in front of us. Legislator Fisher, do you want to make a motion to approve?

LEG. FISHER:
Yes, okay.
P.O. TONNA:
Okay, motion to approve by Legislator Fisher, seconded by Legislator D'Andre. Okay, on the motion, Legislator Guldi.
LEG. GULDI:
Mr. Scully, if you could?
LEG. HALEY:
Motion to close debate.
LEG. CRECCA:
Second.
LEG. GULDI:

Are we serious?
LEG. HALEY:
No, go ahead.
LEG. GULDI:
Peter, thanks for coming in and being available to answer questions. What I would like you to do, not having the benefit of hearing your presentation in Parks, is on the record and here before the Legislature answer the question of how do you make the transition from public relations for the County Executive to the Commissioner of our fine County Parks and what are your -- what in your experience and qualifications is the basis for -- should be the basis for us voting to approve you for this position?
MR. SCULLY:
Thank you, Legislator Guldi, I thing that's a very good question. I hope that the breadth of my experience in public service would give you some level of encouragement that I'm the right person for the job. Between 1986 and 1991 I served as the Deputy Supervisor of the Town of Brookhaven where I was responsible for the overall operations of town government, a work force of 1,600 people and an annual budget of $132 million, holding the additional titles of Personnel Officer, Director of Labor Relations, Commissioner of Labor, Affirmative Action Officer. From that position, I went on to serve as the President of the Islip Resource Recovery Agency and its Commissioner of Environmental Control. I was the Chief Executive Officer at that time of a public benefit corporation with an annual budget of $35 million responsible for the operation of a multi-faceted solid waste management system including a waste energy facility, a recycling facility, a composting facility. And I successfully implemented a Superfund National Priority List, Landfill Capping and Closure Project at the Blydenburgh Landfill. I feel that that breadth of experience and my work as a volunteer in the areas of the environment and stewardship make me well qualified for the position and I hope you see fit to support my nomination.
LEG. GULDI:
Peter, with respect to the administrative and government positions and

training and experience you have, certainly you have a plethora of experience there, what about with respect to the engineering, the planning, the management and the recreational services features that are integral to parks? What experience do you have in those particular areas and what's the extent of your familiarity with the scope of County operations in those areas?
MR. SCULLY:
With respect to the more detailed, technical aspects of the position and the responsibilities that the Commissioner holds, I have in the past found it productive and I've been able to successfully rely on the advice of experts and engineers and certainly not with myself, and to make sound judgements with respect to the advice I received to make sure that the needs of the citizens that I'm serving are met. I feel that my administrative experience is my strength and I think I have a proven record in that regard, nobody has ever questioned my competence.
MR. SCULLY:
Only to the extent that the question was asked of me at the Parks Committee regarding the status of the RFP process and I learned at that

time that letters had been sent by Commissioner Frank to two proposers indicating that no proposal would be accepted and that the process would be started over, and nothing other than that.
LEG. GULDI:
So -- all right. So, basically, put it in black and white for me. Are you telling me that there is no preconceived deal with respect to those golf courses and that you've had no discussion to that end?
MR. SCULLY:
Absolutely and unequivocally.
LEG. GULDI:
And that the RFP process will be -- will go forward in a -- if you are Commissioner, how will -- let me -- if we ratify you as Commissioner, how will that RFP process go forward, and how will the selection of vendor be made?
MR. SCULLY:
As I explained to the members of the Parks and Recreation Committee last week, I'm in somewhat of an awkward position because I have not involved myself to this point in working for the Parks Department in an effort to become, not wanting to become presumptuous with respect to the role of the Legislature in this process.
P.O. TONNA:
That's good. I like that.
MR. SCULLY:
That's a fact.
P.O. TONNA:
You are a P.R. guy.
MR. SCULLY:
That's a fact. And with respect to the issue of the Yaphank project, I

know how important it is to many of the people in this room. I feel I deserve an opportunity to learn a little bit more about what went into developing the initial RFP. I'm very sensitized to the organic maintenance issue as it relates to that project. For me to stand here today, however, Legislator Guldi, and tell you how that process is going to move forward, it wouldn't be honest for me to do that. I appreciate having a little bit of time to familiarize myself with the process as it's developed up and to this point before making a decision to move forward. But, certainly, I respect the need to keep the Legislature informed in that regard.
LEG. D'ANDRE:
Mr. Chairman. Mr. Chairman.
P.O. TONNA:
Yes, Legislator D'Andre.
LEG. D'ANDRE:
I'd like to say something on behalf of Mr. Scully. I've known Mr. Scully a long time, many more years than I care to admit. But I will say this, he is quite capable, he's honest, he has integrity, he could be trusted, and you don't want a better family man than this young father here, so I support him 100%.
P.O. TONNA:
And I happen to like his hairstyle.
LEG. TOWLE:
Mr. Chairman.

P.O. TONNA:
If I had hair, I'd wear it just like you, Peter. Okay. Any other questions? Legislator Towle, and then Legislator Fisher.
LEG. FISHER:
I'm sorry, Mr. Chairman. This is awkward, but I have been advised by Counsel that I have to withdraw my motion -- that I should withdraw my motion.
P.O. TONNA:
All right. I'll make the motion, then, and second by Legislator -- I think it --
LEG. POSTAL:
I have a question.
P.O. TONNA:
-- was D'Andre already. Just if you can, put that in.
LEG. FISHER:
I'll tell you why. It's because --
P.O. TONNA:
No, you don't --

LEG. FISHER:
-- I'm a teacher in the district where Mr. Scully is a board member.
P.O. TONNA:
Okay, fine. All right, great. Okay. Now, let's go back to the video tape. Where are we? Legislator Towle, and then Legislator Postal.
LEG. TOWLE:
I appreciate that. Thank you, Mr. Chairman. I just want to add to Legislator D'Andre's sentiments. I've known Peter for about 16 or 17 years, going back to when we both actually worked for Suffolk Life Newspapers, and I've had an opportunity to watch his --
LEG. GULDI:
You actually worked?
LEG. TOWLE:
Yeah, I actually did, Legislator Guldi, that is true, unlike you.
LEG. GULDI:
Wonders never cease.
LEG. TOWLE:
Quite honestly, I think his career has been a very positive in which he has been very responsive, not only to the elected officials that he's worked with and for, but also with the community. And he is quite active, as we've found out tonight, knowing that he's on the school board, and quite active with a lot of the environmental groups on the north shore of Brookhaven, and I think he's an outstanding choice to take over the helm of the Parks Department, particularly during this time in which we're moving forward with many projects, as Legislator Guldi mentioned, in the golf course in Yaphank, and also a lot of the properties that we're acquiring environmentally and some of the capital programs that we have going on at our facilities. So I'm pleased to support his nomination tonight.
P.O. TONNA:
Thank you. Legislator Postal.
LEG. POSTAL:
Yeah. I assume you were not part of the RFP process to select the proposer for the golf course?

MR. SCULLY:
The prior process. No, I had no involvement.
LEG. POSTAL:
So that you're not aware whether -- whether anyone was selected; is that what I heard you just say?
MR. SCULLY:
No, Legislator Postal. I have been made aware over the past few days that the Commissioner has notified both proposers that they won't continue with that process and the process will be started anew.

LEG. POSTAL:
So it will be rebid, or a new RFP will be put out?
MR. SCULLY:
Yes.
P.O. TONNA:
Yes.
LEG. POSTAL:
Okay. Thank you.
LEG. BISHOP:
Are you going to use the same committee; do you know?
LEG. BINDER:
On what basis?
P.O. TONNA:
That's a whole new committee, whole new thing.
LEG. BISHOP:
Well, we're going to -- you're going to come back to Parks Committee, right? That's the commitment --
MR. SCULLY:
Right.
P.O. TONNA:
Right.
MR. SCULLY:
At the Parks Committee meeting last week, I think Legislator Bishop requested the presence of the Commissioner and a representative from the County Attorney's Office at the next meeting of the Parks Committee to discuss the status of the litigation and the golf course project itself, and we'll look forward to being there.
P.O. TONNA:
Okay, great. Let's --
LEG. BINDER:
Can I just follow with a quick question?
P.O. TONNA:
Okay. Legislator Binder for a quick question.
LEG. BINDER:
What was the reason given for the -- I didn't hear the reason for the new RFP.
MR. SCULLY:
That really is a question better put to Commissioner Frank than myself. But I can tell you what I read in the letters, copies of which were sent to my office. He indicated that the length of time involved in the process was a major factor.

LEG. BINDER:

But we -- we're on solid legal footing to be able to do a rebid on this? I'm -- because this is the first I've heard of it, I haven't been following it.
MR. SCULLY:
I assume that we are and I haven't heard otherwise.
LEG. BINDER:
Okay.
P.O. TONNA:
Okay. Thank you very much. Okay. All in favor? Opposed? Congratulations, Mr. Scully.
MR. SCULLY:
Thank you.
(Applause)
LEG. FISHER:
I have to abstain.
P.O. TONNA:
And, Mr. Scully, just a quick -- you know this a little, just a tad.
MR. SCULLY:
Just a tad. It's been a long day, and a respect the volume of the work that you people take on in a single workday.
P.O. TONNA:
Oh, I'll tell you, we've got a schmoozer with us. Oh, Lord. All right. Thank you very much. Okay. I've been made to understand that there is -- we're going to take one of the CN's out of order. It's the CN Number 1374, approving the recommendation of European American Bank --
LEG. CARACCIOLO:
Motion.
LEG. CARACAPPA:
Second.
P.O. TONNA:
-- as the title sponsor of the Suffolk County Sports Park. The reason why we're doing that is very simply that the representative of EAB has to catch a plane to Australia.
LEG. CARACAPPA:
Brazil.
P.O. TONNA:
Brazil? Okay, to Brazil. So we want him here to answer any questions that he might want to. Okay. So there's a motion by Legislator Guldi, seconded by Legislator Caracappa.

LEG. ALDEN:
On the motion.
P.O. TONNA:
On the motion, Legislator Alden.
LEG. ALDEN:
Just could we have a brief response to the article that was in Newsday the other day about a last minute bid?
LEG. CARACAPPA:
Yeah. Who do you want it from? There's about eight people here who can give you the story.
P.O. TONNA:
Okay. Hold it a second. Hold it. Legislator Alden asked a question.

Let the Public Works Commissioner first answer that question. And, Legislator Caracappa, you want to be recognized to add, chime in, that would be fine.
MR. BARTHA:
What I'd like to do in answering that question is give you a brief history.
LEG. FISHER:
Is your mike on, Charlie?
LEG. CARACAPPA:
Pull it up, Charlie.
MR. BARTHA:
Pull it up? To give you a brief history of how we went through this process, in March and then again in May of 1999, the County had prepared an RFP, which we issued to over 200 firms, and we advertised in the Newsday, Wall Street Journal, Stadium and Arena, Long Island Business News, other trade publications. We didn't -- we had some verbal expressions of interest, but we did not secure any written proposals. At that point, it became obvious we needed a marketing consultant to go out and promote the benefits of a naming package, title sponsorship in a way that a municipality really can't do directly. We went through a process where we interviewed five firms. We had narrowed it down to two firms. The Local Preference Law, in effect, narrowed it down to two firms. The Legislature provided funding of up to $25,000 for the marketing consultant. We engaged the firm of Parr Ventures who immediately prepared a package, approached a number of firms on Long Island, made contact with -- they started working in October. They contacted approximately 23 firms, and received expressions of interest and proposals from a total of three firms. Each of those firms, as the ballpark -- as the process became better known -- not the process, but the ballpark became better known, revised their proposals upward. The -- everyone should recognize this is not a standard -- it's certainly not a competitive bid situation and it's not a standard RFP situation where there were deadlines. We made -- because of the fact we had to bring the process to a conclusion, everybody would like to have the naming rights settled before opening

day and, hopefully, have a sign on top of the ballpark, so we established a deadline through our marketing consultant of Friday afternoon at 5:00.
So I had previously reported to the Public Works Committee that we had secured an offer from European American Bank at that point for $200,000 less the cost of the signage. Subsequently, the best proposal we received as of 5:00 Friday, which is what we're recommending to you, from European American Bank, a proposal of $230,001, and they will pay the cost of the signage, the installation of the signage. This --
LEG. LEVY:
When you say, I mean -- when you say "best", was that the highest bid?
MR. BARTHA:
That's correct.
LEG. LEVY:
Okay.
LEG. TOWLE:
What were the other two bids, Charlie?

MR. BARTHA:
The amounts?
LEG. GULDI:
The dollar amounts.
LEG. TOWLE:
Yeah.
MR. BARTHA:
225,000, and the other -- the other bid proposal was less than that. So what the net revenue the County receives from this ballpark, both the revenue from the ball team operator and the naming rights over this ten years, this is $230,001 for ten years. So, as I had projected earlier in revenue projections when I approached the Legislature for additional monies for the ballpark, I had anticipated a net revenue of $150,000 for naming rights. The net revenue to the County now will be $195,500 for the naming rights. And the revenues that are anticipated from the ball team operator have increased since I last spoke to you. So we're looking at this -- the ballpark is going to be a net revenue producer to the County of $230,000 a year. That's after debt service on the County portion, and that's after putting $90,000 a year aside for a Capital Reserve Fund to make improvements to the ballpark over time, so we never have to for a capital project to update the ballpark.
LEG. D'ANDRE:
Sounds good, Charlie.
MR. BARTHA:
Thank you.

P.O. TONNA:
Okay. Legislator, I think, Foley's next.
LEG. FOLEY:
Yeah. Thank you.
P.O. TONNA:
Oh, no. I'm sorry, Levy and then Foley.
LEG. LEVY:
I'll defer to Legislator Foley and then I'll get back.
LEG. FOLEY:
Thank you, Steve.
LEG. LEVY:
I want to be next.
LEG. FOLEY:
Sounds like a very promising contract. My only question is this, Charlie. Generally speaking, when we have contracts of this size and when the Legislature has to approve it, we have appended to the resolution a copy of the contract. As I understand it, what you would like to see happen, as would the County Executive, is first to approve the resolution today, but the actual contract won't be consummated, if you will, and executed until sometime after we approve the resolution. Generally speaking, I have concerns about that, because normally, particularly over a contract of six figures, we would like to see the -- you know, the details of a contract before we enter into an agreement. So it's a concern that I have. I'm not saying that it's a fatal one that means I'm going to necessarily oppose the resolution today. But my question to is why are you bringing this to us today as

-- or the County Executive is, today as a CN when we don't have appended to the bill the exact -- well, the contract spelling out all of the requirements that both EAB and the County are agreeing to?
MR. BARTHA:
We anticipate it will take sometime to work out those details. Attached to the resolution is the letter of intent from European American Bank, which is a similar process to what we used when the ball team operator was selected. The Legislature authorized the County to enter into an agreement with he ball team operator, similar to the memorandum of agreement that was attached. That's what we're asking for now. In order to be able to proceed before opening day, and, you know, at this point, it's going to be very tight, but, hopefully, the EAB will manage to get the sign on top of the ballpark by then, and we also have signage, road signage that we have to install, directing people to the ballpark, and, you know, we're not about to start making or installing those signs without the Legislature's approval.
P.O. TONNA:
Thank you. I just wanted to -- are you done, Legislator Foley?
LEG. FOLEY:
Yeah. I mean, just a final question, if I may. On the last page of the memo, dated March 27th -- excuse me, dated March 23rd from EAB by

Mr. Mark Anderson, the last paragraph gets to the issue that I'm raising, that, "It's expressly understood that this letter is not intended to be an agreement for such rights or a commitment on the part of EAB, which is subject to further discussion and the execution of a definitive agreement containing mutually acceptable terms and conditions." How do we have -- well, how would you give -- how would you tell us or how can we have confidence that the end result will be of such terms and conditions that this Legislature will find agreeable?
MR. BARTHA:
The only terms -- I mean, I think the most critical terms here are clearly the amount of the payment annually, that's fixed, the fact that they are going to provide the signage, that's established. After that, the issues in an agreement involve insurances and that -- you know, so I see it as a pretty simple agreement.
P.O. TONNA:
I'm going to move back to Legislator Alden, because he had the floor at first and I cut him off, I think. I'm sorry, Legislator Alden. And then we'll move to Legislator Levy. Thank you.
LEG. ALDEN:
Maybe I wasn't real clear, but in an article in Newsday, it said at the last minute. Now we had Public Works on Wednesday, I believe, so the following Friday was the cutoff date for submission of any bids, or whatever, you know, like --
MR. BARTHA:
When I appeared before the Public Works Committee, at that point, it appeared that we were not receiving anymore revised offers. Subsequent to that meeting, I received a phone call from one of the other proposers and asking whether the process was final yet, and I said it's not final until the Legislature approves it, and we're hoping to have that accomplished next Tuesday. At that point, that proposer submitted

a revised proposal and our marketing consultant advised each of the firms that had presented proposals that we would have a deadline of 5:00 Friday to bring the proposals in.
LEG. ALDEN:
Okay. So then we actually got three proposals? Because at Public Works, we had one proposal, one letter, and then no response.
MR. BARTHA:
Right.
LEG. ALDEN:
So then we actually got three proposals.
MR. BARTHA:
Three written proposals.
LEG. ALDEN:
Good. Okay, thanks.

LEG. CRECCA:
Legislator Tonna.
P.O. TONNA:
Legislator Levy, then Legislator Crecca, then Legislator Carpenter.
LEG. LEVY:
Charlie, with the bids, were there all single bids by each individual applicant, or was there a bid and then a rebid?
MR. BARTHA:
This wasn't a bid process, this is more of a --
LEG. LEVY:
An RFP.
MR. BARTHA:
-- negotiation, RFP process, and there were revised offers from each of the proposers.
LEG. LEVY:
You don't anticipate any of the competitors coming back and say -- to say that EAB was given any kind of unfair advantage, as far as being able to up the ante? Maybe that's what we want, I don't know. I'm just asking.
P.O. TONNA:
Yeah, I want them to up the ante.
MR. BARTHA:
I don't anticipate hearing that from anybody.
LEG. LEVY:
Okay. What do you mean -- you said that there will be $230,000 -- $230,001 per year net to the County; no? You want to repeat that?
MR. BARTHA:
No. I said there was $230,000 net to the County of all the revenues for the ballpark versus the debt service costs. That, coincidentally, happens to be the number for the naming rights.
LEG. LEVY:
Oh, okay.
MR. BARTHA:
The naming rights --
LEG. LEVY:
So -- all right, fine. So what we're getting for the naming rights is 230,001 per year for a ten-year period.
MR. BARTHA:

No. That's less the fee for the marketing consultant, which was a 15% fee.

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LEG. LEVY:
That's a one-time --
MR. BARTHA:
No.
LEG. LEVY:
-- only fee?
MR. BARTHA:
No.
LEG. LEVY:
Every year we're paying that to the marketing consultant?
MR. BARTHA:
And we found, when we interviewed the five firms that had responded on the marketing end, is that's fairly typical in the -- in that segment of the market.
LEG. LEVY:
The marketing consultant is the middleman between the County and the firms that came prepared the RFP?
MR. BARTHA:
You could view it as a middle person, and you can also view it as the fact that we were unsuccessful when we tried to deal with this process directly. And without the marketing consultant, we would not have secured this proposal.
LEG. LEVY:
Is that Parr Ventures.
MR. BARTHA:
That's Parr Ventures.
LEG. LEVY:
So they will be getting what, about $35,000 per year for a ten-year period?
MR. BARTHA:
That's correct.
LEG. LEVY:
Boy. That's bizarre.
LEG. CARACAPPA:
If I could, Legislator Levy.
LEG. LEVY:
Wait. Go ahead, go ahead.
LEG. CARACAPPA:
Just along the lines of that.

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LEG. LEVY:
And if I could just get the floor back after I defer.
LEG. CARACAPPA:
Just to clear it up. Along-- in the process of selecting Parr Ventures, we had a whole host of perspective consultants come and sit before a committee comprised of myself, Charles Bartha and Greg Lauri. It was the same committee put together to pick the ball team. And after reviewing and sitting with them for about a week, the County Attorney's Office, it was clear to me and clear to the others on the committee that Parr had the closest ties to both Suffolk County and

Suffolk County businesses through her other ties in regards to other public relation firms being radio, and, also, she's probably the one with the lowest amount in regards to compensation for doing this, carrying this task out for the County. The others, we had I believe Ford, Ford Consulting come and see us. Their price was astronomical. We had {Marcom} come in from the City, astronomical. And Parr probably was the -- was, I can say was the most reasonable out of the group.
LEG. LEVY:
And is it typical that they will get a percentage on every year of the contract, as opposed to one sum for providing their services?
MR. BARTHA:
That's similar to what the other proposals were from the marketing firms.
LEG. LEVY:
Okay. So our net is going to be approximately 190 some-odd thousand dollars?
MR. BARTHA:
195,500 --
LEG. LEVY:
Per year.
MR. BARTHA:
-- on the naming rights.
LEG. LEVY:
And, basically, all we're doing is giving EAB the opportunity to put some signs around the ballpark.
MR. BARTHA:
That's correct. And in turn, they will -- besides paying us the money, they will promote the ballpark and events at the ballpark, which should help in attendance, which helps in the revenue to the County as well.
LEG. LEVY:
One other question. What, in the end, did Parr do that we didn't do?
MR. BARTHA:
She was able to establish direct contact with a number of different firms and actually promote it, meet with the people. When we -- we were dealing with such a large number of firms in the effort of

avoiding the appearance of any favoritism, and we always were of the feeling that we had to provide the exact same information to everyone. And, you know, speaking to people that were not involved in this process, but are involved in advertising and marketing that I know for a long time, this -- you know, we try to do things in a municipal fashion and not everything fits in a municipal fashion, and naming rights is certainly an unusual thing for the County, certainly the only time I've been involved in it.
LEG. LEVY:
Well, it's certainly a concept that, you now, I personally approve of. I'm glad we passed a resolution last week to do the same thing for the new building over on the Western Campus, and I hope that gets us some money as well. I know we're actually getting in more money in this proposal than we had originally envisioned; correct?
MR. BARTHA:
That's correct, absolutely correct.
LEG. LEVY:

So it's free money, as they say, so we should do it. Thank you.
P.O. TONNA:
Oh, we have a list, Legislator Foley. Next is Legislator Crecca.
LEG. CRECCA:
Charlie, I think it's probably obvious, but I just want to make sure. After the ten-year period is up, will -- then, in other words, the naming rights would be up for renegotiation? This is only -- in other words, it's not permanent naming right --
MR. BARTHA:
Right, that's correct. It's a ten-year --
LEG. CRECCA:
-- it's only for the ten-year term.
MR. BARTHA:
Ten-year agreement.
LEG. HALEY:
No option.
P.O. TONNA:
And by that time, with term limits, all of us will be off, maybe we'll all join a marketing company and --
LEG. CRECCA:
I'll still be here.
P.O. TONNA:
Ten years? I don't think --
LEG. CRECCA:
Sure.

P.O. TONNA:
Oh, ten years, that's right.
LEG. CRECCA:
Actually I may be --
P.O. TONNA:
We have to talk about that.
LEG. CRECCA:
I may be sitting in that chair, who knows.
P.O. TONNA:
Right. Well, we'll have to talk about that. You can sit in it right now.
LEG. CRECCA:
I didn't say when yet.
P.O. TONNA:
Okay.
LEG. FOLEY:
Andrew.
LEG. CRECCA:
And then, actually, I had other questions, but --
LEG. HALEY:
You don't meet the height requirement.
LEG. FOLEY:
Andrew, I think Ginny's going to be sitting in that chair ten years from now.
P.O. TONNA:
Yes. Legislator Carpenter.
LEG. CARPENTER:

Thank you. I see from the -- in the resolution that the name of the ballpark will be known as EAB Park. If at any point in time the ownership of EAB Bank were to change, I would hope not, they're a great corporate citizen, but if the bank is put out by another bank, does it get transferred?
MR. BARTHA:
That's certainly something that would have to be --
LEG. CARPENTER:
And would that be --
MR. BARTHA:
-- covered in our contract with them.
LEG. CARPENTER:
And would that be subject to the approval of the County lest the

takeover entity would be something that we might find objectionable?
MR. BARTHA:
An assignment of a contract is -- typically requires approval of the department. So we do deal with assignments of contracts all the time on engineering construction projects. I would not anticipate it having to come back to the Legislature.
LEG. CARPENTER:
So that it would be EAB Park. And if EAB were to decide they wanted to call it something different, would they have to come back to us?
MR. BARTHA:
They'd have to come back to the Department of Public Works.
LEG. CARPENTER:
Okay. Because what I'm getting at is I -- you know, if at some point they wanted to call it EAB Park of Long Island, I would prefer to see that it be EAB Park of Suffolk County. So I would want to be sure that we had the right to approve any changes off what is shown here in this contract or in this resolution.
MR. BARTHA:
When you say "we", you mean the Legislature?
LEG. CARPENTER:
"We" meaning the County.
MR. BARTHA:
The County. Yes, certainly, the County, absolutely.
LEG. CARPENTER:
Okay. Thank you.
P.O. TONNA:
Just to follow Legislator Carpenter, if Ozzy Osborne buys EAB out, okay, and decides to get into the banking business, they're going to have to have it approved that it becomes Ozzy Osborne Park through Public Works, right.
MR. BARTHA:
That's correct.
P.O. TONNA:
All right. So we have say. Great all right. Thank you.
LEG. LEVY:
Well, could I ask something on that, too?
LEG. FOLEY:
I have a follow-up.
P.O. TONNA:

I know.

LEG. FOLEY:
I have a follow-up on that.
P.O. TONNA:
He's not going to get my vote. But anyway, I think we have -- Legislator Carpenter, I interrupted you. Are you done on the questions?
LEG. CARPENTER:
I would just like the -- if the location ever gets tagged onto it, that as part of what you're going to put forward to EAB Bank, that it would be EAB of Suffolk, EAB Park of Suffolk and not Long Island.
MR. BARTHA:
Absolutely.
LEG. CARPENTER:
Thank you.
MR. BARTHA:
As long as I'm Commissioner.
LEG. CARPENTER:
Okay.
P.O. TONNA:
Okay. Legislator Foley.
LEG. CRECCA:
That was good.
P.O. TONNA:
You've been hanging around that other Commissioner from Parks, picking up all that stuff, I see that.
LEG. CRECCA:
Peter Scully is rubbing off on him.
P.O. TONNA:
Yeah, there you go. Okay, Legislator Foley.
LEG. FOLEY:
Just following up on Legislator Carpenter's point and that was one that I was going to raise, you know, many of these sports facilities throughout the country, they have no geographic identification. So you have EAB -- EAB Park, that could be Upstate, New York. My point would be that the way that it should read, because this is a partnership, is EAB Suffolk County Park, because that way we know it's -- you know, the County tax dollars have been used to build this thing. You have partnership, yes, with the private sector, but the name of the facility should reflect the partnership related to the construction and related to the contract involved. So it would be --
LEG. BINDER:
All in favor of EAB Park?

LEG. FOLEY:
So, you know, whether it's through you, Charlie, or whether it comes back to us, but I really would say EAB Suffolk County Park would be a more --
P.O. TONNA:
Brian.
LEG. FOLEY:
-- equitable way of doing this.

P.O. TONNA:
Just in due respect, that's -- that will be a deal-breaker. I mean, I can't read EAB's mind, but that's -- they're not here to share just good will, they're there to advertise their company and that's why they're paying --
LEG. FOLEY:
Of course.
P.O. TONNA:
-- $231,000 for it.
LEG. FOLEY:
That's why -- that's why the name is --
P.O. TONNA:
If they said EAB Park and Suffolk County, or whatever else, then I guess we'll have to put up 150,000 or 100,000 and --
LEG. FOLEY:
We put up -- we put up $20 million.
P.O. TONNA:
I understand that. But what we've done by doing this, and that's why you go --
LEG. CARPENTER:
Excuse me.
P.O. TONNA:
Legislator Foley, just -- that's why we decided naming rights. The decision that we're making is to say we could call it Suffolk County Park, but some of us, and we'll see by our vote, would rather have the income, okay, the tax dollars in, or whatever else. I'm just telling you, Steve, you might think that, oh, it's a small thing. I'm telling you right now, if -- and I'm not reading the mind of EAB, but I would guarantee you that --
LEG. FOLEY:
You're a Suffolk County Legislature right now.
P.O. TONNA:
I guarantee you that that would be a deal-breaker, because this is a corporate -- because this is the business world.

LEG. FOLEY:
It's not for you --
P.O. TONNA:
They want to deal with something --
LEG. FOLEY:
It's not Paul, it's --
P.O. TONNA:
-- that has to do -- they're spending money, real money to make a corporate statement, not to sit there and say, you know,"Let's all -- let's share this thing." They're paying money for the naming rights, they're not paying money to share the naming rights, that's not the deal we asked them. Thank you.
LEG. CARPENTER:
Mr. Chairman, if I could.
LEG. FOLEY:
No. Could we have a follow-up --
LEG. CARPENTER:
Since I raised it.

LEG. FOLEY:
Yes.
P.O. TONNA:
Right.
LEG. CARPENTER:
Since I raised the point. I am perfectly happy with EAB Park. My only point is was if they start attaching any kind of geographical name, that it would be EAB Park of Suffolk County.
P.O. TONNA:
Right.
LEG. CARPENTER:
But if you went along with your line of reasoning --
LEG. FOLEY:
Right.
LEG. CARPENTER:
-- because of the dollars invested in it --
LEG. FOLEY:
Right.
LEG. CARPENTER:
-- taxpayer dollars, then it would have to be EAB Park of Suffolk County and EAB park of New York State --

LEG. FOLEY:
Well, no.
LEG. CARPENTER:
-- because it was State dollars.
LEG. FOLEY:
Yes, yeah. But there's a -- yeah, but there's a limit to what we can do. Right.
LEG. CARPENTER:
Well, that's why EAB Park sounds very nice.
LEG. FOLEY:
Well, yeah. But it's wholly a corporate name to a public building, that's what my problem is.
P.O. TONNA:
Okay. All right. Thank you. Wait. Legislator Caracappa has the floor. And, Charlie, I'm just trying to save you a little trouble later on when somebody says, "Why didn't we have Suffolk County's name in there," when you're approving this, that's all. Thank you.
MR. BARTHA:
I appreciate that.
P.O. TONNA:
I know. Legislator Caracappa, and then Legislator Levy.
LEG. CARACAPPA:
I'll defer to Legislator Levy.
P.O. TONNA:
Okay.
LEG. LEVY:
Just a question, Charlie. We all know there's a lot of takeovers in the banking world and we discussed this earlier, but if there were a takeover and the entity taking over EAB decided that they did not want to continue in this fashion, I imagine we could force them to do so?
MR. BARTHA:

We will -- we will secure through this contract, you know, to -- that they will be obligated for the ten-year period.
LEG. LEVY:
That EAB would be obligated. So even if they're taken over by another company, I mean, they're not in existence anymore as an entity.
P.O. TONNA:
Doesn't matter, it's an asset.
LEG. CARPENTER:
It's part of the portfolio of what the put --

P.O. TONNA:
It's part of their balance sheet. It's part of their -- it's a liability that they'd have to pay.
LEG. LEVY:
All right.
P.O. TONNA:
That's part of -- that's part of their deal.
LEG. CARPENTER:
Like any taxes.
LEG. LEVY:
Because my concern would have been, if the -- if the following entity didn't want to go forward and we stopped, would we still have to pay par? But you're saying that's irrelevant because, regardless, EAB is going to have to pay if there's a takeover.
MR. BARTHA:
We'll construct the contract in such a fashion that they -- if someone else were to require them, there would be an obligation that they're acquiring.
P.O. TONNA:
There's a discussion and a Legislator speaking. Okay, you're satisfied?
LEG. LEVY:
Yes.
P.O. TONNA:
All right. Let's call the vote, Henry.
LEG. CARACAPPA:
Can I have the last word, Mr. Chairman?
P.O. TONNA:
What?
LEG. CARACAPPA:
Can I have the last word?
P.O. TONNA:
Oh, I would like Legislator Caracappa to get the last word. Legislator Caracappa.
LEG. CARACAPPA:
Thank you, Mr. Chairman.
LEG. BINDER:
All right, Joe.
LEG. CARACAPPA:
What's that, Legislator Binder? Don't raise your fists at me, please.

LEG. FISHER:
Go, Joe.

LEG. LEVY:
Go, Joe.
LEG. CARACAPPA:
But we've been saying from day one in regards to this project that it would be exciting, that the people would rally around it. Our projections, as Commissioner Bartha stated earlier, for naming rights, and this is from one of the top consultants that we hired, being Brailsford and Dunlavey, who has worked on these projects throughout the country, was approximately $150,000. We now are accepting a proposal for 230 and one -- $230,000 --- $230,001. I mean, that -- that speaks volumes of where this project is going. Not only in this instance have we passed our projections with what we originally were looking at, but almost every revenue stream so far associated with this park running back to the County, we're surpassing them, and they haven't even picked a team yet. And, again, it's not -- I'm not saying this as vindication, I'm saying this is -- we should continue to be -- continue to be excited about this project, continue to rally around it, because the people wanted it, they got it, and they're showing you how much they appreciate it.
So, to Charlie, I say to you great job on the naming rights, and, in fact, with the construction of the park. We toured it last week and it is just looking absolutely beautiful and is exciting to walk through. I thank Parr Associates for doing such a fine job on this as well. As Charlie stated earlier, though the RFP process didn't work, this process did, and it's nothing but 100% benefit to the taxpayer of Suffolk County. And I'd ask for the Chairman to call the question.
P.O. TONNA:
Okay. And good job, Joe. You've really executed this. On behalf of the Legislature, you've done a very good job. Okay. Call the roll, or whatever you want to do.
LEG. CARPENTER:
All in favor.
MR. BARTON:
I have a motion and a second.
P.O. TONNA:
No. Let's do -- let's call the roll.
MR. BARTON:
Okay.
(*Roll Called by Mr. Barton*)
LEG. GULDI:
Yes, take the money.
LEG. CARACAPPA:
Yes.

LEG. CARACCIOLO:
Yes.
LEG. TOWLE:
Yes.
LEG. FISHER:
Yes.
LEG. HALEY:
Yes.
LEG. FOLEY:

No.
LEG. FIELDS:
Yes.
LEG. ALDEN:
Yes.
LEG. CARPENTER:
Yes.
LEG. CRECCA:
Yeah.
LEG. D'ANDRE:
Yes.
LEG. BISHOP:
Yes.
LEG. POSTAL:
Yes.
LEG. BINDER:
Yes.
LEG. COOPER:
Yes.
LEG. LEVY:
Yes.
P.O. TONNA:
Yep.
MR. BARTON:
17-1.
P.O. TONNA:
Okay. We're going to have a ten-minute recess. We'll be back in ten minutes. Thank you.

[THE MEETING WAS RECESSED AT 5:45 P.M. AND RESUMED AT 6:00 P.M.]
P.O. TONNA:
Okay. I'd ask all Legislators to please come to the horseshoe. Henry. Henry, could you do the roll? And let's move. Okay. Let's go to the -- let's finish the two CN's, I guess. Okay? We have in front of us Resolution Number 1371, establishing Smart Growth Policy for Suffolk County implementation. Legislator Fields, is there a motion? First make a motion.
LEG. FIELDS:
I make a motion.
LEG. BISHOP:
This is on what?
P.O. TONNA:
This is the CN --
LEG. HALEY:
Second.
P.O. TONNA:
This is the CN. Okay? Make a motion, seconded by my -- well, seconded by Legislator Haley. Okay. On the motion. Legislator Fields?
LEG. FIELDS:
I just wanted to clarify some of my thoughts and my actions. It was never my intention to mandate or halt in the development. I think it would be wise to slow down until we have a plan. But my intent was not to be so restrictive that we would stop all development. However, the

bill was a moderate approach with a suggestion, a request that development be delayed until smart growth master plan is completed. The only thing I want to say, you know, in addition to that is that this bill was before the County Legislature for six weeks before it was ever voted on and reported in the press, yet we heard nothing from those who now object to its adoption. Also, if you believe that the traffic congestions, the decline of downtown business areas, the threats to our drinking water, the shrinking land available for open space, the overdevelopment of small sized lots, and the general lack of any coherent overall plan for preventing the spread of suburban sprawl that everyone complains about represents smart growth, then you shouldn't support my bill in every -- in any form. However, if you agree that the conventional planning wisdom has not worked, then you'll be joining me in enacting a real smart growth plan for Suffolk County. For me smart growth is not a slogan, it must become a reality. I didn't enter public service to simply put my name on a press release or a bill, I became a County Legislator to improve the lives of the people who live here. If you share that goal, I know we can work together in the future to adopt substantive long-term reforms for the people of Suffolk County.
P.O. TONNA:
Thank you very much.

LEG. BINDER:
Mr. Chairman.
P.O. TONNA:
Let's vote. Okay, Legislator Binder.
LEG. BINDER:
I just want to know the procedure. The bill we passed last time is it the intent of the County Executive --
LEG. CARPENTER:
It was vetoed.
P.O. TONNA:
He already did veto it.
LEG. CARPENTER:
It's in the packet.
LEG. BINDER:
Okay. So he vetoed it. I thought -- it probably would have been easier if we just --
P.O. TONNA:
All right, whatever.
LEG. BINDER:
Well, yeah, just reconsidered it.
P.O. TONNA:
That's okay. Let's just -- okay.
LEG. LEVY:
Mr. Chairman, I just want to -- Mr. Chairman.
P.O. TONNA:
Legislator Levy.
LEG. LEVY:
Just one thing on the record. It was stated a little earlier by a Legislator that there was apologies given for just about every Legislator here as if we misread the bill. Mean, maybe some people

did and -- but I know others didn't. I don't think many of us had the -- had the feeling that this first bill ever imposed a moratorium. It did not and I just want to make that clear. Some people misinterpreted it as being so. But we never said that this was a moratorium on any further building, so I don't think it's accurate to say that Legislators misread the very bill that they were voting on. Maybe some did, but I think it's wrong to speak for all Legislators in that regard.
P.O. TONNA:
Thank you very much. Legislator Guldi.

LEG. GULDI:
Yeah. I think that you bring up a good point. There's not -- to the extent there's been a misreading of the bill. The misreading of the bill has been by the critics of the version that was passed. No one has criticized the substance of it. What they have criticized as a false criticism is a moratorium. The portion of the bill that requests -- excuse me, that directs the Director of Planning to advise the towns that we're going to do some planning and to request that they consider delay until we do the planning. Considering delay by the Planning Director is all that the bill said. There is no word "moratorium." And anyone who thinks that there's a real and substantial risk that the towns are going to start listening to the County of Suffolk on development issues is from another planet, much less another county. There's been an intentional false reading to try to raise a flag of opposition to this bill. The sponsor has decided to accommodate that false criticism and adjust the bill. I support the response because I support the underlying planning principles paramount to the rhetoric that's been raised against the County, our own Planning Department actually do some planning.
P.O. TONNA:
Thank you very much.
LEG. CARPENTER:
Mr. Chairman.
P.O. TONNA:
Legislator Carpenter.
LEG. CARPENTER:
I would just ask Counsel, I guess, to outline the differences between what was passed and what we have before us today.
MR. SABATINO:
The differences are three. One, instead of having one year to do the study, there'll be six months. The second change is that the precatory language that requested the towns and villages to consider the possibility of delaying projects pending the report has been deleted. And the third change is that the last paragraph of the original bill, which required the County of Suffolk to adhere to whatever the plan that came out of smart growth was has been deleted.
LEG. CARPENTER:
So the -- was there not a reference in there, and this was on my rereading of it after the fact, unfortunately, but was there a reference that said that the County Planning Commission had to adhere to the concept and could not -- should impose a moratorium?
MR. SABATINO:

No, there -- I'll state categorically, there was no moratorium in the original legislation. When you want to do a moratorium, you do the language like we had in Legislator Postal's bill that was proposed for the Southwest Sewer District. You put exact, precise language in. Number two, we don't have the authority to impose a moratorium on the towns and villages. All we could do, which is what the resolved clause said, was we asked them to consider delaying consideration of their

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projects while the report was being done.
LEG. CARPENTER:
No. I understand.
MR. SABATINO:
The heart of the bill was the last resolved clause, which said that once the plan is completed and done, the County of Suffolk, all of its offices, departments, and agencies, would adhere to what the plan is. The difference between that clause and this bill now is that the Legislature will actually get a chance to vote on the plan when it comes back. So you'll have that intermediary step, but you won't have the language at that -- at this particular juncture obligating the County to adhere to the plan.
LEG. CARPENTER:
Okay. Then I would just ask the sponsor, lest we be accused of rushing to judgment again, that have you checked with the Planning Department to see if six months is a reasonable time for them to complete it?
LEG. FIELDS:
Believe me, I've checked with Mr. Jones.
LEG. CARPENTER:
Well, see, I gave you an opportunity to put that on the record.
LEG. FIELDS:
Thank you. I did.
LEG. CARPENTER:
Thank you.
LEG. FIELDS:
I checked with Steve Jones and he said that he didn't see a problem with that.
LEG. CARPENTER:
Terrific. Thank you.
P.O. TONNA:
Legislator Caracciolo.
LEG. CARACCIOLO:
Janet, does the Executive Branch have any reservation about this amended bill?
LEG. LEVY:
It's a CN.
MS. DEMARZO:
No.
LEG. CARACCIOLO:
Okay.

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MS. DEMARZO:
We've reviewed the bill and we've worked with the sponsor and the Planning Department, as Legislator Fields said, to ensure that the six months was sufficient time, so we support the resolution before you.

LEG. CARACCIOLO:
Thank you.
P.O. TONNA:
Legislator Fisher.
LEG. FISHER:
Thank you, Mr. Chairman. I would just like to put it on the record that I make no apology for having supported this bill in its original form. I understood the Legislative intent, and I agree with previous statements that I did not interpret a moratorium to have been in that bill, and that I think it was certainly a courageous step for a freshman Legislator to really put her vision into a resolution like this, and I applaud you and I supported your original legislation.
LEG. FIELDS:
Thank you.
P.O. TONNA:
Thank you. Okay. Roll call
(*Roll Called by Mr. Barton*)
LEG. FIELDS:
Yes.
LEG. HALEY:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. GULDI:
Yes.
LEG. TOWLE:
Yes.
LEG. CARACAPPA:
Yes.
LEG. FISHER:
Yes.
LEG. FOLEY:
Yes.
LEG. ALDEN:
Yes.

LEG. CARPENTER:
Yes.
LEG. CRECCA:
Yes. Cosponsor.
LEG. D'ANDRE:
Yes.
LEG. BISHOP:
Yes.
LEG. POSTAL:
Yes.
LEG. BINDER:
Yes.
LEG. COOPER:
Yes. Cosponsor.
LEG. LEVY:
Yes. Cosponsor.
P.O. TONNA:

Yep.
MR. BARTON:
18.
P.O. TONNA:
Thank you very much. CN Resolution Number 1355, approving the plan of work of the Vector Control Bureau of the Department of Public Works for the Year 2000, in compliance with Article VIII -- five, six, seven, VIII, Section C 8-4 B (2) of the Suffolk County Charter. Is there a motion?
LEG. CARACCIOLO:
Motion to table.
P.O. TONNA:
Motion to table.
LEG. FISHER:
Second.
P.O. TONNA:
Is there a second?
LEG. FISHER:
Second.
P.O. TONNA:
Second by Legislator Fisher.

LEG. CRECCA:
May I be heard on that motion to table?
P.O. TONNA:
Excuse me?
LEG. CRECCA:
May I be heard on the motion table?
P.O. TONNA:
Yeah. Right now, there's a motion to table and that has precedent over any other motions anyway. Okay.
LEG. COOPER:
Mr. Chairman.
P.O. TONNA:
On the motion to table.
LEG. BISHOP:
I'm on the line.
LEG. COOPER:
Mr. Chairman.
P.O. TONNA:
Okay. First of all, Legislator Cooper, then Legislator Bishop.
LEG. COOPER:
All right. I just had a question. In the resolved clause here, it refers to the Vector Control Plan filed on March 10th, but the latest version that I have in front of me is dated March 22nd, which says that it replaced the March 10th version. I'm just wondering why this still refers to March 10th.
MS. ROSENBERG:
That had to be corrected, because the plan was just submitted March 23rd. There were some changes made due to some Legislators' concerns they were taken into account, so this should be March 23rd.
LEG. COOPER:
Okay. Thank you.

MS. ROSENBERG:
And it should be changed on the record. Thank you.
P.O. TONNA:
Thank you. Is that all, Legislator Cooper?
LEG. COOPER:
Yes, thank you.
P.O. TONNA:
Okay. Legislator Bishop, you want to --

LEG. BISHOP:
I wanted to hear what Janet had to say, but I want to --
P.O. TONNA:
I didn't --
MS. DEMARZO:
What I --
LEG. CRECCA:
Well, can I?
P.O. TONNA:
Wait, wait.
MS. DEMARZO:
Oh, I'm sorry.
LEG. BISHOP:
She's going to have a statement.
P.O. TONNA:
I have a list. I had Legislator Cooper, then I had Legislator Bishop.
LEG. BISHOP:
I don't know what the logical order is. I thought that Janet Demarzo was going to make a statement on behalf of the administration on why this had to be done immediately and then we would --
P.O. TONNA:
So you have the floor. Why don't you ask her does she have a logical statement?
LEG. BISHOP:
Why does this have to be done immediately?
MS. DEMARZO:
Well, okay. I am glad that you afford us the opportunity to explain to you why we come to you with a Certificate of Necessity. Commissioner Bartha is here to explain why we need to move on the plan. The plan, as you know, as you've heard tonight, there are different stages of development for the mosquito population. Commissioner Bartha would like to explain to you what steps need to be taken now so that we can ensure that the County addresses the problem in the best way possible. I'm not confident that you want the full explanation now, but I really think that before you vote, you need to understand the ramifications of your decision to ask the County to delay any efforts to control our mosquito population at different stages.
LEG. BISHOP:
Can I -- may I just respond to that before you turn it over? That reminds me of the smart growth controversy, because we didn't pass an affirmative plan for how many years, five years, six years?
LEG. FIELDS:
Seven.

LEG. FOLEY:
Seven years.
LEG. BISHOP:
Seven years. And you went forward with preventive -- you went forward with whatever you wanted to do, basically. Now I assume you're going to tell me we're in the stage now in the spring where we're doing a lot of prevention, ditching, and so forth, and everybody on the Legislature wants to move forward with that. The qualms that we have as an institution have to deal with aerial spraying, that comes later on. And we want to have the ability to thoroughly review the plan with the people who developed it in committee, and that's why we'd want to delay it. But we -- certainly, nobody here wants to hinder the springtime operations. That's not what we're concerned with.
MS. DEMARZO:
Well, that would be -- it's my understanding that would be the effect of a tabling motion tonight.
LEG. BISHOP:
Well, no. That's your interpretation of the effect.
MS. DEMARZO:
There -- if you -- okay. Is there a different interpretation? You know, when I look at the charter, it says we cannot --
LEG. BISHOP:
What interpretation were you acting under for seven years?
MS. DEMARZO:
Well, here's -- okay. We can deal with the issue of the last several years. The plan has always been filed with the Legislature. When the -- I believe that the change in statute occurred when it moved to Department of Public Works. We've always submitted it to the Clerk of the Legislature. The part of the process that has not been -- occurred is the passage of a resolution. This year, Legislator Fields has brought that to the attention of both the administration and the Department of Public Works, because it was vague within the Charter. When you read it, it says the department shall file a resolution. Traditionally in Suffolk County, departments do not file resolutions with the Legislature, it is either the County Executive or the Presiding Officer that file resolutions. The format that it has taken is it has been filed with the Clerk, and there was a belief that some other action would occur. Legislator Fields, in conversations with Legislative Counsel, identified this process that hadn't been occurring, and there was a decision made that we would at this point file the plan, because it had just been -- being finalized between the Department of Public Works, the Department of Health Services and New York State and the EPA, and that the County Executive's Office would file the resolution this year, and hereafter, the County Executive's Office would be the entity that would file the resolution on behalf of the department. So what we have done in the past was file the resolution with the Clerk of the Legislature with the assumption that the filing and the receipt by the Legislature was a major part of the process, which would accomplish us to move forward.

P.O. TONNA:
Legislator Bishop, are you done, your questioning? No.
LEG. BISHOP:

I think this is going to go on for awhile, but I will make the offer now that I believe most of my colleagues, if not all, would accept. If you want to create some -- if process is what -- is paramount here and you want to create some type of bill that provides the immediate authority to move forward with Vector Control springtime actions, but prevents it -- prevents us from signing off on the peak season spraying aspect of the plan, then I'm sure that will be adopted immediately, right away with very little debate, and then we can bring the rest of the plan to committee and discuss it there. That's what I -- the reason that people were offering a tabling resolution is because they want to study the plan and have dialogue on it, but not to the springtime aspects of it, but to the summertime aspects.
P.O. TONNA:
Charlie, can you respond to Legislator Bishop, please?
MR. BARTHA:
Okay. First, the plan got to you later than normal this year because of the fact that we were integrating it, of course, with the West Nile concerns that had developed last year with the State and the Center for Disease Control, federal situation. We -- our springtime activities include spraying aerial larvacide in order to avoid having to spray aerial adulticides. Aerial adulticide is a more serious, less desirable spray that you want to do. We've been very successful in our larvacide program over the last several years and we've reduced the amount of aerial spraying of adulticides. For example, the area along the South Shore, between Great River and Mastic, typically used to be sprayed twice a year for adulticides. Last year, we didn't have to spray at all because of the larvacide aerial applications we had done. One of the speakers earlier suggested had the County use BTI; we use BTI. We use the most environmentally suitable products. Three ounces per acre is what's applied, between one and three ounces per acre of the different products. Seventy percent of our program is water management, 25% is applying larvacide, either by -- either by helicopter or by hand. The adulticide application is only 5% of our program. If we don't start aerial application of larvacide by mid April, we will -- the adult population will become out of control and we will be -- if the Legislature at that point wants to proceed with taking action, we'll be in the position of having to spray aerial adulticides, which is much less desirable than larvacides.
LEG. BISHOP:
No, I'm -- if I -- do I have?
P.O. TONNA:
You're still here.
LEG. BISHOP:
I'm still here.

P.O. TONNA:
Dave, you have the floor.
LEG. BISHOP:
Okay. Earlier, there were several suggestions from people who came forward to testify on another bill about this plan. Is their anything in here that allows for pilot programs that use nonpesticides in the plan?
MR. BARTHA:

Seventy percent of our program is nonpesticide, it's --
LEG. BISHOP:
But you don't have a specific provision that would provide for a pilot -- I mean, there are a number of --
MR. BARTHA:
Yeah, absolutely.
LEG. BISHOP:
-- suggestions that I'm sure the environment committee would want to go over with Mr. Ninivaggi that perhaps he would be amenable to, but this is not a process on a CN, you know, pass this or you're going to have a much worse situation in the summer and you put the public health at risk, is not a fair way to conduct this.
MR. BARTHA:
Although the resolution was not filed in time for it to be on the table, I did -- myself and Dr. Bradley appeared before the Health Committee with the Vector Control work plan where it was thoroughly discussed and we agreed to make revisions to it, which is really the first time to my knowledge revisions have been made to the plan based on Legislative input.
You know, one of the things the Health Department has agreed to do is to have a public information program to disseminate, you know, better understanding of what we do. But open marsh water management is one of the things that's been suggested. That's what we think is becoming an increasingly important part of our program. We're doing that, we're very happy with it. Ditch cleaning is a big part of our program. So we have a fully integrated process here, except, you know, the County is a very large entity, you have different conditions throughout the County. So some of these things that were discussed like the carbon dioxide, you know, idea, that's fine if you're doing a very small area. It doesn't -- you know, we just can't apply it. The cost would be phenomenal and there would be too many logistical problems to do it county-wide. But Mr. Ninivaggi developed open marsh water management plans when he worked for DEC and that was one of things that made him an attractive candidate when we hired him. So the program has become much more biological and environmentally oriented since Dominic has been Superintendent.
LEG. BISHOP:
Mr. Ninivaggi is not an issue, and Mr. Ninivaggi has implemented a terrific plan in my district, which has created an appreciable reduction in the amount of mosquitoes and it relies almost exclusively

on ditching and prevention measures, and that's exactly what all the Legislators want to see emphasized.
Again, I don't see any reason why we have to have this dispute if we could just tailor something that would allow you to go forward and not delay what you're planning on doing, but allow us meaningful review period, committee time, you know, just public dialogue to go over the plan.
MR. BARTHA:
It would have -- any sort of middle ground here from my perspective would have to include us having the ability to apply larvacide aerially as well as by hand.
LEG. BISHOP:

And that's a springtime activity which occurs --
MR. BARTHA:
That's correct.
LEG. BISHOP:
When does it begin?
MR. BARTHA:
Middle of April.
LEG. BISHOP:
When do we meet again?
MS. DEMARZO:
April 18th.
LEG. HALEY:
Middle of April.
LEG. BISHOP:
Middle of April. I mean, you could -- we could jump -- we could create an extra hoop, or we could just delay until the middle of April and have, you know, a full cycle to discuss it.
LEG. CRECCA:
I can -- I know --
P.O. TONNA:
Wait. Guys, I'm sorry. There's a list and that's how we follow it. Legislator Bishop, are you done?
LEG. BISHOP:
I'm waiting for a response.
MR. BARTHA:
I'm sorry.
LEG. BISHOP:
Neither one is attractive, is that the --

MR. BARTHA:
April 18th, I had checked earlier when we were looking at what the implications would be, is still a problem for us, because we have to prepare to do this, we have to arrange with a -- you know, a contractor to do the aerial spraying. And we're in a -- one of the things we spoke about at the committee that will be a big benefit is we're identifying catch basins where we've gotten -- and we've gotten approval from the state to use a larvacide in catch basins where breeding happens. If you don't react as soon as you see larva developing, then you wind up with the adult problem and the problem multiplies tremendously.
LEG. D'ANDRE:
You got to give in.
P.O. TONNA:
Okay. Hold it. Legislator Bishop, are you done?
LEG. BISHOP:
Well, I do. I --
P.O. TONNA:
I think there is --
LEG. BISHOP:
But I keep -- I'll reiterate. I would not tie his -- tie the department's hands in the springtime. What I'm saying is that what I think the public finds most objectionable to and what most Legislators are troubled by are the -- what do you call, adulticide --

MR. BARTHA:
Adulticide.
LEG. BISHOP:
-- approaches, which involve aerial spraying and so forth, and we want to have a discussion in committee that's thorough and on those issues. So I'm saying, perhaps what you want to do is craft something that allows you to move forward in the spring, so that we can have that period between now and April 18th to have that discussion.
MR. BARTHA:
We had a --
LEG. BISHOP:
That wouldn't tie your hands and it would allow us to have a meaningful committee process.
MR. BARTHA:
We had a very long committee meeting and addressed it. And as I said, we addressed all Legislators' concerns. The plan was distributed.
LEG. BISHOP:
Did we have the public suggestions that came down? We had more than a dozen people today and some of whom had very I believe positive suggestions. Do we have anything that studies the environmental monitoring of the program to evaluate the affects of spraying? Do we

have a public education plan? You said yes. Do we have pilot programs that are distinct -- distinct efforts to address an adult population to see whether an alternative to pesticides will be effective or not? I mean, those are some of the suggestions that came out of today's dialogue.
MR. BARTHA:
To address the adult population?
LEG. BISHOP:
Yeah. In other words, you would say, okay, you know, in this small area we're going to try an organic approach and see if it's just as effective as the chemical approach.
MR. BARTHA:
All the --
LEG. BISHOP:
Unlikely to --
MR. BARTHA:
The approach is to control adults is to prevent having adults in the first place.
LEG. BISHOP:
But I'm saying once --
P.O. TONNA:
Okay. Dave, there are nine other Legislators. I'm sure a lot of them are covered and you'll have an opportunity.
LEG. BISHOP:
I never get the final answer.
P.O. TONNA:
What is your final answer?
LEG. BISHOP:
The answers no then?
LEG. HALEY:
For now.

LEG. BINDER:
Just tell him no for something.
LEG. CRECCA:
Just tell him no.
LEG. BINDER:
Whatever he wants, say no.
LEG. CRECCA:
Just tell him no.

P.O. TONNA:
He's already said that, he says no. Okay. Legislator Levy.
LEG. CRECCA:
I think -- I thought I was next on the list.
P.O. TONNA:
No. You're after Legislator Levy.
LEG. LEVY:
Okay. Charlie, I have to concur with a lot of what Legislator Bishop had stated. And, you know, Janet mentioned that we have to understand what a no vote on this means right now, and in all due respect, I think the Executive sometimes has to understand it. When you're dealing with major policy, you don't come before us with a CN. This was something that was supposed to be originally put together in October for a vote in December. Now, I understand there were things for West Nile that had to be incorporated therein. Fine. I know that might have delayed things to some extent, but this is coming to us now. If you're fortunate enough to be on that committee, you've heard some of this banter going back and forth. If you're not on that committee, which is my case, I'm hearing a lot of this stuff for the first time. And I must say, while there's many occasions where you sit here and you just listen to the audience, today was a case where I was listening and learning. I was learning a great deal, because I don't profess to be an expert in this area, and I understand that there are two very passionate sides on this issue. Both sides have some very cogent arguments. And I would concur that I don't want to tie your hands in being able to do some things that need to be done within a certain window period. But I don't want to go forward with a carte blanche approval where I still have a lot of unanswered questions, and I haven't had the opportunity to address them because this is only coming to me for the first time now at the end of March.
So my question to you is what is this window? I know you said middle of April, but middle of April to what? For the purpose of spraying for this -- for the larvae.
MR. BARTHA:
Last year we started larval applications in the middle of April and it continued probably through August, and we had adult operations in September, I believe is when we first started aerial adult applications.
LEG. LEVY:
Okay. Is it going to matter if instead of happening April 10th, it happens April 19th?
MR. BARTHA:
It depends on the tides, on how warm the weather is, how much rain we have.

LEG. LEVY:
What specifically, rather than -- rather than us coming up with what you need right now, what do you suggest to us is urgent that you need right now as opposed to getting at -- on April 18th?

MR. BARTHA:
That we be authorized to continue with our water management and ditching program, and that we'd be authorized to proceed with any larval applications, be it by manual or aerial applications for larvals.
LEG. LEVY:
I don't want to speak for anybody here, but for myself, I don't think there's any problem with the digging of the ditches and doing what you have to do in the --
LEG. HALEY:
Larvacides.
LEG. LEVY:
The larvacide. With the spraying in these areas, though, what -- why can't you start making plans for application and just hold back on those plans until we give you the green light on April 18th?
MR. BARTHA:
That works if no larvae is identified until April 18th. If larvae is identified on April 10th, we won't be able to react to it. There'll proceed and, you know, they'll become adults, they will multiply and spread.
LEG. LEVY:
So they -- so is there -- they will -- how -- what is the gestation time for this larvae?
MR. BARTHA:
Dominick would have to answer that, but --
LEG. LEVY:
What is it, is it a couple of days, a couple of weeks? I'd like the answer to that question.
MR. NINIVAGGI:
Well, the first adult mosquitoes will actually probably --
P.O. TONNA:
If you can --
LEG. LEVY:
I can't hear you.
P.O. TONNA:
There you go.
MR. NINIVAGGI:
I need a longer goose neck. The first adult mosquitoes will actually start to appear about late April? Actually, the first adult mosquitoes will start to appear. We usually don't do a lot of adult control at that time of the year. But the later you push things off, the worse things will tend to be. And, you know, it's an integrated program, all the parts fit together, it's one program. If you start taking it apart

and taking things out, you know, you kind of defeat the purpose of having an integrated program.
LEG. LEVY:
Yeah, but we're getting very specific here because, we're talking about

a week's time. I mean, are you telling me, in your professional opinion, spraying on April 19th as opposed to April 10th is going to have a significant difference?
MR. NINIVAGGI:
Assuming we get the approval, but --
LEG. LEVY:
I want to hear him. I'm not saying -- I'm not disagreeing with him, I want to hear what he's got to say.
MR. NINIVAGGI:
This is -- again, this is all up in the air until the approval is there.
LEG. LEVY:
Well, now that's not responsive. The question was, in your professional opinion, does it make a difference if we -- does it make a significant difference if we start spraying on April 18th or 19th as opposed to April 10, and why, if so?
MR. NINIVAGGI:
The Commissioner will take that.
LEG. LEVY:
Well, No, I'm asking you --
MR. NINIVAGGI:
I'm sorry.
LEG. LEVY:
-- because you are the expert when it comes to larvae and gestation periods and what the impact is down the road.
MR. BARTHA:
I mean, I responded to the question as to what would happen if it wasn't approved until April 18th. It depends on the weather, it depends on the tides. And larva could certainly -- it's certainly possible that larva could develop April 10th, in which case we would have a problem, because --
LEG. LEVY:
Okay, larvae develops April 10th. I go back to my original question. How long from the time larvae develops until the point they become adult mosquitoes?
MR. NINIVAGGI:
Well, it depends -- I hate to this say this, but it depends upon the weather. If we have a warm spring, it could be --

LEG. LEVY:
But give me -- could it be three days or three months? That's what I'm looking to find out.
MR. NINIVAGGI:
It could be a week or so, a week or two with those -- the normal temperatures.
LEG. LEVY:
If you were to spray in certain areas, would you have specific areas that you can delineate to us or does that depend?
MR. NINIVAGGI:
It depends upon the surveillance we do. We get the people out and they start doing surveillance. We only apply materials based on the results of the surveillance
LEG. LEVY:

I have no further questions.
P.O. TONNA:
Legislator Crecca.
LEG. CRECCA:
Finally. I've been sitting here with great frustration.
P.O. TONNA:
And they tell that you were the first one to raise your hand, but I told them --
LEG. CRECCA:
I thought I was, and I guess --
P.O. TONNA:
I told them it had nothing to do with, you know --
LEG. HALEY:
Next time, stand on your chair, so they can recognize you.
P.O. TONNA:
I thought he was.
LEG. CRECCA:
That's what I'll do. Thank you, Mr. Haley. Actually, first of all, to my fellow Legislators, the issue of vector control has been being addressed at I believe every single Health Committee meeting. Our Chair, Ginny Fields, has put it on the agenda. There has been a tremendous amount of testimony and discussion at those meetings. I first start out by just informing all of you that we should commend Legislator Fields for bringing this issue to the forefront. We can all sit here and point the finger at DPW and the County Executive's Office for not producing this plan over the last seven years, but, you know, it comes right back to us, because the statute's there, and if it wasn't happening, the Legislature should have been asking for it, since it was required to be produced to us. So we're just as much to blame

as the other branch of government, is my position, as we've never recognized it, so -- I listened to you, Dave, I'd ask you for the same respect, that's all.
So what I would like to just say to my fellow Legislators, if it was not for Ms. Fields bringing this up, this -- we would have gone an eighth year or a ninth year, but with having no plan presented to us. Given the situation, DPW has put together a plan as quickly as possible, or at least formalized that plan. This year did present new problems for them and new concerns, as it did for the Legislature. With that in mind, I would again let you all know that they came and testified before us on numerous occasions, that they addressed in this plan some of the concerns that were raised at the Health Committee, and we asked them to please have it ready for today, because we realize, and I don't want to speak for the entire committee, the urgency of getting this plan in action.
So what I'm going to ask the legislature To do is, to the extent you can, is try not to point the fingers and let's try to get this done.
We are coming into the season of where this needs to get done. We are not Vector Control experts, the 18 of us sitting here, they are, and they -- you should all be aware that in all the testimony I have heard, Suffolk County is at the forefront, certainly in the State, if not, nationally, in their vector control policies and what they're doing.
The testimony I have heard there shows that they are very

environmentally conscious and that they do not do aerial spraying of adult population unless it becomes absolutely necessary.
The concerns that were addressed earlier today and the testimony have been discussed. And as a lot of those suggestions that have been made environmentally, things to be done before we do adult spraying or using certain pesticides are actually being done with -- by the County, so they're not new issues.
So I'm just going to ask the Legislators to -- I think it is important to approve this plan. The whole purpose that we ask that they rush with the changes to it is that we could have this ready and in action, we don't want inaction. And to the extent that I don't want to tie the hands of the experts in trying to address the problems and I'm afraid that that's what we might do by delaying. We can certainly I think -- I'm sure Legislator Fields is going to continue to address this problem as to what they're doing and how it's progressing. We certainly can always have DPW back, readdress those with not just Public Works, but also Department of Health in the future but, in the meantime, we need to move forward on this plan.
P.O. TONNA:
Legislator Foley.
LEG. FOLEY:
Thank you.
LEG. FISHER:
Wait a minute, I think you skipped me.

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P.O. TONNA:
No. You're after Legislator Foley.
LEG. FISHER:
Okay.
LEG. POSTAL:
Paul, where do you have me?
P.O. TONNA:
I have you after Legislator Haley, which means you're about four more people down.
LEG. FOLEY:
Thank you very much.
P.O. TONNA:
And Legislator Binder, you're after Legislator Postal.
LEG. FOLEY:
Legislator Tonna, it's always dangerous to start getting into finger-pointing. But one of the things that we take great to use a word, again, that we used earlier, what I take great umbrage at is when we're told by the Executive branch that if we don't do something today, then there's going -- then what's going to happen is there's going to be a disaster on our hands, there's going to be delays and so forth, and that's not the way that some of us are approaching this particular resolution at the moment.
Let me first say, I was at the Health Committee meeting, and it should be stated for the record that the plan was not presented to the Health Department until just before that particular meeting, and -- Health Committee, rather, and we had less than five -- we had less than five minutes before committee to review the plan. Many of us during the -- during the meeting reviewed the plan, did ask a lot of probing

questions, and from all sides. It was an excellent question and answer period. However, by virtue of the discussion today earlier by a number of speakers, that raises a whole host of new questions. But a lot of those questions that were raised today have little or nothing to do with the spring workings of Vector Control, it has to do more with the adult control of mosquitoes, which takes place really over the summertime or late in the summer, as far as the spraying of the -- of the -- just bear with me. With the adult spraying.
So the springtime is not the issue. The springtime, as far as I'm concerned, even if we table this resolution today, it's my own belief that the Department can still move forward with their springtime activities. None of us are saying that they should stop the springtime activities. And when you speak of BTI, when you speak of some of the other components of either chemicals, or the heavy equipment, or they personnel that they use in springtime, no one is objecting to that. What people have been objecting to today and in committee was what happens when there is a heavy adult infestation in particular areas of the County.
So, as one Legislator, if I vote today to table this resolution, that

does not mean for the Departments of Health and Department of Public Works to delay their springtime activities, but, in fact, they can still go forward with those. However, at the same time, we will be reviewing the activities as to how the departments will handle the adult spraying later in the summertime.
P.O. TONNA:
Thank you. I'd just ask Legal Counsel just for that point. Paul, this is a question of the law. Is what Legislator Foley correct, or if we table this today, I think that's been a question, does that mean that the County is prohibited, that DPW is prohibited from moving ahead? Just get a legal opinion in the law.
MR. SABATINO:
In the absence of an approved plan, from a technical standpoint, the department really can't go forward and do anything, because you're exposing them to potential liability. I know the comments could be made that it's occurred in the past, but that's really a problem. And in fairness to the Department, in absence of the approval, there's no legal authority to go forward. That was the point of the amendment to the Administrative Code.
P.O. TONNA:
Paul, just one other legal question. If the Legislature was to get a CN today that approved a part of the plan, let's say the springtime plan, or something like that, would that be -- would that be adequate enough?
MR. SABATINO:
Yes. The plan itself can consist of different components and different time lines. I mean, historically, it was done on an annualized basis, because there was never the notion of breaking it up into periods of time. But if there's a way to break it up into a calendar period to do something, you know, from the current date to whatever date you pick, that would be legally doable.
P.O. TONNA:
Okay. Thank you.

LEG. FOLEY:
Mr. Chairman, if I could just reclaim my time. Let me just --
P.O. TONNA:
No.
LEG. FOLEY:
It would be one minute, be one minute.
P.O. TONNA:
No.
LEG. FOLEY:
Be one minute.
P.O. TONNA:
Legislator Foley, I'm sorry. There are so many people who patiently

been able -- you know, have been asking to -- Legislator Fisher is next.
LEG. FOLEY:
Legislator Tonna --
P.O. TONNA:
You know what, I'll tell you what. Brian, if you'd like to speak, ask Legislator Fisher to give up some of her time. But right now, Legislator Fisher is on then.
LEG. FOLEY:
It's a half a minute. If people would just look at their --
P.O. TONNA:
Get the clock.
LEG. FOLEY:
If you look at the annual plan, the program for water management will go from January 1 to April 30th. Those are approximate dates. Then the next phase, which is control of mosquito larvae, will be from May 1st, approximately, to September 30th. So we're in the very early phases of vector control. Again, what was objected to was not the early phases of vector control, what has been objected to are the later phases. So I would -- with what Counsel just mentioned, Mr. Presiding Officer, I would ask the County Executive to send over a CN that would give us a CN to approve, let's say, the early stages of vector control, so that we can have a little more time to discuss the later stages of vector control, which was the sum and substance of the debate today and the opposition by a number of people who spoke before us today. I think that kind of approach will be in keeping with trying to control mosquitoes this springtime, and it gives us ample opportunity to have all our -- to have our house in order well before the summertime.
P.O. TONNA:
Okay.
LEG. FOLEY:
For the later stages of vector control.
P.O. TONNA:
Thank you.
LEG. FISHER:
You knew I shouldn't have given him that minute, because that was my suggestion, that --
P.O. TONNA:
Okay.
LEG. FISHER:

Actually, there were some other comments that I wanted to make, however. I looked at the two versions of the program, March 10th and March 22nd. I really didn't see appreciable differences in the two presentations. And that, really, I find that very dismaying, because had there not been an intention of making real

change, then why wasn't this CN presented on March 14th, which would have given everyone more time? As I said, I didn't see any real appreciable changes made.

The second point I wanted to make -- did you want to respond to that, Charlie? Were there changes that I missed, because I'm not looking at it through the eyes of an entomologist?

MR. BARTHA:

Okay. It really related to some concerns that were raised by Legislator Foley regarding funding and personnel and the adequacy of our resources.

LEG. FISHER:

But those aren't really the points that are the sticking points. I think our main concerns are the concerns of the adulticides. Okay? Going back to the plan which Legislator Foley just mentioned, and I think Legislator Bishop spent sometime suggesting, which is let's split the program up, so that he with can vote on those portions of it on the beginning stages. The first stage, which is 70% of the program, which is the water management, the ditching, I think we are all very comfortable with that particular part of the program, and I don't think anyone would -- Well, I'll speak for myself. I wouldn't have any hesitation in voting for that. The next 25%, BTI doesn't seem to have any negative impact and I think that we would be comfortable with that. The other larvacide I'm not certain about, but I don't think that that has the kind of implication that we have seen with the adulticides. So if we could have a CN prepared where the first stage, -- by the way, leads to another question. Hasn't the water management been ongoing since January?

MR. BARTHA:

Yes it has. When Legislator Fields brought this problem to our attention, the fact that it had not been a resolution approved, although the plan has been presented continuously to the Legislature and it's actually been shown on the correspondence that's been distributed to Legislators that Public Works had submitted that plan, it's certainly correct, that it requires the resolution. When I wrote to Legislator Fields about this in response to her letter, I said that we were going to continue with our water management work, but we would not apply any larvacides or adulticides until we had the approval of the Legislature.

LEG. FISHER:

Well, that's good. So the first stage is in -- is ongoing. You did begin the process in January and that's a very important piece of it. As you said, that's 70% of the program.

MR. BARTHA:

Correct.

LEG. FISHER:

Okay. And you would continue with that part of the program, because you're in the midst of doing this. So our tabling would not preclude

the water management part of it?

MR. BARTHA:
No.
LEG. FISHER:
Okay. Thank you.
P.O. TONNA:
Yeah, but they would be open to a lawsuit. That's the thing.
LEG. FISHER:
Okay.
P.O. TONNA:
It would be open to a lawsuit.
LEG. FISHER:
But may I suggest again, which Legislator Bishop has suggested, and so has Legislator Foley, and Counsel has said that it could be done, where we have a CN which might address the different parts of the program, and so we can vote on those different parts comfortably.
MR. BARTHA:
I would not recommend that course, but it certainly is a more desirable course than to --
LEG. FISHER:
Well, I just feel out of fairness to us and the kind of testimony that he we heard today, we need the time to feel that we are able to vote on the merits and not to have to vote under the gun. If you're saying to us it must be all or nothing, it really puts us in a very bad and irresponsible position. I will not -- I cannot feel comfortable voting on those adulticides without more information. But you're asking me under the gun to vote for all of the parts of this program, and 95% of your program is very acceptable to me. So it's really unfortunate to lay it all on the table as all or nothing. So I ask you to look very carefully at dividing the program into its components, so that we can feel comfortable in voting on the various components of the program. Thank you.
P.O. TONNA:
Thank you, Legislator Fisher. Legislator Haley, Postal, Binder, Cooper and then Alden.
LEG. HALEY:
Time's up.
LEG. FISHER:
Can I have a response to that? I'm sorry, I cut you off.
LEG. HALEY:
Okay.
P.O. TONNA:
But Legislator Haley has the floor. Legislator Haley has the floor.

LEG. FISHER:
He had a response, Paul.
P.O. TONNA:
Oh, I'm sorry.
MR. BARTHA:
Okay.
LEG. FISHER:
I'm sorry.

P.O. TONNA:
I apologize.
MR. BARTHA:
I'm never quite sure whether -- if people want a response, so thank you. I'm not saying -- it's preferable to me. It's an integrated pest management approach. The plan should be viewed as a whole, so we'd like to see it approved as a whole. However, you know, in the face of having -- not having the ability to apply larvacides over the next month and a half I would -- you know I would appreciate a split. But my preference is that we have the whole plan approved as an integrated pest management.
LEG. FISHER:
But the larvacides could be presented separate from the adulticides.
LEG. HALEY:
I'm not yielding. He answered the question. I can't imagining, Charlie, that you would accept that, you know. And I'd ask Mr. Ninivaggi to come up, because I think we have a very important program here.
Mr. Ninivaggi, we've heard from a lot of people here and we haven't had the opportunity to inspect all of their credentials. But, Ladies and Gentlemen, we know the credentials of this particular individual. He's been working on this program for years and it is, in fact, integrated, and I think we should be very cautious before we interfere with that integration. While it seems real warm and fuzzy to say, "Yeah, let's do the larvacide," we'll discuss whether or not we're going to -- excuse me, Mike -- we're going to do the adulticide later is absolutely crazy. Of all the years that we've been looking at this, and each and every one of us have had constituents that call us and have talked about Scourge and all of the other things that they use, and we've dealt with this problem, of all the years for us to all of a sudden second guess Mr. Ninivaggi and his abilities to put together an integrated program I think is a shame.
And I want to ask you, Dominick, and I hate to put you on the spot, but I want you to again, because I know you've done this, and I have some faith and trust in the Health -- in the Health Committee and their abilities to take a look at closely the entire program, I would ask you give quickly a background of not only where you have been personally in your education, where you are now, and to what extent people outside of this community, outside of Suffolk County, and what municipalities and

governments depend on your expertise, because nobody else has gone as far as you have.
MR. NINIVAGGI:
Well, I just would like to point out, again, this is an integrated program. As far as my qualifications, I've been involved in various aspects of mosquito control for the past 14 years, both as part of DEC with the water management in regulating the salt marsh larvaciding and my current position. As far as other agencies, when New York City identified mosquito-borne virus, they called us to go in and help tell them what to do. When the virus -- when the weather cooled off and the time came to start planning what to do in the coming years, the Federal Centers for Disease Control asked me and funded me to come to Colorado for a national workshop on helping to formulate the national plan for

response to West Nile Virus.
As the State planning has developed, I've been participating in the various State workshops on the prevention response and control of West Nile Virus. As a matter of fact, I've prepared the draft for our work group's plan. Last week -- let's see, a week ago, I was at the American Mosquito Control Association meeting, which is the national organization for mosquito control. I was an invited participant in a national workshop for dealing with mosquito control as part of emergencies. So I can't tell you whether I'm qualified or not, but I think that there are other people who seem to think so.
LEG. D'ANDRE:
You got to be joking.
MR. NINIVAGGI:
I think that when you put together a plan, you put together an integrated plan. We don't make this up in a vacuum. We work with the other agencies, the health agencies, such as the Department -- the State Department of Health, the federal CDC, the County the Health Department, planning and agreeing -- for instance, when I was in New York City the Friday before Labor Day weekend, when I was called in and met with Mayor Giuliani, his health professionals, other people involved in the emergency response, we suggested use of Malathion as part of the aerial spray. That was concurred with by the City Health Department, by the CDC, by the State the Department. We don't make these choices of control techniques in a vacuum. We don't just -- it's not just me and my qualifications, it's the people in public health, the professional entomologists. We have a professional entomologist, Dr. Scott Campbell, on staff and the MD's in the various Health Departments. So this plan is not put together, you know, on the cuff and without consideration of things like human health effects.
This is a -- I consider this to be a reasonable, rational and scientifically based approach to the project, this sort of problem, and it's based on the mainstream proven approaches to dealing with mosquito-borne disease. And I think that on that basis, it stands. I think that if you compare that with any vector control program in the country, I think you'll find we compare very favorably. It's not possible to -- if you want to take out the adulticide program and vote on it later and possibly vote it down, you're going to end up with us being unable to respond to mosquitoes that might be infesting the

County and might be carrying a virus. Adult mosquito control is an essential part of any responsible mosquito control program, especially in the face of threats to public health. Once mosquitoes are flying and they're carrying pathogens, the only practical way to deal with them is to kill the adult mosquitoes. And I think that anybody who tells you different I think is making a big mistake. And that's the mainstream approach to dealing with mosquito-borne pathogens.
LEG. HALEY:
Thanks, Dominick. One more question. After what you've heard today, because I know that you have patiently been sitting here all day, could you imagine, with all the testimony you heard today, that there will be any significant change to your recommendations to your integrated management program?
MR. NINIVAGGI:

I think that many of the speakers might not realize that many of the suggestions that they're making are things that we already do and have been doing for many years.
LEG. HALEY:
For example.
MR. NINIVAGGI:
For instance, I heard a gentleman suggesting using BTI. We were one of the first agencies in the country to use BTI. We used that for many years with very poor results, result -- especially in the salt marsh, and we had to do more adulticide spraying because of it. Now we use BTI in the appropriate habitats at the appropriate times and it works well for us, and we use other materials such as {altisid} when those materials were more appropriate. By having all the different tools available to you, you have a lot better chance of picking the right one for a given situation.
I don't think that many of the people who spoke here would be satisfied with anything less than an end to spraying for adult mosquitoes. I helped develop the State plan for response to West Nile Virus. We all agree that use of adulticides is a last resort and is something that needs to be done very judiciously, but nobody is saying that you can effectively respond to adult mosquito infestations and mosquito-borne virus without the use for adulticides. So I don't see how we can give them what they would like and still say that we have an effective and sound program from a public health respect.
LEG. HALEY:
Thank you. I think it's rather obvious. I don't think -- I think we're playing with fire when we're talking about mosquito-borne diseases, especially at this time. And I think we have some -- the best of the best, if not, at least with Dominick Ninivaggi, and I think we've done a great job. And we have been looking at this for quite some time going back to last year when we started with this problem. I think it behooves us, and I certainly don't want to be caught in this situation not voting for this.
MR. BARTHA:
Dominick touched on something, which I'd like to elaborate on. The

timing of the application and the specific application is so important, because there's certain stages of growth of the larva where BTI will not be effective, or {altisid} will not be effective, and that's why we can't have these restraints as to the -- having the program piecemealed or not having the larvacide authorization now.
Now the people with the real expertise and budgets to investigate and research all this is the federal and state governments. All the products we use are, obviously, applied consistent with EPA regulations and consistent with permits issued by the DEC, and sometimes when new products are developed, even if the EPA authorizes their use, the DEC doesn't approve it right away. And we meet with the DEC, we go over the conditions of application in order to ensure it's a safe application. So no one just tells us go -- you know, pick something off the shelf and start spraying it.
P.O. TONNA:
Thank you.
MR. NINIVAGGI:

Thank you.
P.O. TONNA:
Legislator Postal.
LEG. POSTAL:
Just a little while ago, I think Legislator Levy said something that was really important. He said that not all of us are on the Health Committee, and that's clearly the case. And I think that if a vector control plan were discussed until infinity in the Health Committee, when it came before this Legislature, there would still be Legislators who had questions, and I think that's valid, because it is an important decision. I think because it's such an important decision, and because I believe that there is some urgency to making a decision about a plan, I think we have the people here tonight, we should have them make a presentation to the whole Legislature. I think it's important enough, so that no matter how long it takes, we should do it tonight. I think that no matter when it's done, there are going to be questions, let's have a presentation. We had a number of suggestions, we had a number of statements from members of the public. We all should have the opportunity tonight to ask Mr. Ninivaggi questions based on that, based on the suggestions that were made that we would like to pursue, that we would like to get his opinion on, because I think that it's incumbent upon us to make a decision tonight. We have the people here who can give us the information that we need, let's take advantage of it.
P.O. TONNA:
Thank you, Legislator Postal. Legislator Binder.
LEG. BINDER:
Thank you. Mr. Ninivaggi, during the period where there are comments, did -- was there anything that you hadn't heard before?
MR. NINIVAGGI:
No. I've heard many of these same arguments in front of the Health Committee. I've also participated in public hearings, one sponsored by

you, one by Legislator Hackeling. I was in New York City for the State workshop meeting where we heard from the public. We've heard, you know, the same issues and arguments many times, and, unfortunately, at the end of the day, we have a relatively limited set of alternatives, especially in the face of infestations of adult mosquitoes and mosquitoes that are carrying pathogens. You know, you could either try to limit their numbers and reduce the chances of being bitten, or you can simply hope that people will use enough repellent, stay in the house and not be bitten and relatively few people will get sick.
LEG. BINDER:
Are you consciously ignoring all these arguments? I mean, what I'm hearing from all these people, they have all these arguments and they have all this information, and you heard this information before you put this plan together. Are you just consciously ignoring the information?
MR. NINIVAGGI:
No, certainly not. But I think that any -- in any human endeavor, it comes down to an evaluation of the alternatives in deciding which are the most appropriate. And the alternatives such as not spraying pesticides for adult mosquitoes under any circumstances, I don't think that they fit. That means, basically, you're going to sit back and

hope that not too -- that no people or not too many people get sick. The argument that you should simply -- there's no emergency and there's no problem until people do get sick is not consistent with the principles of preventive medicine. The fact that we didn't have people get sick in Suffolk County, you know, to some extent stands to our credit, and that we didn't -- we had an ongoing program dealing with these issues before people got sick. I did hear a gentleman claim that only one mosquito is of concern and there's only one mosquito that we need to worry about. I wish that were true.
LEG. BINDER:
By the way, I hope he meant like a group of one, instead of there was one that was flying that we're --
MR. NINIVAGGI:
I'm sorry. If there was one mosquito, we'd be getting a --
LEG. BINDER:
But that's what he said, he said there's one mosquito, so --
MR. NINIVAGGI:
One species.
P.O. TONNA:
It had Binder's name on it.
LEG. BINDER:
I think it was called Tonna.
MR. NINIVAGGI:
First of all -- first of all --

P.O. TONNA:
That's an 800 pound gorilla. You got the wrong species.
MR. NINIVAGGI:
Well, first of all, in Europe, in Europe and in Africa, several genera, that is groups of species, have been involved in West Nile Virus transmission. Second of all, in 1999, virus was found in two species of mosquitoes, Culex pipiens, the household mosquito, and Aedes vexans, which is a floodwater type species.
P.O. TONNA:
That's Latin, by the way.
MR. NINIVAGGI:
So, already, we know for sure of two species of mosquito in North America than can carry the virus, or can -- at least are capable of being infected. 1999 was the first time anybody had a chance to look at this virus in a North American ecosystem. So it should not be surprising that we don't know all the answers and we don't know all the potential vectors.
LEG. BINDER:
He said, if someone tells you it's in more than one mosquito, you should question that, you should -- you should -- you know, you should dismiss that, because it's only one mosquito we have to worry about. In fact, he was absolutely certain from all the -- I guess the -- I said the leading experts in the field, according to this person, because he wasn't a scientist himself, so --
MR. NINIVAGGI:
Well, we -- for instance, one of the presentations at the American Mosquito Control Association meeting was on the various species that are potential vectors, testing them in the laboratory, and, also,

looking at what they might do in nature. As far as the salt marsh mosquito goes, it's a species that's always been of great concern for us, not only from the biting nuisance that it represents, and that doesn't begin to describe the problem. As Legislator Towle could probably attest, when a person can't walk out their door without 50 mosquitoes landing on them and biting them, nuisance really doesn't describe that word. But so much mosquitoes are a known vector of Eastern Encephalitis and they're known to be able to transmit in the laboratory West Nile Virus. So the combination of those two facts makes them highly suspect for West Nile. And I don't want to wait until we find adult salt marsh mosquitoes carrying the virus and then deal with them, because, then, the only alternative you have is the spraying of adulticides, which all agree is not the most desirable. We need to step up our prevention program.

The other thing I would mention is that mosquitoes -- not everybody thinks that we shouldn't spray for mosquitoes. We get thousands of phone calls in my office every year without fail requesting, demanding, sometimes begging, threatening for spray for adult mosquitoes.

LEG. BINDER:

Any Legislators here call?

LEG. NINIVAGGI:

Some Legislators have been known to call and --

LEG. BINDER:

Don't make eye contact, they might be a little embarrassed right now. No, no. I mean, some that -- who are talking about holding off on this, you don't want to make contact with, eye contact with, because --

MR. NINIVAGGI:

I think the issues -- the issues -- the issues that are raised are certainly -- I think that where we disagree is on the magnitude of the various risks. And we've heard a lot of suggestions that the magnitude of risk associated with the sprays are extremely high, higher than any virus. The mainstream opinion among the public health officials from the CDC, State Health and County Health is that relative to the risk of a large outbreak of mosquito-born disease, using adulticides in a controlled, judicious careful manner is an appropriate response, and this is something that's been going on for many years. This is not a new technology, not a new technique. We -- I don't see where things have suddenly changed to make it -- make less of a need for killing adult mosquitoes. If anything, there's more of a need.

I would also remind you that we had two exotic pathogens in Suffolk County last year, one was West Nile Virus the other one was malaria. Pathogens can enter our system at any time, and when they do, they change the picture. And that's something that I think it's important to keep our preventative mosquito program going, to have all our options ready, if we have the problem. We were one of the lucky communities that were able to react with our own resources, because we had our own control program, our own spray contracts in place. When we did have to spray in Huntington, it cost us a $1.25 an acre. Some counties, which shall remain nameless, were paying 13, $18 an acre. So it's more cost effective, also, to be prepared and to do this judiciously when you need to.

LEG. BINDER:

Let me ask you, and if Dr. Campbell also wants to kind of join in, we had a little bit of a discussion, and maybe off the top of your head you can give us other things that were said that were either incomplete, misstated, really misperceptions of fact. And I don't know if you can have Dr. Campbell join, but, I mean, he's the County's entomologist. And I just want to -- I want people to understand here the team that we have working on this and the level of professionalism. It's not that I'm minimizing your role in any way, but by asking him to come up, I think we should see the kind of people and the caliber of people that are working on this program for us, and so maybe he can kind of join in on what he saw as some of the misrepresentations, or half-truths, or some things that we weren't fully informed about during these conversations. So at least we'd have a full response from you from -- because you sat there very -- and I was very impressed that you sat there without rolling your eyes, without making faces, or nodding your head, or getting annoyed, but I think there were misstatements about the actions you've taken, the actions you do take, and also just about information about what's going on, where you find the dry, wet, the leaves. I mean, maybe you can discuss with us a little bit about that side, the scientific side, so

we can understand what's going on.
MR. NINIVAGGI:
Yes. I think I would like to point out that we are a team. You know, it's not --
LEG. BINDER:
That's why --
MR. NINIVAGGI:
This is very important for us to realize.
MR. CAMPBELL:
Just a couple of things. One individual mentioned that they would -- you could find mosquito larvae in leaf litter that was moist. That's extremely untrue. You would never find it in leaf litter, you need standing water. It can be a quarter of an inch thick, or deep, rather, but you need that water, because larvae are susceptible to drying out to desiccation, so that's an untruth.
Another one, the mosquito, the Culex pipiens, responds to rainfall, not rain, dry, rain, dry. You need standing water supplied by rain, and in order for the mosquito larvae to proliferate, and it's continual until you get a dry spell. Those containers that are full of water dry up and then they don't have the ability to reproduce.
Bats are not a proven means of mosquito control. The proportion of mosquitoes that they eat is minor. I mean, why feed on mosquitoes when you can eat a moth. You know, it's just a caloric matter.
Mosquito magnets, the draw on a mosquito magnet is about a half of an acre. In order to have that implemented, a control program, you would need millions, and both of dollars as well as instruments, you know, the mosquito magnets to deploy.
Our program, both from a surveillance standpoint and a control standpoint, we go to national meetings, local meetings. We hear all of these suggestions, we take that in, and those suggestions that can be applied in our County or in our particular situation are looked at, and if they are valid, we use them. So it's not something that we started

with West Nile, I mean, it's years and years and years of development. And that's about all I'd like to say, unless I've --
P.O. TONNA:
By the way, I've signed those conference attendance forms, you know, those are the ones I signed.
LEG. BINDER:
Those are one -- they did.
LEG. TOWLE:
They must have been bugging you, huh?
LEG. BINDER:
My comments --

P.O. TONNA:
Okay. Legislator -- I'm sorry, Legislator Binder, for the -- you know, go ahead.
LEG. BINDER:
No problem. My comments, based on -- and I'm sure there might be more questions, Legislator Levy said he had a number of questions he wanted answered. Here's the time. The bottom line is that we are blessed in Suffolk County with a group of people who are about the best possibly in the nation, not only in the region. New York City has a problem, they call us; CDC has a question, they call us; State has a question, they call us; national associations have a question, they call us. They call us because we have the people who understand how to do this. They have put together a program for us, for this County, to protect our seniors, protect our children, to protect us. They didn't put it together to be pulled apart for us who are not experts, who listened to a lot of people this morning that didn't know, wouldn't know that larvae can't thrive in a leaf pile. I mean, I wouldn't know that. And unless you ask an entomologist, our entomologist, you wouldn't understand how that works, you wouldn't understand the specifics, you wouldn't understand when someone from the Audubon Society comes here, probably doesn't live here, and isn't a scientist, but knows all the data, knows all the data. Oh, but he's not interpreting the data, he just knows that the best minds interpret it. He's just repeating from the best minds. Now who decided who the best minds are? I don't know. Everybody seems to call our people when they need help on the ground. The bottom line is our people who have been there year in and year out for us have put together a plan. The reason that Suffolk County had no deaths, the reason that we didn't go nuts like the next County over and didn't know where to spray, how to spray, they sprayed the whole County. Suffolk County sprayed in specific areas. By the way, my house was sprayed the first night without notice. I wasn't all that happy, I had the windows open. I understand. I'm not happy about it. The bottom line is we didn't spray the whole County, we didn't spray all of Huntington, we didn't spray all of Babylon, or all of Smithtown, Islip, or anything else. They did what was necessary within absolute limits, that's what they did. The next County over, they tried to blanket from end to end, side to side, east to west, they blanket the County with spray. We have people who care about the effect on -- we have people who care about the effect on our children, on our seniors, on us. At the same time, they also understand the public health portion on the spread of disease and they do a delicate balance. No

one does it like our County does.
We should pass this tonight, because though we may upset -- be upset, though we may take umbrage, as a Legislator would put it, that we're being told tonight that if we don't do it, we've got problems, that we've got an emergency here if we don't do it, we may take umbrage at it, but the truth is the truth. That is the truth as we sit here tonight. We have an obligation as elected officials, we have a responsibility to the people that we represent, all 1.4 million, to make sure that we enact this whole program as a unified program. Do it tonight, let them get on with their jobs, let them go and protect them the best that they can protect -- protect the people of Suffolk County the best they can. Our job is to help them do it. And I for one am

going to vote for this tonight. I hope you don't split up the bills. Don't pull your program apart, go for it. And if Legislators tonight want to vote no on implementing the plan, then let them vote no and hold their heads up high after this, and if something happens, I don't know how high their heads are going to be held if we have deaths and things happen that are out of our control, because we didn't implement the plan. But either way, we should be on the record tonight. I for one am going to vote yes for it.
LEG. ALDEN:
Legislator Binder, would you suffer an interruption?
LEG. BINDER:
Yeah, I would, sure.
LEG. ALDEN:
For the purpose of a motion. Normally, we take a dinner break. I'm going to make a motion right now to recess. There's a colleague of ours that has suffered a personal loss and I for one would like to go and pay my respects and show my respect to that colleague. So I'm going to make a motion right now to take a recess for approximately an hour, an hour-and-a-half.
LEG. GULDI:
Which is it?
LEG. BINDER:
I second.
LEG. LEVY:
Mr. Chairman.
P.O. TONNA:
Just I'll ask -- I'll ask Legal Counsel how we do this.
LEG. BINDER:
How many people are scheduled to speak?
P.O. TONNA:
I still have one, two, three, four, five, six, six. I would suggest, because this is building to a crescendo, we have some information, I'd ask Legislator Alden, if you don't, mind, let us finish with this issue and then, you know -- what?
LEG. CARPENTER:
You're talking about 45 minutes at least of --
P.O. TONNA:
Well, forty-five minutes still gives us an hour to get there and back, if it's the wish of the --
LEG. BINDER:

Mr. Chairman.
LEG. CARACAPPA:
Everyone knows how they're voting.

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LEG. TOWLE:
I'll withdraw my request if we're going to call the vote. If we're not going to call the vote --
P.O. TONNA:
Well, I just have -- you know, I have a comment that I wanted to make. I'm on the list, I waited.
LEG. COOPER:
And I have a question.
P.O. TONNA:
And Legislator Cooper has; okay? But I would ask Legislator Alden, if you just wait 15 minutes and then do it again?
LEG. ALDEN:
Through the Chair. Fifteen minutes and we vote on my motion.
P.O. TONNA:
If you want. Give us some time.
LEG. ALDEN:
Thank you.
P.O. TONNA:
Well, you'll just have to raise the issue again, that's all. You have every right to call the motion to ask for a vote. I'm not, you know, thwarting the democratic process, but I would -- I'd like to finish this conversation.
Okay. I just -- my concern is this. I think sometimes that we're -- we have -- there are three or four underlying issues here. The first one is about process; okay? And from the Legislative standpoint, I'd have to say, with all due respect to Janet's explanation, that, you know, we submitted a resolution to the County Clerk, because the -- it didn't say in the resolution that the Presiding Officer -- you know, if you want to take, just to use a mosquito, that's thin water, all right, at the very best. The process is not a great one. And I want to commend Legislator Fisher for --
LEG. FISHER:
No, Fields.
P.O. TONNA:
Sorry. I want to commend Legislator Fisher for reminding me Legislator Fields, that, you know, this should go for the scrutiny of the Legislature. And even if it's from the standpoint of an educational process and a standpoint from listening to the public, maybe there were some salutory remarks or some great ideas that, you know, members of the public, although I had to say that I probably agree with Legislator Binder, but the fact is is that maybe there were some great ideas and stuff, and the public always has to speak. But the first issue is an issue of process and I don't think the process was a great process. But that was before, this is now. We've submitted a plan, and again, through the diligence of Legislator Fields.

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The second thing is a substantive issue and a policy issue, and I -- you know, it's very hard when you're not an expert. I'm not a physician, I'm not an expert in vector control, I'm not an expert of

the different type of Latin names that mosquitoes have, or anything else like that. And when you listen to people who come up, you know, with their credentials, whether they're checked, whatever else, the fact is is that it becomes very appealing, you know, listening to maybe -- maybe they do mutate, maybe this happens, maybe that happens. But I know the fact is is that we do have some very, very competent competent professionals. We have a Health Commissioner, you know, we have competent people within the departments, and this is my concern. I would offer a compromise only in the last, I guess, you know, case scenario, because I think to table this resolution is very, very dangerous, to say the least. And I, who am not a professional, will not, you know, say because I'm the elected official who has the right to vote and basically table this resolution and not have any -- if our Legal Counsel is right, to force a law, I just don't want to have that hanging on my head.
What I would suggest is this. First of all, I hope that we can approve it tonight. If we can't approve the plan tonight and we can't get consensus, what I would suggest is we approve the plan in its entirety to a date certain, May 15th. May 15th the plan expires. That way we have two Legislative meetings to have. We do not tie the hands of the department whatsoever in their ability to move through with the springtime and, you know, abatement of mosquitoes, and, yet, at the same time, we have Legislators, an opportunity for Legislators to ask the questions, to check other people's credentials, to do the homework that they would want to do when considering that this plan in an optimal situation should have been submitted a lot, you know, earlier ago. So what I would say is, you know, let's cut the mosquito in half, let's say approve the plan in its entirety. It's a plan that competent competent people and very qualified people came up with. It gives us two meetings to deal with this issue; all right? One is a night meeting on the 18th and then the next I think meeting would be May 9th, and that gives us to the -- you know, May 15th to do that.
LEG. D'ANDRE:
Mr. Chairman.
P.O. TONNA:
I don't want that approved, I would like to approve the plan, but if not, at least it gives us an opportunity for saner minds and to start to critique the public for what they say.
LEG. LEVY:
Could we just ask them if they'd do it?
LEG. FISHER:
How would you word that?
LEG. LEVY:
Could we just ask if they'd do it?

P.O. TONNA:
Excuse me?
LEG. FISHER:
How would you word that?
P.O. TONNA:
They'll have to come up with a CN. And, Janet, this might be, you know, whatever, but you'd have to come up with a CN to be able to make it a date certain. The plan would expire. We stay in the legal -- you

know, the legal framework of the spirit of what we want. We ask you in the future, in the Year 2001, to make sure that, you know, that we're presented a plan earlier and we move ahead without causing any problem to the general public, you know.
LEG. D'ANDRE:
Mr. Chairman, you can't --
LEG. LEVY:
I could support that.
LEG. D'ANDRE:
-- run a county that way.
LEG. LEVY:
Yes, you can, Mike.
P.O. TONNA:
Well, let's -- listen. Michael, I'm with you.
LEG. LEVY:
Let's just cut to the chase.
P.O. TONNA:
I want it approved. I'm afraid, though, that there is not a majority of this Legislature who will approve that plan. If it goes down, I'm going to make a discussion for the other thing.
LEG. D'ANDRE:
Let the chips -- let the chips --
LEG. HALEY:
I think we should try it first
LEG. CRECCA:
Let that happen first.
P.O. TONNA:
Okay.
LEG. CRECCA:
Let's vote on it, then.
P.O. TONNA:
All right. That's -- I mean, Charlie, I'd just like you to respond to that. I know there's a motion to table the plan. I'm sure after the

discussion, we'll give the sponsor an opportunity, if he wants, to change his motion. Charlie, do you just want to respond to that?
MR. BARTHA:
My strong recommendation is to view the plan as a whole and approve it as a whole tonight. As a compromise, that would be acceptable.
P.O. TONNA:
Okay, thank you. Legislator Cooper?
LEG. FOLEY:
Thank you, Charlie.
LEG. COOPER:
Well, you stole my thunder. But, actually, what I was going to ask was whether we could approve the CN today, and then later in the year, perhaps after a public hearing, could we just introduce new legislation that would -- to amend the plan. But right now, approve the plan, and then perhaps later in the year, we'll decide to amend it and perhaps we won't.
LEG. BINDER:
Let someone amend the plan if they want to amend it.
P.O. TONNA:

No, we're not amending the plan.
LEG. COOPER:
No, no. But right now, approve the CN as it is today, and then we can hold hearings later in the year. And then, if we get new information and we want to amend the plan then, we could take that step.
P.O. TONNA:
All right. Well, we can debate that. We can debate that. I just want to give -- Legislator Fields has the floor.
LEG. FOLEY:
The Commissioner has agreed with your compromise.
P.O. TONNA:
I understand that, but there's two other Legislators who still said they wanted to speak and I have to show them the respect of they're on the list. Legislator Fields.
LEG. FIELDS:
I think there are a lot of concerns and questions, and the State Health Department is going to be releasing their plan shortly. And I think it might be premature for us to say that our plan is exactly what should be done in the future, given all the information that the State and everyone else has come up with.
MR. NINIVAGGI:
What I can tell you is that we are -- Suffolk County was one of the key people in putting together the State plan. It's always possible it will be slightly different from what you saw on the website, but I guarantee you that spraying for adult mosquitoes will be in there

and --
LEG. FIELDS:
But what I'm saying is there may be some other things in that plan that might be really important for us to all feel very responsible for -- you know, in approving in that manner. And I think that once their plan is released, the Suffolk County Health Department can incorporate their suggestions into the plan. And I really like the idea of what the Presiding Officer offered, to take part of it and, go with, you know --
P.O. TONNA:
The whole plan in its entirety, but it expires on May 15th.
LEG. FIELDS:
May 15th.
P.O. TONNA:
Doesn't hinder you and any way to do what you would normally do, but you would still have the problem to make the argument by May -- by the second meeting, at least, so that we can go ahead, revise whatever else we want to do.
LEG. FIELDS:
And if we had had the plan, you know, earlier, I think we would have been able to get all the public hearing that we wanted. But we did have to rush it through and not have all the public input that we really wanted to have.
MR. NINIVAGGI:
I do want you to be aware, though, that it's not entirely cost-free and easy for us to have our program on hold with the possibility of major -- we have to assume that there's a possibility of major

revisions after May 15th. I'm in the process of putting together pesticide contracts, acquiring equipment, all those things that go into getting a program going. We are doubling our field effort.
LEG. FIELDS:
What do you mean major revisions?
MR. NINIVAGGI:
Well, I don't know. Well, any plan that's subject to a vote is presumably subject to revisions. If it's not subject to revisions, why would you vote on it again?
LEG. FIELDS:
You mean our plan or the Department of --
MR. NINIVAGGI:
The Department's plan.
LEG. HALEY:
Just a question of process, procedure. There's only one resolution before us. I think that's the one we have to approach, and I think a compromise has to be reflected in another vote or a different vote. In the meantime, I think we still have to make an -- correct me if I'm

wrong, Counsel.
P.O. TONNA:
Right now there's a tabling motion, that's it.
LEG. HALEY:
Right. So right now we have to go through the --
P.O. TONNA:
Right. Well, we'll just -- let's finish up the debate. Legislator Towle has the floor.
LEG. TOWLE:
Thank you, Mr. Chairman. Dominick, just want to go over a couple of things, if I could, with you and Charlie and Dr. Campbell. First of all, I've had an opportunity to work, as you pointed out and I said earlier to some of the people that have spoke here today, with your division extensively. And I don't want to take credit for having the worst mosquito problem in my district, but it's got to be pretty much up there as far as districts go. And a lot of those calls that you get are from residents within my district. And like Legislator Binder, I was truly unimpressed by many of the people that spoke here today, because they clearly didn't have their facts correct. They didn't have accurate information. They had legitimate fears and that is very true. Clearly, I don't think, and I think you've talked about it tonight, that it is obviously not your first choice to spray, that you have numerous steps that you take all year long, not just during, you know, the spring and the summer when weather is nice and the mosquitoes are out, you do service 365 days a year, if I'm not mistaken; is that accurate?
MR. NINIVAGGI:
Except for holidays.
LEG. TOWLE:
Except for holidays. Recap just very quickly what you do as a general operation, I think for some of the members that have not been here before.
MR. NINIVAGGI:
Okay. Well, our general operation during most of the year, we're doing

what's called water management, which is maintaining ditch and drainage systems, working with the resource agencies on wetlands restoration. That's the work we're doing out in the field. In the off-season, the people who are in the lab and in the administrative part of the program are just as busy, if not busier, than they are during the spring season, because you have to remember, there's tremendous amount of environmental compliance that goes on. We were required to put out a 90,000 line pesticide report to the State Conservation Department this year. As a matter of fact, my biologist spent most of this fall and into the early winter just doing the computer work that was necessary to produce this 90,000 line report and, unfortunately, that took away from his time doing things like designing open marsh water management projects.

We are preparing our various budgets. We are going through permitting

processes, which we're doing now. There are a lot of things that go on administratively. In the -- once we get to the spring, we start our programs, we put crews out in the field to find breeding sites, visit them, treat them if necessary. An important part of the program that we do in conjunction with Health Services is our surveillance program. We run an extensive surveillance program throughout the County, both for mosquito populations and for virus. One of the things that we have to do is step up our virus surveillance program a great deal. So there is a lot of activity that goes on that's very much -- it's out of the public eye or you don't see it going on, but, you know, those things have to happen for the rest of the program to work and --

LEG. LEVY:

Can we call the question? Do I have a second on that, calling the question?

MR. NINIVAGGI:

-- that's the general part.

LEG. TOWLE:

No. I have a few more points I want to go over. Because I think, if we're going to sit here and vote on something that's a policy issue and we know nothing about it as Legislators -- I don't think anybody here has the credentials to contradict the people that we've hired to do this job, and, quite honestly, that's the Health Commissioner, the Department of Public Works Commissioner, and the person that we've put in place for Vector Control.

P.O. TONNA:

Can I just say one thing? Legislator Towle has been very patient in waiting the over hour for everyone else to ask their questions. I would say let's continue with the process. We have two other speaker after him.

LEG. TOWLE:

I don't want to stay here any longer than anybody else, but I think it's important.

P.O. TONNA:

And I don't like defending Legislator Towle, you know, in general.

LEG. TOWLE:

Must have killed you to do that, I know.

P.O. TONNA:

So here -- it hurts me, so, please, just let him say his things.

LEG. TOWLE:
Talk a little bit about the public notification process before we go to spring. Because, obviously, people think we just flop up the helicopters in one day and start spraying chemicals on people's homes without any notification.
MR. NINIVAGGI:
When we do an aerial spray, we have -- in normal circumstances, we go through a four-day process. We have to out a legal ad in the paper, we

knife various public officials in the spray area, we publish the ad, we notice -- noticing DEC. We also have a list of people that have health problems or bees that could be affected by the spray and we phone those people, so -- and we're usually on the media. Because, usually, when we have to aerial spray, especially for salt marsh mosquitoes, it's all over the news that the mosquitoes are really bad.
And one of the things I think I should mention, as far as the need for adult spraying, your district has this problem, mosquitoes fly and sometimes there are parts of this County that are under federal jurisdiction where we're not allowed to do this sort of environmentally friendly mosquito prevention things that we do elsewhere in the County, especially on the national seashore. Unfortunately, those mosquitoes will fly out of the seashore and they tend to infest Legislator Towle's district, but they also can cross the bay, and once those mosquitoes fly out, you really don't have any choice but to spray for adult mosquitoes. So, again, this just emphasizes that we do -- for no fault of our own and no lack of our program, the need to spray adult mosquitoes can still be there. So this is something that we need to think about, this is an important part.
LEG. TOWLE:
And obviously -- obviously, weather plays a vital role in whether you can actually spray or not spray.
MR. NINIVAGGI:
. That's right. Especially because -- especially with the minute amounts of pesticides we use, weather conditions are very, very important.
LEG. TOWLE:
Okay. The other thing I think is important, too, is to talk a little bit about the public education program that you run. I've seen you on T.V. numerous times. I know that you've gone out and spoke before groups about educating the general public about some of their problems, because people are forced in some instances to do private spraying and also to use chemicals to spray themselves and their families and their children. If we're talking about concern for the general public, I think it's far better, if we have to spray, to have professionals do it and to have it in a controlled environment than to have the general public willy-nilly spraying whenever they feel like it. And how do you feel about that?
MR. NINIVAGGI:
The public education is going to be a very important part of this, especially where I do agree with the -- some of the speakers that we had is, yes, emptying out water around your household is really important. And I know our County Health Department is going to be working to get that word out, as well as the State Health Department.

So it's -- public education is very important and we should -- what I would like to see is people, you know, empty the water, be concerned about mosquitoes, but don't -- don't get too crazy about it either. Don't think every time you need to -- you see a mosquito, you need to call Vector Control to be sprayed. That's going too far the other direction, and we try to have a middle ground. For instance, I got a call a couple of days ago from a school district. They wanted to have

their groundskeeper just spray the grounds periodically, just in case. I told them not to do that. And those are the sorts of things we do. We act kind of as a consultant for mosquito districts in the state and in the adjacent counties. You know, we work and try to get the word out to do these things properly.

LEG. TOWLE:

You know, I think Legislator Binder hit it perfectly, that your division has not only been a state of the art division, but has also dealt with a tremendous area, a county that's larger than thirteen states, you've received national recognition, you've received public recognition. And, quite honestly, in this field, I would have to say that, talking to some of the other counties that I've had a chance to talk to about to see if they've had similar problems, that, clearly, you guys are a leader in the State as far as providing information, trying to run a responsible agency, and to try to run an agency that's not only dealt with the problem, but also to try to deal with the environmental concerns and the general public concerns.

And like Legislator Binder, I am going to vote to leave this plan the way it is, intact. I think you've also been very receptive to the general public's suggestions and recommendations. I think you've been open-minded. And I would just be curious, if this plan was approved in its entirety tonight, would you continue to work with those Legislators that have an interest in trying to expand and possibly adjust the plan, and also members of the general public who have represented groups here today, would you be prepared to work with those officials and groups and continue to explain why you're doing things and maybe look at other avenues and other opportunities to do business a little differently?

MR. NINIVAGGI:

Yes. Well, we always want to work with people. You know, we don't pretend to have all the answers, you know, we try to listen to what people have to say. And, for instance, on the issue of public notification, you know, there's -- certainly, I would think there might be a role for local officials like you Legislators who know your districts, as well as some of the local governments, to improve our public notification, because it's a difficult issue. But we also have to be careful on public notification that we don't spend so much time trying to get the word out, that the mosquitoes just spread and infest a wider area, and then we end up using more pesticide, which is the opposite of what we want to do. But, you know, we are willing to work with anybody who's willing to work with us.

LEG. TOWLE:

Thanks.

P.O. TONNA:

Okay. Legislator D'Andre, you're up.

LEG. D'ANDRE:

I'm not going prolong this. Everybody said everything there was to say. But in looking over the entire picture, you see these professionals we have here, we're very, very fortunate. This is not Nassau County, this is Suffolk County where we do things right. And you want to put out a fire, you call a firemen. These men are

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entomologists. Their job can't be limited to this week, that week and this week, they've got to be given the authority to move in and cure this problem if and when it happens and at what time it happens. You're going to waste all that knowledge on guessing the week or the month that mosquitoes are going to have an outbreak or they're going to be more active. That's silly. I mean, let's not be silly, let's be responsible adults making important decisions. And this man is loaded with credentials as an entomologist, and I'll put my trust in him before all those speakers that came before us that spoke very, very well, but were full of prunes, most of them.

LEG. CARACAPPA:

Let's move.

P.O. TONNA:

Okay.

LEG. CARPENTER:

Call the vote.

P.O. TONNA:

Just -- no, I can't. There's one more person, Legislator Caracciolo.

LEG. HALEY:

Oh, Mike, you're here.

LEG. CRECCA:

We forgot about you.

LEG. CARACCIOLO:

Talk about having patience, my goodness.

P.O. TONNA:

I want you to know, Legislator Caracciolo, you win the patience award.

LEG. CARACCIOLO:

Okay. Dominick and Dr. --

LEG. TOWLE:

Take his notes.

LEG. CARACCIOLO:

I could stay here until midnight, I mean, I got all night. Dominick and Dr. Campbell, I just want to go back to some of the issues that some of the speakers did raise, because even though they're not here now, it's easy to lose sight of those issues, because they really are not here to continue to promote them. But as I recall some of the issues that were raised, one had to do with one of the chemicals that we use, Malathion. How do you say that?

MR. NINIVAGGI:

Malathion.

LEG. CARACCIOLO:

Okay. There was reference to that within the next few weeks, the EPA is going to require a labeling change on the use of that product. Are

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you familiar with that labeling change?

MR. NINIVAGGI:

The EPA doesn't put out the information on their labeling change in

general until such time as they actually do it. We will wait and see what the labeling change is, but the indications that we've had is that --
LEG. CARACCIOLO:
Excuse me. I can't hear you.
MR. NINIVAGGI:
Is that the --
LEG. CARACCIOLO:
Excuse me, Dominick. Go ahead.
MR. NINIVAGGI:
Is that the registration for this material for adult mosquito control will remain. There's no indication that they will change their mind, that this is no longer a suitable material for the control of adult mosquitoes. I've had -- objections have been raised to everything that we use to treat for adult mosquitoes. It doesn't -- there are objections that have been raised to Malathion, objections have been raised to Anvil, objections have been raised to Scourge. All -- those are the three big products that we have available to us, so we have to look at the choices we have in a given situation. One of the things about Malathion is, is that it works really well in a lot of situations, and when you have a public health threat, that's very important. We have tried some of the other products in Legislator Towle's district and sometimes people would call us the next day --
LEG. CARACCIOLO:
That explains it all.
MR. NINIVAGGI:
They would say, "Well, what it is" --
LEG. TOWLE:
Watch it, Caracciolo.
MR. NINIVAGGI:
"What did you use? You know, the mosquitoes are still around." You know, that's not a problem with Malathion. So I think that we'll wait and see what the EPA really has to say before we make decisions. If they determine it's no longer suitable for mosquito control, we'll deal with that. But we have to remember that -- we heard some people talking about mosquitoes becoming resistant to pesticides. Well, resistance can be managed, and one of the ways you do that is by alternating the chemical class that you're using against them. Malathion is an organophosphate, the other materials are pyrethroids. If we only used pyrethroids, we'd be in much more of a danger of resistance than if we alternate between the organophosphates and pyrethroids. So we have to consider all these things.

P.O. TONNA:
So you alternate.
LEG. CARACCIOLO:
Last year, and I know you have to keep extensive records, what quantities did we use in Vector Control and what substances did we use? I know you have to report that to the State.
MR. NINIVAGGI:
I don't have that report in front of me. I know we treated about 26,000 acres for larval control, mostly by helicopter, with {Altisid}. We treated approximately 68,000 acres with adulticides. Most of that

was Scourge, the pyrethroid, some of that was Anvil, another pyrethroid. Approximately 8,400 acres of that was Malathion. Again, we use -- we use -- I just -- I'm preparing my aquatic permit applications. We have a list of about ten larval control materials we use, and, you know, the bulk of it tends to be the {Altisid} Liquid for salt marsh mosquitoes, because they are such a big problem, but we use a variety.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

MR. NINIVAGGI:
I don't have that report in front of me. I know we treated about 26,000 acres for larval control, mostly by helicopter with Altercid. We treated approximately 68,000 acres with adulticides, most of that was scourge, the pyrethroid, some of that was Anvil, another pyrethroid, approximately 8,400 acres of that was Malathion. Again, we use -- I'm preparing my Aquatic Permit Applications. We have a list of about ten larval control materials we use and, you know, the bulk of it tends to be the Altercid liquid for Salt Marsh Mosquitoes because they are such a big problem, but we use a variety.

LEG. CARACCIOLO:
Maybe Dr. Campbell can respond to the next question that deals with the long-term health effects --

P.O. TONNA:
We're getting close, okay, let's listen.

LEG. CARACCIOLO:
The long-term health effects or adverse health effects as a result of programs that spray year in and year out and the cumulative accumulation, if you will, of these products on --

DR. CAMPBELL:
I'm the wrong kind of doctor; I'm not a physician, I'm an Entomologist with a PhD.

P.O. TONNA:
He's the bug guy.

DR. CAMPBELL:
Yeah, so I can't really address the medical aspect.

LEG. CARACCIOLO:
Okay. Is there anyone who can address that; are there studies, are there papers that address these issues, that you're familiar with?

DR. CAMPBELL:
I mean, that would probably be better suited by Dr. Bradley or Dr. Graham in Public Health.

MR. NINIVAGGI:
I will --

LEG. CARACCIOLO:
Okay. I mean, these were some of the issues that were raised. Now --

MR. NINIVAGGI:
Well, I would point out that they have reviewed this plan and are agreeable to our choice of materials, so this has been run by.

LEG. CARACCIOLO:
That doesn't give me any great deal of comfort, let me tell you that right now.

MR. NINNIVAGGI:
Yeah.

LEG. CARACCIOLO:
Having said that, in terms of the aerial spraying and the distances, there was one representation that with regularity, when you do aerial spraying, the spray drift can go often times as far as 12 miles. And I'm just thinking of Legislator Binder's example in Huntington where he lives, he probably received more spray drift from the spraying that took place in the adjoining County than he did from our own operations here in Suffolk County, if that's true; is that true?
MR. NINIVAGGI:
Well, spray drift varies according to a lot of factors. When you're talking about 12 miles, you're talking about the worst case, the most minute amounts of product and you're talking about generally application from fixed wing aircraft that are flying at several hundred feet. When you use helicopters, for instance, you're at a lower altitude which reduces drifts, those kinds of results also typically tend to be an open space. Drift occurs -- a lot of that drift is intercepted in a place like Long Island where you have vegetation, those sorts of things that all intercept the spray droplets. And again, so we can minimize drift, a certain amount of drift is actually desirable from the point of view of mosquito control because what you need to do -- the only way you can kill mosquitoes with the minute amounts of pesticides you use is you produce a spray droplet that hangs in the air and the mosquitoes fly through it. So if that spray cloud moves along, it gets down through the trees and does its job before it dissipates.
So if you're talking about 12 miles, you're talking about out at the detection limits of the equipment from high altitude type sprays. Drift certainly occurs, a certain amount is desirable, but you have to remember that the amount -- just because you can detect pesticide, it does not automatically follow that there's a hazard associated with it

because as -- dose makes the poison.
LEG. CARACCIOLO:
Okay, I understand your answer. How long does it take to breakdown the material?
MR. NINIVAGGI:
It varies with the material. The half life of scourge in sunlight is about 20 minutes, by four hours it's essentially gone. Malathion is somewhat more persistent, you're talking about hours, in minute amounts you'll find it in days. But then again, those are not amounts that you can demonstrate, for instance, toxicity of the insects, you can detect it. But whether there's any hazard is very remote because, again, you're talking about the smallest amounts.
LEG. CARACCIOLO:
Okay. In the future, if it's determined that some of the chemicals that were used in this year's spraying program, if we get to aerial spraying, if we have an outbreak and you have to use that material, does the County expose itself to any liability in the future if, in fact, somebody is labeling -- some of these products are labeled in the next few months or years as having potentially harmful effects on human life?
COMMISSIONER BARTHA:
I'd really turn to the County Attorney's Office to handle the liability

question.
MS. KNAPP:
Well, for the most part you're talking about basically a product liability suit. Almost anyone can bring almost any lawsuit, but to the extent that the County acts reasonably and looks at the product that they're applying and has a reasonable basis for believing that the product is safe and they apply it properly, the liability I think on the County's side should not be great.
LEG. CARACCIOLO:
Okay, thank you.
P.O. TONNA:
Michael, are you done?
LEG. CARACCIOLO:
Yes.
P.O. TONNA:
Okay. All Legislators please come to the horseshoe. We have right now in front of us a motion to table by Legislator Caracciolo and a second by --
LEG. CARACCIOLO:
No, I'm going to withdraw the motion.
P.O. TONNA:
You withdraw the motion? Okay.

LEG. CRECCA:
Motion to approve.
P.O. TONNA:
Motion to approve by Legislator Crecca, seconded by legislator Haley.
LEG. HALEY:
Role call.
P.O. TONNA:
Roll call, let's do the roll call.
LEG. LEVY:
Motion to table?
P.O. TONNA:
No. There's a motion -- the motion to table was withdrawn. Right now there is a motion to approve with no amendment, nothing else.
MR. BARTON:
Legislator Crecca?
LEG. BISHOP:
Motion to table.
P.O. TONNA:
Just hold it a second.
LEG. HALEY:
Wait a minute. He started calling the vote.
P.O. TONNA:
No, it doesn't matter. There is a motion to table, that has precedence.
LEG. GULDI:
Who made a motion to table?
LEG. LEVY:
And a point of --
P.O. TONNA:
Motion to table by Legislator --
LEG. LEVY:

Point of inquiry, I've got a question to Counsel. If the motion to table --
LEG. BINDER:
Is there a second?
LEG. LEVY:
Yeah, I second it. If the motion to table were to fail and then we -- no, if the motion to table was approved and we were able to make the modifications and vote on those modifications, that would be considered a separate CN and the tabling motion would be irrelevant, it wouldn't prohibit us from voting on that, correct?

MR. SABATINO:
It wouldn't prohibit you from voting. It could be done either way, you could convert this CN into that CN or you can do a separate CN. I mean, but either way you have the ability to vote with a CN, so that's not a problem.
LEG. LEVY:
Okay.
LEG. BISHOP:
Don't worry, you don't have 10 votes anyway.
P.O. TONNA:
Okay. There is a motion to table, that takes precedence, and a second by Legislator Levy. Okay, roll call on the motion to table.

(*Roll Called by Mr. Barton*)

LEG. BISHOP:
Yes.
LEG. LEVY:
Yes.
LEG. CARACCIOLO:
No.
LEG. GULDI:
Yes to table.
LEG. TOWLE:
No.
LEG. CARACAPPA:
No.
LEG. FISHER:
Yes.
LEG. HALEY:
No.
LEG. FOLEY:
Yes.
LEG. FIELDS:
Yes.
LEG. ALDEN:
No.
LEG. CARPENTER:
No.
LEG. CRECCA:
No.

LEG. D'ANDRE:
No.

LEG. POSTAL:
No.
LEG. BINDER:
No.
LEG. COOPER:
No.
P.O. TONNA:
No.
MR. BARTON:
6.
P.O. TONNA:
Okay. Now there's a motion to approve by Legislator Crecca, seconded by Legislator Haley. Roll call.

(*Roll Called by Mr. Barton*)

LEG. CRECCA:
Yes.
LEG. LEVY:
Just on that, a point of inquiry again. If this resolution, Paul, if the motion to approve fails, at that -- could you just explain to us when it goes to committee, when it is dropped off altogether?
MR. SABATINO:
If it gets nine votes or less it's deemed defeated, if it gets 10 votes or 11 votes it goes to committee, if it gets 12 votes or more it's deemed approved.
P.O. TONNA:
Okay. Let's -- we're in a roll call. Thank you.

(*Roll Call Continued by Mr. Barton*)

LEG. HALEY:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. GULDI:
No.
LEG. TOWLE:
Yes.

LEG. CARACAPPA:
Yes.
LEG. FISHER:
Pass.
LEG. FOLEY:
Pass.
LEG. FIELDS:
Pass.
LEG. ALDEN:
Yes.
LEG. CARPENTER:
Yes.
LEG. D'ANDRE:
Yes.
LEG. BISHOP:
No.
LEG. POSTAL:

Yes.
LEG. BINDER:
Yes.
LEG. COOPER:
Yes.
LEG. LEVY:
Pass.
P.O. TONNA:
Yep.
LEG. FISHER:
No.
LEG. FOLEY:
Nope.
LEG. FIELDS:
No.
LEG. LEVY:
No, we still have the opportunity to get a revised version.
MR. BARTON:
12.
LEG. HALEY:
Thank you.

P.O. TONNA:
Thank you. Okay. Wait, we still have the agenda, there's no motions made or anything else like that. I'm sorry, we're still moving on to -- Legislator Alden, do you want to --
LEG. BISHOP:
No, that's eleven. Mr. Chairman?
LEG. CARACAPPA:
Mr. Chairman? Mr. Chairman, I stand to be recognized.
LEG. GULDI:
Point of order.
LEG. CARACAPPA:
Mr. Chairman?
MR. BARTON:
Mr. Chairman? I would -- Mr. Chairman?
P.O. TONNA:
Just wait a second, everybody.
MR. BARTON:
Mr. Chairman?
P.O. TONNA:
Just hold it one second. The Clerk has the floor, relax.
MR. BARTON:
I recorded six no votes; Mr. Guldi, Mrs. Fisher, Mr. Foley, Mrs. Fields, Mr. Bishop and Mr. Levy.
MS. FARRELL:
That's correct.
P.O. TONNA:
Okay. So Dave, where is your --
LEG. BISHOP:
I just skipped a yes, though, because I was counting --
LEG. HALEY:
No. You didn't hear Crecca's first and then --

P.O. TONNA:
Can I say something? Just wait a second. The Clerk called the roll, if you had a question, he just did it, that's it. I'm not getting into a conversation about counting the Clerk's roll. Thank you. Legislator Alden has a motion.
LEG. BISHOP:
I wouldn't get it into it if it was just me, but I think a number of people had that count wrong; I counted 11, you counted 11.

P.O. TONNA:
Legislator Alden has a motion.
LEG. ALDEN:
I made a motion.
P.O. TONNA:
What's the motion, Legislator Alden? I haven't heard the motion. Legislator Alden, you have a motion.
LEG. CARACAPPA:
I have a motion as well.
LEG. TOWLE:
Same motion.
LEG. ALDEN:
I will yield to Legislator Caracappa for one second.
P.O. TONNA:
All right. Legislator Caracappa, you have a motion?
LEG. CARACAPPA:
Thank you, Legislator Alden. Mr. Chairman, there are two groups of people pretty much in the audience today and there are still one or two remaining on one more issue. If we can deal with that quickly before you call your recess, I would greatly appreciate it.
P.O. TONNA:
I'm not calling a recess, there has to be a motion to recess and a vote.
LEG. CARACAPPA:
Okay. Then I'd like to take out of order 1089 - Adopting Local Law No. 2000, a Local Law to authorize immobilization of "Deadbeat parent vehicles" (Carpenter).
LEG. CARPENTER:
Second.
LEG. LEVY:
I don't like going forever.
LEG. CARACAPPA:
Page eight. That's what we're here for, Legislator Levy, to work.
LEG. LEVY:
No. Listen, I don't mind going forever, but don't give the impression that this is going to be a five minute vote, this is going to be an hour debate.
LEG. ALDEN:
My motion was made prior to that motion, so I'm going to ask for a vote on it.
P.O. TONNA:
Okay, hold it one second. Just from a point of order. Just a point of

order. I recognized Legislator Caracappa, I personally think that

Legislator Alden is correct. You have the floor, there is a motion and a second, let's vote on it, and then Legislator Alden has a motion.
LEG. HALEY:
Repeat the motion.
P.O. TONNA:
The motion is to take out of order the deadbeat --
LEG. HALEY:
No, I thought --
LEG. ALDEN:
Sorry. I made a motion over a half an hour ago, almost forty minutes ago now, that motion is prior.
P.O. TONNA:
Okay. Is there a second?
LEG. FOLEY:
Second.
LEG. LEVY:
Second.
P.O. TONNA:
Okay.
LEG. HALEY:
Could you repeat the motion, please?
P.O. TONNA:
Okay. The motion, Legislator Alden, please tell us what your motion was.
LEG. ALDEN:
Not verbatim, but generally along this line. A colleague of ours has suffered a personal loss, I'm making a motion for a recess. So personally, I'm going to use that time to go and pay my respects to him and his family.
P.O. TONNA:
Okay. For how long, how long of a recess?
LEG. GULDI:
How long?
P.O. TONNA:
There has to be a time certain.
LEG. ALDEN:
We need an hour and a half, to 9:30.
P.O. TONNA:
Okay. There is a motion and a second. All in favor? Opposed?

LEG. LEVY:
Just on the question.
P.O. TONNA:
Wait, on the motion?
LEG. BISHOP:
I'm opposed.
P.O. TONNA:
Okay. On the motion?
LEG. GULDI:
Opposed.
LEG. CARACAPPA:
Opposed.
P.O. TONNA:

Motion to approve. Okay, all those in favor?
LEG. ALDEN:
No, roll call.
P.O. TONNA:
Okay, roll call.
(*Roll Called by Mr. Barton*)
LEG. ALDEN:
Yes.
LEG. FOLEY:
Yes.
LEG. CARACCIOLO:
No.
LEG. GULDI:
No.
LEG. TOWLE:
Yes.
LEG. CARACAPPA:
With all due respect to Fred, we need to do our work; no.
LEG. FISHER:
Yes.
MR. BARTON:
Legislator Haley?

MS. BURKHARDT:
He said yes.
P.O. TONNA:
Well, where is he?
LEG. HALEY:
I said yes
MR. BARTON:
Thank you. Legislator Fields?
LEG. FIELDS:
No.
LEG. CARPENTER:
Yes.
LEG. CRECCA:
Pass.
LEG. D'ANDRE:
Yes for Fred.
LEG. BISHOP:
It's not about Fred; no.
LEG. HALEY:
It certainly is.
LEG. POSTAL:
Yes.
LEG. BINDER:
Yes, it's about Fred.
LEG. COOPER:
Pass.
LEG. LEVY:
No.
P.O. TONNA:
Yep.

LEG. CRECCA:
Yes.
LEG. COOPER:
Yes.
P.O. TONNA:
What do we have?
MR. BARTON:
12.

P.O. TONNA:
Okay, 9:30.
[THE MEETING WAS RECESSED AT 7:50 P.M. AND RESUMED AT 9:40 P.M.]
P.O. TONNA:
There was a motion to approve the consent calendar by Legislator Towle. Who was the second?
LEG. GULDI:
Second.
P.O. TONNA:
Seconded by Legislator Guldi. All in favor? Opposed? Approved. Fine. Okay. Resolutions tabled to March 28th. That's those. Okay.
LEG. CARACCIOLO:
Table.
P.O. TONNA:
Number --
LEG. BINDER:
Motion to table.
P.O. TONNA:
1041 (A Charter Law to establish competitive-bidding process for selection of County Bond Counsel). Motion to table by Legislator Caracciolo. Legislator Binder, are you going to table this? You want to second it?
LEG. BINDER:
Motion to table.
P.O. TONNA:
Yeah. No, just say second. He already made a motion.
LEG. BINDER:
Second.
MR. BARTON:
The vote on the Consent Calendar was 14-4. (Not Present: Legs. Fisher, Bishop, Cooper and Levy)
P.O. TONNA:
Okay. All in favor? Opposed? Tabled? (Vote: 14 yes, 4 not present - Legs. Fisher, Bishop, Cooper and Levy)
1061 (Amending the 2000 Operating Budget transferring funds to the Office for the Aging for the Shelter Island Affairs Council).
LEG. CARACCIOLO:
Motion to table.

P.O. TONNA:
Motion to table by Legislator Caracciolo.
LEG. GULDI:
Second.
P.O. TONNA:

Seconded by Legislator Guldi. All in favor? Opposed? Tabled. (Vote: 14 yes, 4 not present - Fisher, Bishop, Cooper and Levy)
Number 1102 (Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District no. 3 - Southwest with the Developer of We're Associates Office Building). Is there a motion?
LEG. TOWLE:
Yeah, motion to table.
LEG. POSTAL:
Second.
P.O. TONNA:
Motion to table, seconded by Legislator Postal. All in favor? Opposed? Tabled. (Vote: 14 yes, 4 not present - Fisher, Bishop, Cooper and Levy)
Number 1163 (Making a SEQRA determination in connection with the proposed improvements to Sewer District #14 - Parkland). Is there a motion?
LEG. GULDI:
For Legislator Cooper, I'll table this for one more session.
P.O. TONNA:
Motion to table by Legislator --
LEG. TOWLE:
Second.
P.O. TONNA:
-- Guldi, seconded by Legislator Towle. All in favor? Opposed? Tabled.
MR. BARTON:
14. (Not Present: Legs. Fisher, Bishop, Cooper and Levy)
P.O. TONNA:
Number 1168 (Making a SEQRA determination in connection with the proposed Greenways acquisition of the DeLalio Sod Farm for active recreation, Eastport, Town of Brookhaven).
LEG. CARACCIOLO:
Motion to table.
LEG. TOWLE:
Second.

P.O. TONNA:
Motion to table by Legislator Caracciolo, seconded by Legislator Towle. All in favor? Opposed? Tabled.
MR. BARTON:
14. (Not Present: Legs. Fisher, Bishop, Cooper and Levy)
P.O. TONNA:
We have a pending bond resolution. Number 1221A (Appropriating funds in connection with the purchase of a Video Conference Server Trail). Is there a motion?
LEG. ALDEN:
Motion to table.
LEG. TOWLE:
Second.
P.O. TONNA:
Motion to table by Legislator Alden, seconded by Legislator Towle. All in favor? Opposed? Tabled. (Not Present: Legs. Fisher, Bishop,

Cooper and Levy)
Same motion, same vote, same second on the --
MR. BARTON:
Don't need it. 14. (Not Present: Legs. Fisher, Bishop, Cooper and Levy)
P.O. TONNA:
Okay. We don't need the roll call when we're tabling?
LEG. BINDER:
No.
P.O. TONNA:
Great. Number 1223 (Appropriating funds in connection with Fiber Cabling Network and Systems Upgrades). Is there a motion?
LEG. ALDEN:
Motion to table.
LEG. BINDER:
Motion to table.
P.O. TONNA:
Motion to table by Legislator Alden, second by Legislator Binder. All in favor? Opposed? Tabled. (Vote: 14 yes, 4 not present - Legs. Fisher, Bishop, Cooper and Levy). Same motion, same second, same vote on 1223.
Number 1242 (Authorizing the transfer of property to the Metropolitan Transportation Authority). Is there a motion?

00242

LEG. TOWLE:
Table.
LEG. FIELDS:
Motion.
P.O. TONNA:
Motion to table by Legislator --
LEG. FIELDS:
Fields.
P.O. TONNA:
Fields, seconded by Legislator Alden. Okay. All in favor? Opposed? Tabled. (Vote: 14 yes, 4 not present - Legs. Fisher, Bishop, Cooper and Levy)
Number 1244 (Amending the 2000 Operating budget and the Suffolk County Salary and Classification Plan for the Director and Assistant Director of Weights and Measures in the County Executive's Office of Consumer Affairs). Is there a motion?
LEG. TOWLE:
Table.
P.O. TONNA:
Motion to table by Legislator Towle, seconded by Legislator Caracappa. All in favor? Opposed? Tabled. (Vote: 14 yes, 4 not present - Legs. Fisher, Bishop, Cooper and Levy)
Number 1247 (Amending the 2000 Operating Budget and transferring funds from an escrow account to the Planning Department, Division of Real Estate, for Computer Based Modernization of Division Operations). Is there a motion?
LEG. CARACAPPA:
Motion.
LEG. GULDI:

Same motion.
P.O. TONNA:
Same motion. Okay. Motion by Legislator --
LEG. GULDI:
Towle.
P.O. TONNA:
Towle, seconded by Legislator Guldi. All in favor? Opposed? Tabled.
Introductory resolutions.
LEG. TOWLE:
Feel free to use my name.
P.O. TONNA:
What?

LEG. TOWLE:
Feel free to use my name for tabling.
P.O. TONNA:
There you go. Okay Introductory Resolutions.

INTRODUCTORY RESOLUTIONS

WAYS AND MEANS

1079 (Sale of County-owned real estate pursuant to Local Law 13-1976 Suffolk County Water Authority). Is there a motion?
LEG. GULDI:
Motion to approve.
LEG. TOWLE:
Second.
P.O. TONNA:
Okay. Motion by Legislator Guldi, seconded by myself. All in favor? Opposed? Approved. (Vote: 14 yes, 4 not present - Legs. Fisher, Bishop, Cooper and Levy)
Number 1088 (Adopting Local Law No. -2000, a Local Law to reform judicial appointment processed on County level through Judicial Screening Committee). Is there a motion?
LEG. TOWLE:
Table.
LEG. CARACAPPA:
Table.
P.O. TONNA:
Let's -- I would ask that we hold off on this, so that the sponsor could discuss this bill. Okay?
LEG. ALDEN:
What happened to motion to approve for the purpose of defeating?
P.O. TONNA:
That's right. I'd like to hold off. If you're going to -- if we're going to kill the bill, let's do it in front of him; okay?
LEG. TOWLE:
Withdraw. Have courage.
P.O. TONNA:
There we go. All right 11-- by the way, except for Maxine and Ginny -- oh, no, Brian's here, okay.
LEG. GULDI:
1174, motion.

P.O. TONNA:

1174 (Authorizing the Director of the Division of Real Estate, Department of Planning to issue a certificate of abandonment of the interest of the County of Suffolk in properties designated as Town of Southampton Suffolk county Tax map No. 0900-293.00-03.00-001.000).
LEG. TOWLE:
Second.
P.O. TONNA:
Is there a motion.
LEG. GULDI:
Motion.
LEG. TOWLE:
Second.
P.O. TONNA:
Motion by Legislator Guldi, second by Legislator Towle. All in favor? Opposed? Approved. (Vote: 14 yes, 4 not present - Legs. Fisher, Bishop, Cooper and Levy)
Number 1204 (Establishing County policy in connection with vending machine contracts).
Is there a motion?
LEG. FOLEY:
Motion.
LEG. TOWLE:
Skip over it.
MR. SABATINO:
There's a corrected copy that just got filed. It's not eligible for a vote.
LEG. GULDI:
Motion to table.
LEG. FIELDS:
Table.
LEG. TOWLE:
Second.
P.O. TONNA:
Okay. Wait, wait, wait, wait. What did we say?
LEG. FIELDS:
Table.
LEG. CARPENTER:
Table.

MR. SABATINO:
There's a corrected copy being done, so it's not eligible for a vote.
LEG. BINDER:
Motion to table.
P.O. TONNA:
Okay. So we don't even vote.
LEG. GULDI:
No. Motion to table.
MR. SABATINO:
No, it's not eligible to be approved. It just --
LEG. BINDER:
Motion to table.
LEG. GULDI:
Motion to table.

P.O. TONNA:
Motion to table by Legislator Binder, second by Legislator Crecca. All in favor? Opposed? Tabled. (Vote: 14 yes, 4 not present - Legs. Fisher, Bishop, Cooper and Levy)
1246 (Authorizing the County of Suffolk to settle a claim regarding Southwest Sewer District Construction). Is there a motion?
LEG. CARPENTER:
Motion.
LEG. ALDEN:
Motion to approve.
LEG. CARACCIOLO:
On the motion.
P.O. TONNA:
Motion to approve by Legislator Alden.
LEG. GULDI:
Second.
P.O. TONNA:
Seconded by Legislator Guldi.
LEG. CARACCIOLO:
Explanation.
LEG. GULDI:
Yeah. This is --
P.O. TONNA:
Explanation.

LEG. GULDI:
Explanation. In committee, it was explained to us this is an old condemnation where we took and installed piping in a residential area. We've taken the land, we've used it for 20 years and haven't paid the guy. It's a settlement for $20,000 and was recommended by our attorneys and is more than reasonable.
P.O. TONNA:
All in favor? Opposed? Approved?
MR. BARTON:
14, 4 not present. (Not Present: Legs. Fisher, Bishop, Cooper and Levy)
P.O. TONNA:
Okay. Number 1279 (Authorizing certain technical correction to adopted Resolution No. 1052-1999). Is there a motion?
LEG. GULDI:
Motion.
P.O. TONNA:
Motion.
LEG. HALEY:
Second.
P.O. TONNA:
Legislator Haley.
LEG. GULDI:
Haley's motion.
P.O. TONNA:
Seconded by Legislator Caracappa. All in favor? Opposed? Approved. Okay Number 1289.
MR. BARTON:

14-4. (Not Present: Legs. Fisher, Bishop, Cooper and Levy)
P.O. TONNA:
(1289 - authorizing certain technical correction to adopted Resolution No. 1002-1999). Motion by Legislator Guldi.
LEG. ALDEN:
Second.
P.O. TONNA:
Seconded by Legislator Alden. All in favor? Opposed? Approved. Number 1299.
MR. BARTON:
14-4. (Not Present: Legs. Fisher, Bishop, Cooper and Levy)
P.O. TONNA:
(1299 - Amending the Suffolk County Classification and Salary Plan and

the 2000 Operating Budget in connection with a new position title in the Suffolk County Department of Labor (Workforce Investment Board Coordinator). Is there a motion?
LEG. CARPENTER:
Motion.
LEG. CRECCA:
Second.
P.O. TONNA:
Motion by Legislator Carpenter, seconded by Legislator Crecca. All in favor? Opposed? Approved? (Vote: 17, 1 not present - Leg. Bishop) 1301 (Approving the appointment of Kathleen Casey as an ADA II). Is there a motion?
LEG. GULDI:
Motion by --
MR. BARTON:
Mr. Chairman, wait a minute. We have Legislators coming back in the room. Sorry. 17, 1 not present on 1299.
LEG. GULDI:
Motion on 1301.
LEG. FOLEY:
Second. 1301, motion.
P.O. TONNA:
No. We're on 1301 right now.
LEG. GULDI:
Motion.
P.O. TONNA:
Motion by Legislator Guldi, seconded by --
LEG. FOLEY:
Second.
P.O. TONNA:
Seconded by Legislator -- who said, "I'll second it"?
LEG. CRECCA:
D'Andre.
LEG. FOLEY:
Foley.
LEG. CRECCA:
D'Andre.
P.O. TONNA:
Foley. Okay. This is the niece of Judge Mullen? Okay. All in favor?

LEG. FOLEY:
No. That was Casey. That was Casey we just did.
LEG. CRECCA:
We're on 1301.
LEG. FIELDS:
Casey we're doing.
LEG. LEVY:
Yeah, they're both --
LEG. GULDI:
1301 is Casey.
LEG. LEVY:
That's Mullin as well. It's the other Mullin.
LEG. GULDI:
No, that's Casey.
LEG. LEVY:
It's the other Judge Mullin.
MR. SABATINO:
She's related to Judge Mullin, but it's the other Mullen, it's the"I-N" Mullin, not the "E-N" Mullen.
P.O. TONNA:
Okay. All in favor? Opposed? Approved. 1302.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Bishop)
LEG. GULDI:
Motion.
LEG. CRECCA:
Motion.
P.O. TONNA:
(1302 - Approving the appointment of Mary Catherine Mullen as a Sr. ADA I). Same motion by Legislator Guldi.
LEG. FIELDS:
Second.
P.O. TONNA:
Seconded by Legislator Fields. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Bishop)
P.O. TONNA:
1303 (Approving the appointment of Pierce Cohalan as a Sr. ADA II).

LEG. CARPENTER:
Motion.
P.O. TONNA:
Motion by Legislator --
LEG. GULDI:
Same motion.
P.O. TONNA:
-- Carpenter, seconded by Legislator D'Andre. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Bishop)
P.O. TONNA:
1304 (Requiring full disclosure of working conditions)

LEG. FIELDS:
Motion.
LEG. CRECCA:
Motion to approve.
P.O. TONNA:
Motion to --
LEG. GULDI:
Second.
P.O. TONNA:
Okay. Motion to approve by Legislator --
LEG. FIELDS:
Second.
P.O. TONNA:
Who, Legislator Crecca?
LEG. GULDI:
Second.
P.O. TONNA:
Seconded by Legislator Guldi. Just an explanation. This is a living wage?
LEG. GULDI:
This is the -- this is the --
P.O. TONNA:
No business?
P.O. TONNA:
No sweatshop resolution. I call it the no slave labor resolution.

00250

P.O. TONNA:
Right.
LEG. GULDI:
We don't need the subsidy.
LEG. TOWLE:
Cosponsor.
LEG. GULDI:
I'd like to be a cosponsor.
LEG. FISHER:
Cosponsor.
P.O. TONNA:
So, I guess -- what do we do with the undocumented, then? There's a slave class in our country right now. But anyway --
LEG. CRECCA:
It's a pro labor -- it is a pro labor --
P.O. TONNA:
Okay.
LEG. CRECCA:
It's a pro labor bill.
P.O. TONNA:
Everybody wants to be on this bill? (Affirmative Response by Legislators) All right. Okay. Everyone's on this. Fine what's her name, by the way? Kathy Lee, eat your heart out? Okay.
Number 1307 (Amending the hourly rate for certain title in the Suffolk County Temporary Salary and Classification Plan). Is there a motion?
LEG. GULDI:
You didn't call the vote on --

LEG. CARPENTER:
Motion.
P.O. TONNA:
Okay. Motion by -- what do you mean we did this?
MR. BARTON:
On 1304, I have a motion and a second.
P.O. TONNA:
Excuse me?
LEG. GULDI:
Motion and second. Motion.

00251

P.O. TONNA:
You have Legislator Carpenter. We're on 1307 we're dealing with right now.
MR. BARTON:
Oh, I'm sorry. On 1304, 17, 1 not present. (Not Present: Leg. Bishop)
P.O. TONNA:
Right. Now all cosponsors.
MR. BARTON:
Yes.
P.O. TONNA:
Okay. 1307.
LEG. GULDI:
Second.
P.O. TONNA:
There's a motion by Legislator Carpenter, second by Legislator Guldi. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Bishop)
P.O. TONNA:
1308 (Authorizing an application under the New York State Quality Communities Demonstration Program).
LEG. TOWLE:
Explanation.
LEG. CRECCA:
Explanation.
P.O. TONNA:
Wait. Let's have a motion first.
LEG. TOWLE:
Motion.
P.O. TONNA:
Motion by Legislator Towle, seconded by Legislator Caracappa.
LEG. TOWLE:
Explanation
P.O. TONNA:
Okay, explanation.
LEG. LEVY:
This is $50,000 from New York -- $50,000 from New York State River Front Development in Patchogue.

00252

LEG. TOWLE:
Fine, move on.
LEG. GULDI:

Second.
P.O. TONNA:
Okay. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Bishop)
P.O. TONNA:
1309 (Amending the Suffolk County Classification and Salary Plan and the 2000 Operating Budget in connection with a new position title in the Department of Public Works (Industrial Waste Pretreatment Technician). Is there a motion?
LEG. TOWLE:
So moved.
P.O. TONNA:
So moved by Legislator Towle. Do I have a second?
LEG. GULDI:
Second.
LEG. FISHER:
Second.
P.O. TONNA:
Second by Legislator Fisher. Now we got you involved in this. Okay. All in favor? Opposed?
MR. BARTON:
18.
P.O. TONNA:
Approve. 1311 (Authorizing transfer of surplus County computers to various organizations). Do we have a buyer for this? Legislator Carpenter, do you want this one?
LEG. CARPENTER:
Yes.
LEG. GULDI:
Second.
P.O. TONNA:
Okay. Legislator Carpenter makes a motion. Who seconds it?
LEG. FIELDS:
Second it.
P.O. TONNA:
Second by Legislator Fields. Sixty-one computers. All in favor?

Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Number 1312 (Establishing policy for Suffolk County African American Advisory Board). Is there a motion?
LEG. LEVY:
I have to make a motion to table.
LEG. TOWLE:
Second.
LEG. GULDI:
Second.
LEG. LEVY:
I'm the sponsor.
P.O. TONNA:

Okay. We make a motion to table by Legislator Levy. Is there a second?
LEG. TOWLE:
Second.
P.O. TONNA:
Second by Legislator Towle. Why the tabling motion?
LEG. LEVY:
Some people were interested in providing some input, so as a courtesy, I told them I'd table it.
P.O. TONNA:
We have an Hispanic Advisory Board right? Oh, you're the sponsor of this?
LEG. LEVY:
Yeah.
P.O. TONNA:
Okay, we'll let it go. All in favor? Opposed? Tabled.
MR. BARTON:
18.
P.O. TONNA:
All right. I want a Maltese Advisory Board. Anyway, Number 1314 (Clarifying grant of right-of-way through Manorville-Branch Road).
LEG. CARACCIOLO:
Motion to approve.

LEG. FIELDS:
Second.
P.O. TONNA:
Motion to approve by Legislator Caracciolo.
LEG. FIELDS:
Second.
MR. SABATINO:
Mr. Chairman, that should be tabled just one cycle. I'm still waiting for the documents from the Town, they haven't come yet.
LEG. HALEY:
Motion to table.
MR. SABATINO:
We should look at them first before we --
LEG. CARACCIOLO:
All right.
P.O. TONNA:
Motion to table by Legislator Caracciolo.
LEG. FIELDS:
Second.
P.O. TONNA:
Seconded by Legislator Fields. All in favor? Opposed? Tabled.
MR. BARTON:
18.
LEG. BINDER:
Go back to 1088.
LEG. CRECCA:
Can we go back to 1088?
LEG. LEVY:
1088.

P.O. TONNA:
Let's just keep moving.
LEG. GULDI:
1088.
LEG. CRECCA:
Finish Ways and Means.
LEG. LEVY:
Motion.

P.O. TONNA:
All right, okay. Let's go back to 1088 (A Local Law to reform judicial appointment processed on County level through Judicial Screening Committee).
LEG. LEVY:
Motion.
P.O. TONNA:
Now 1066 was a good year. That was the year that the Normans won, right? But anyway, okay. 1088. Go ahead, Steve.
LEG. LEVY:
Motion.
P.O. TONNA:
Motion by Legislator Levy. Is there a second? Going once.
LEG. FOLEY:
Second.
P.O. TONNA:
Second. Second by Legislator Foley.
LEG. FOLEY:
For purposes of discussion.
P.O. TONNA:
Okay. No. Do we need to discuss?
LEG. HALEY:
Roll call.
LEG. CRECCA:
No.
P.O. TONNA:
It's a Levy bill, do you need anymore? No, I'm joking. Go ahead, Steve.
LEG. LEVY:
I'm going to discuss.
LEG. TOWLE:
Steve, stop while you're ahead.
P.O. TONNA:
Legislator Levy has the floor.
LEG. LEVY:
If I thought you were right, I'd say okay. But out of the Newsday reports from several months ago, this bill came about. There is concern. We vote on nominees on a regular basis here to the District Court. Half of the time, there's very little discussion regarding who these individuals are. The point of this resolution is just to create a panel of retired judges and retired lawyers to just provide a purely

advisory recommendation. It can't be worse, because right now we have nothing. All it does is give us a recommendation that we can either

accept or reject. We're not forced to do anything with this -- with it. It's further information on our regard -- for our benefit. We've had many instances here where we voted on people with hardly any discussion at all. I would note that it's not like we're usurping any authority away from the County Executive. He's got the ability to provide the appointees to us that with can then decide whether or not we want to accept their opinion, that's all.
LEG. CRECCA:
Roll call
P.O. TONNA:
Okay. Anybody else?
LEG. CRECCA:
Roll call.
LEG. TOWLE:
Roll call.
P.O. TONNA:
Okay. You want a roll call?
LEG. TOWLE:
Oh, yeah.
P.O. TONNA:
Roll call.
(*Roll Called by Mr. Barton*)
LEG. LEVY:
Yes.
LEG. FOLEY:
Yes.
LEG. CARACCIOLO:
No.
LEG. GULDI:
No.
LEG. TOWLE:
Pass.
LEG. CARACAPPA:
Abstain.
LEG. FISHER:
Yes.
LEG. HALEY:
No.

LEG. FIELDS:
Yes.
LEG. ALDEN:
I like it, but no.
LEG. LEVY:
Can I make one you don't like and then you'll vote for it?
P.O. TONNA:
Wait, wait, wait. There are no explanations on your vote. Yes or no, please.
LEG. CARPENTER:
Abstain.
LEG. CRECCA:
No.
LEG. D'ANDRE:

No.
LEG. BISHOP:
Yes.
LEG. POSTAL:
Yes.
LEG. BINDER:
Pass.
LEG. COOPER:
Yes.
LEG. TONNA:
No.
LEG. TOWLE:
Abstain.
LEG. BINDER:
Abstain.
MR. BARTON:
Seven.
P.O. TONNA:
Okay, seven. Okay, here we go.
ENERGY AND ENVIRONMENT
Let's go to Energy and Environment; am I correct?
MS. FARRELL:
Yep.

P.O. TONNA:
Okay. Number 1139 (Adopting Local Law No. -2000, a Local Law to ban the use of Methyl Tertiary - Butyl Ether (MTBE) in gasoline sold in Suffolk County). Is there a motion?
LEG. FISHER:
Motion.
P.O. TONNA:
Legislator Fisher. Okay.
LEG. TOWLE:
Second.
P.O. TONNA:
Motion by Legislator Fisher, seconded by myself. All in favor? Opposed? Approved.
MR. BARTON:
18.
ECONOMIC DEVELOPMENT & EDUCATION
P.O. TONNA:
Number 1294 (Amending the Suffolk County Temporary Classification and Salary Plan for temporary personnel at Suffolk County Community College). Is there a motion?
LEG. TOWLE:
So moved.
LEG. CARACAPPA:
Second.
P.O. TONNA:
So moved. Don't confuse me, Fred. Okay.
LEG. GULDI:
Second.
P.O. TONNA:

Motion by Legislator Towle, seconded by Legislator Caracappa. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Okay. What's this procedural motion thing? Paul, can you give me -- can you explain this to me?
MR. SABATINO:
Last year, the Legislature had provided funding for the feasibility study on a convention center. A resolution was adopted at the December 21st meeting of last year to just hold that money in the capital

account, so it would be available for the Year 2000. That bill was vetoed. The veto was sustained at the first regular meeting of this year, so the $50,000 that was set aside by resolution that adopted on December 21st was lost for the feasibility study. This is a resolution to take an equivalent amount of money from the 456 Account in the Legislature's budget to reinstate the $50,000 for the convention center.
P.O. TONNA:
Why is this a procedural motion?
LEG. LEVY:
Hold it, hold it. I should just point, that account --
P.O. TONNA:
In six years, I've never seen this.
LEG. LEVY:
Mr. Presiding Officer, that account is for studies, that's where we're taking the money. We're not taking out of some nebulous fund. That's what that account is for. This is just doing what we did last year to provide us with a study, does not go forward and build any convention center. It just comes back to us with the study as to where it's feasible.
P.O. TONNA:
The only -- the thing that I have a concern is, is that it just -- what is this? How is this put on the agenda this way? Have you ever seen this before? You have, Legislator Binder?
LEG. BINDER:
Yeah.
P.O. TONNA:
Okay.
LEG. BINDER:
Not often, but it happens.
P.O. TONNA:
All right, fine. If Legislator Binder's seen it, it must be legit.
LEG. BINDER:
Mr. Chairman, it's because it does --
P.O. TONNA:
Okay. How do we vote on this?
MR. SABATINO:
It was approved in committee and it was recommended out by the committee. The way we vote on it is like any other --
P.O. TONNA:
It's Procedural Motion Number 2?

MR. SABATINO:
The only difference is, because you're using your own money, you're not transferring it from another department, you're using your own money.
LEG. BINDER:
Because you don't have to have the County Exec sign it, Mr. Chairman.
LEG. GULDI:
You vote yes, you vote no, or you abstain.
MR. SABATINO:
We did ten of them last year.
LEG. BISHOP:
You wouldn't know, Paul, because you abstained on all the LIPA ones.
LEG. CARPENTER:
And he's your friend.
P.O. TONNA:
Who said that?
LEG. CARPENTER:
Your friend.
LEG. CRECCA:
Remember those Executive Orders we spoke about?
P.O. TONNA:
There you go. Thank you.
LEG. BINDER:
Mr. Chairman.
P.O. TONNA:
Thank you.
LEG. BINDER:
Mr. Chairman.
P.O. TONNA:
Okay.
LEG. BINDER:
On the motion.
P.O. TONNA:
Anyway, I'm going to get subpoena power now.
LEG. BINDER:
Mr. Chairman, on the motion.
P.O. TONNA:
Anyway, on the motion, Legislator Binder.

LEG. BINDER:
I would think that there are -- I would think there are better ways to spend this, and one of the things I had thought we should probably do is spend some money. And I talked to the Presiding Officer and he had concern about taking it out of the Legislative account. But we probably be -- should be doing in the next two months, informational work to let people know that they should dump stagnant water around their house to protect themselves and their neighbors. And there's just not enough information out there, and people are not looking around their houses to protect their own neighborhoods in terms of mosquitoes, and that's the kind of thing we should do. I would -- I don't think that -- I don't think -- and I understand where the Presiding Officer was concerned about using Legislative funds for that kind of -- for that informational-type procedure, and so I would think

in this case, we'd probably have the same question. If it's not good for that, it's probably not a good idea to use it in this case either for County money.
LEG. CARACAPPA:
We're ready, Paul, we're ready.
P.O. TONNA:
Okay.
LEG. HALEY:
Question.
P.O. TONNA:
Let's just --
LEG. HALEY:
Question, Mr. Chairman.
P.O. TONNA:
Let's just vote for this.
LEG. HALEY:
It was a good point, now I have a question.
P.O. TONNA:
Wait. On the issue?
LEG. HALEY:
Yeah, on the --
P.O. TONNA:
On the Procedural Motion 2.
LEG. HALEY:
On the procedural. How does something like that get on the agenda?
P.O. TONNA:
That's the only -- I don't know.
MR. SABATINO:
It was in your packet at the last meeting. It was assigned to the

Economic Development Committee.
LEG. HALEY:
Did somebody sponsor it?
MR. SABATINO:
The Economic Development Committee -- somebody sponsored it, Legislator Levy sponsored it. The Economic Development Committee --
LEG. HALEY:
Oh, Levy. All right, forget it.
MR. SABATINO:
The Economic Development Committee voted on it in committee last week and moved it out.
P.O. TONNA:
The only thing I ask is why doesn't this have a regular number and a --
MR. SABATINO:
It does. Last year, we did ten procedural motions. Nine were adopted; they were numbered one through ten. They have a different numbering system than the I.R. numbers. But this bill actually went further than last year, because it went through the committee process.
LEG. BINDER:
Mr. Chairman.
MR. SABATINO:
The committee acted properly.
LEG. BINDER:

In almost every case, we don't put it through committee. When someone brings it to the Legislature, we just act upon it without committee consideration. This is --
LEG. CARPENTER:
This is Procedural Motion 2. Ask him what one was.
P.O. TONNA:
Yeah. What was Procedural Motion Number 1.
MR. SABATINO:
Okay. Number one --
LEG. CARACAPPA:
That was the website.
MR. SABATINO:
-- is still in committee. Number one was for personal alarm study for Correction Officers and other County employees. That was $25,000. That has not yet been approved.
LEG. CARPENTER:
Oh, good. Well, now, when they handle Procedural Motion Number 2, I'd like to make a motion on Procedural Motion Number 1.

P.O. TONNA:
Okay. Well, I don't know if we can do that, because that's not in front of us, but Procedural Motion 2 is. Okay. Let's just vote.
LEG. BISHOP:
Is there a motion?
P.O. TONNA:
There's a motion by Legislator Levy, right?
LEG. LEVY:
Right.
P.O. TONNA:
Is there a second? Who seconded it?
LEG. FISHER:
I'll second it.
P.O. TONNA:
Okay, Legislator Fisher seconded it. All favor? Opposed?
LEG. BINDER:
Roll call.
LEG. CRECCA:
Roll call.
P.O. TONNA:
Go ahead, roll call.
(*Roll Called by Mr. Barton*)
LEG. LEVY:
Yes.
LEG. FISHER:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. GULDI:
Yes.
LEG. TOWLE:
Pass.
LEG. CARACAPPA:
Pass.

LEG. HALEY:
Pass.

00264

LEG. FOLEY:
Yes.
LEG. FIELDS:
Pass.
LEG. ALDEN:
Pass.
LEG. CARPENTER:
Pass.
LEG. CRECCA:
No.
LEG. D'ANDRE:
Pass.
LEG. BISHOP:
Yes.
LEG. POSTAL:
Yes.
LEG. BINDER:
No.
LEG. COOPER:
Yes.
LEG. TONNA:
Yes.
LEG. TOWLE:
Yes.
LEG. CARACAPPA:
Yes.
LEG. HALEY:
No.
LEG. FIELDS:
Yes.
LEG. ALDEN:
No.
LEG. CARPENTER:
Yes.
LEG. D'ANDRE:
Yes.
MR. BARTON:
14-4.

00265

LEG. CARPENTER:
Mr. Chairman.
LEG. LEVY:
Mr. Chairman, I want to go back to a resolution that was tabled a little earlier. There's a gentleman out in the audience regarding this matter.
P.O. TONNA:
And he's still here after we tabled it?
LEG. LEVY:
He's still here.
P.O. TONNA:

Okay.
LEG. LEVY:
We just came back from a funeral. And I'd just like to make a motion to reconsider Resolution 1242. We did discuss this in committee. This is on the tabled resolutions, Page 6. This was the resolution where the MTA is going to be washing down the trains, and there was a request that we discuss this further in committee, we did.
LEG. GULDI:
Second.
LEG. LEVY:
Apparently, it is an enclosed area that these trains will be washed, and the fluid that seeps off will be regenerated, it will go into the drains and then reused.
LEG. HALEY:
Second.
LEG. GULDI:
Second the motion.
LEG. LEVY:
Is there anything further you'd like to add, questions by --
P.O. TONNA:
Okay. There's a motion and a second by Legislator Haley. All in favor?
LEG. GULDI:
Motion to approve.
P.O. TONNA:
Okay. All in favor? Opposed? It's now in front of us.
LEG. GULDI:
Motion to approve.

P.O. TONNA:
Okay. That was the reconsider. Motion. Now there's a motion by Legislator Guldi to approve.
LEG. HALEY:
Second.
P.O. TONNA:
Second by Legislator Haley. All in favor? Opposed? Approved. Okay?
LEG. FOLEY:
As long -- as long as it helps get the trains running on time, we're all right.
P.O. TONNA:
There we go.
LEG. LEVY:
If I knew you were here all day, I would have pulled this out of order. I'm sorry.
MR. BARTON:
18.
P.O. TONNA:
Okay.
LEG. CARPENTER:
Mr. Chairman.
P.O. TONNA:
Legislator Carpenter.
LEG. CARPENTER:

Procedural Motion Number 1 has been tied up in committee, and since we've passed Number 2 for the year, I think it would be only right to address Procedural Motion Number 1, and that was to do the planning study for the body armor or the body alarms, rather, for the Jail, for the correction officers.
P.O. TONNA:
Body alarms?
LEG. GULDI:
It has to be distributed.
P.O. TONNA:
Can I ask you, do we have the bill in front of us?
LEG. CARPENTER:
It's right on its way.
P.O. TONNA:
It's in the committee, right? Which committee is it in?

LEG. CARPENTER:
Yeah, it's being handed out right now.
MR. SABATINO:
Public Safety.
P.O. TONNA:
It's in Public Safety? I'm going to defer to the Chairman of Public Safety. You have Procedural Motion Number 1.
LEG. BISHOP:
I promise the sponsor we'll discuss it at the next Public Safety meeting. I really didn't know about it. It was never discussed at committee. We'll bring it up at the next Public Safety Committee.
P.O. TONNA:
Okay. The sponsor -- you're the sponsor of Procedural Motion Number 1, Angie?
LEG. CARPENTER:
Yes, I am.
P.O. TONNA:
Okay. She made a motion.
LEG. BISHOP:
It will go onto the agenda for the next Public Safety --
LEG. CARPENTER:
It's authorizing the study of personal alarms for correction officers and other County employees.
LEG. HALEY:
Question to Counsel.
LEG. BISHOP:
I thought we appropriated money for that.
LEG. CARPENTER:
That's what I was told, but then I found out that it was not, in case what happened.
P.O. TONNA:
Okay.
LEG. HALEY:
Question of Counsel.
P.O. TONNA:
Okay. Listen to me. We have a motion. Who's the second? Who was the second?

LEG. CRECCA:
Me.

P.O. TONNA:
Okay. There was a motion and a second. On the motion, Legislator Bishop asks that it goes back into committee.
LEG. BISHOP:
I would make a motion to send it back to committee. At committee --
P.O. TONNA:
All right. I second that.
LEG. BISHOP:
-- I promise this Legislature we will take it up.
LEG. HALEY:
On the motion.
LEG. BISHOP:
I will figure out what happened. I thought it was approved previously.
P.O. TONNA:
Yes. Now, the motion we're considering right now is to send it back to committee. All right. That takes precedence over a motion to approve.
LEG. HALEY:
Okay. So on the -- I just have a -- on procedures.
P.O. TONNA:
Yeah, on -- yes.
LEG. HALEY:
So, just for everybody's edification, procedural motions could be placed before us at any time by any Legislator, it doesn't have to go through a committee process.
P.O. TONNA:
To tell you quite honestly, Marty, I'd have to tell you, I'm -- this is new to me. All right?
LEG. HALEY:
All right. Well, I'll ask Counsel that question. If somebody --
MR. SABATINO:
Procedural motions are not subject to the Seven Day Rule and can be addressed at any time. Last year we did it ten times with regard to budgetary matters. The year before that, we did it either seven or eight times with regard to appointments.
LEG. HALEY:
But there's no requirement for it to go through committee?
MR. SABATINO:
No. But what I've been doing to try to lend some order to the system is advising the Clerk's Office to make it part of the packet, so it does get assigned a committee. The committee can, you know, address the bill, as was done in the case of Item Number 2, so there's a little

more discussion, but it's not necessary.
LEG. HALEY:
I know. But you know what, before you assign something to committee, I think you should ask the sponsor of a procedural motion if they want to do it or just lay it on -- just make the motion on the floor.
MR. SABATINO:
No. The bills are in the packet, so before they go to committee, the

bills are in the packet that the Clerk distributes. The Legislator who sponsored the bill has it sitting in front of himself or herself and can make the motion at that meeting. When a motion is not made at the meeting at which it's actually filed, then the next meeting, the next committee meeting immediately succeeding it is the one at which it appears, so that there's a second chance to look at the bill. But nobody is being deprived of the opportunity to vote on his or her bill, because it's being -- it's filed, it's put in the packet.
LEG. HALEY:
Well, we can vote on it now.
MR. SABATINO:
Yes.
LEG. HALEY:
Okay, thank you.
P.O. TONNA:
Can I just ask you, just from a point of edification, definitely for myself, but maybe for some of the newer members of the Legislature, what is what is -- what do we have here? You mean that a procedural motion is -- basically is not subject to the rules of the Legislature, they're not subject to -- I think they're not subject to the rules of the Legislature, and that it does it have to do just with pulling money out of our -- out of the Legislative account or what?
MR. SABATINO:
It has to deal with two things. One is the Legislative account, the Legislative account is your money. It's basically the 456 money. You're eligible to deal with that any time you want. There's no Seven Day Rule, there's no maturing period. The second thing you can deal with are Legislative appointments to the Legislature. So, for example, two years ago, everybody was appointed by a procedural motion in the middle of April of 1998. There was no bill filed ahead of time, there was no assignment to committee. It's happened in the past. Admittedly, it only happens, like I said, ten times last year, seven times the year before. It's not a frequent occurrence, but it's permissible.
P.O. TONNA:
All right. Legislator Postal.
LEG. POSTAL:
I don't know if this will clarify it, but it seems to me that procedural motions, I think this is very funny that we're discussing this at length, but it seems to me that procedural motions have been

laid on the table and acted on when there's already been a previous step taken to create a situation, and then there's a trigger like the Legislative account that we have that we can then have a procedural motion to take a portion out of for a study or for if we put money into --
LEG. BISHOP:
For LIPA, and then we hire -- we actually pay the attorney.
LEG. POSTAL:
That was another instance. Very often we would pass resolutions having to do with the LIPA takeover of LILCO, and then at some later time, we would have a procedural motion that we would act on to either select an attorney to represent us, or direct an attorney to continue with

something that we had already decided that we wanted to do. So I think that's why you can do this as opposed to an introductory resolution, because it's like the second step of something that started before.
P.O. TONNA:
Okay. Thank you. Jim, how much money do we have in our 456 Account. How much have we appropriated? I just want to know.
MR. SPERO:
We have 860,000, and only a very small amount has been set aside.
P.O. TONNA:
All right. I shouldn't have asked that question. I can think of 864,000 reasons why everyone else wants to put in procedural motion. Okay. We have -- we had a motion right now, basically, by the sponsor of this Procedural Motion Number 1 to -- and then there's a motion to table -- no, bring it back to committee, and I second it. On that --
LEG. GULDI:
Roll call --
P.O. TONNA:
Okay.
LEG. GULDI:
-- on the motion to recommit.
P.O. TONNA:
Okay.
LEG. CRECCA:
He withdrew his motion.
LEG. LEVY:
I have a question.
P.O. TONNA:
Now, Dave, you withdrew your motion. Okay.
LEG. LEVY:
I have a question.

P.O. TONNA:
So now there's a motion to approve and a second.
LEG. LEVY:
Question.
P.O. TONNA:
Okay?
LEG. LEVY:
On the question.
P.O. TONNA:
Yes, on the question.
LEG. LEVY:
Is this something that is --
LEG. CARPENTER:
If I could, I would explain.
P.O. TONNA:
Wait, wait. Legislator Levy has the floor, and, Legislator Carpenter, I'd be glad to have you respond. But, Legislator Levy, go right ahead.
LEG. LEVY:
I didn't even ask anything yet. I just want to know if this is something that is commonly done in other correctional facilities throughout the country. And, you know, I don't know if Vito's got any

comments that he wants to give on it or -- but --
LEG. D'ANDRE:
We lead the way with this. We lead the way. We don't have to worry what they're doing in another jail, we're doing it here.
LEG. LEVY:
Well, I'd just like to know, is this something that is common, common practice, or is this something that just came out of thin air? I have no idea. I'm just trying to get that out.
P.O. TONNA:
He asked the question of Vito. Vito, you have the right to answer.
LEG. LEVY:
As far as a prisoner.
LEG. GULDI:
Vito, did we wake you up?
LEG. LEVY:
Sorry.
MR. DAGNELLO:
There are a number of correctional facilities that do have the body alarms. Okay? There are different types of body alarms out there that

are being utilized. Somewhere, if the officer goes down and falls on the floor, it automatically goes off. There's some that stay stationary for "X" amount of time, they go off. This bill is going to help look at which one best suits what we have.
LEG. LEVY:
So this isn't to buy the alarms, this is just to look at --
MR. DAGNELLO:
To look at the different types of alarms that are out there and study them.
LEG. BISHOP:
It takes 45 grand to look at alarms.
LEG. CARPENTER:
No.
LEG. LEVY:
Well, why don't we just buy the alarms? Do we really need a study to find out what kind of an alarm we need? I mean --
LEG. CARACCIOLO:
Not with 25,000.
LEG. LEVY:
I mean, can't we just put in a bill to buy the alarms? Do we really have to spend the money to study the alarms? I want to get you the alarms, but --
LEG. CARPENTER:
If I could respond.
MR. DAGNELLO:
This was put on hold because of the study that was done to look for the new facility to try to incorporate it all of it all together. I think that's why this procedural motion was put like on hold a little bit to see where they were going with the building and the other stuff that's going on.
LEG. LEVY:
I want to get your alarms. I'll vote for a bill that gives you the alarms. I just don't think we need to study what kind of alarm to get,

just buy the alarm.
LEG. CARPENTER:
Mr. Chairman, if I could.
P.O. TONNA:
Yes. Wait, wait, wait. Wait. Legislator Levy, are you done?
LEG. LEVY:
Yeah.
P.O. TONNA:
Legislator Carpenter.

00273

MR. DAGNELLO:
Okay.
LEG. CARPENTER:
When I first introduced this, it was my intention to do just what Legislator Levy said and go forward and buy the alarms. However, when I met with Budget Review and we discovered that the cost of this could be into the millions of dollars, because it's not as simple as just a little body alarm, because it has to be hooked up to something, there would have to be computers, the Jail would have to be wired. So Fred made the recommendation that before we proceed and start purchasing body alarms, to make sure that we were getting, in fact, what was right and appropriate for us and to forward and do it in this manner.
LEG. GULDI:
Why $25,000?
LEG. CARPENTER:
Because that was the amount that Fred gave me as an appropriate amount for doing it.
P.O. TONNA:
That doesn't mean that's what we're going to have to spend, right?
LEG. CARPENTER:
Exactly.
P.O. TONNA:
That's what we have left. All right. Okay.
LEG. BISHOP:
It must be a pretty big expenditure if we have to spend $25,000 on a consultant.
P.O. TONNA:
Well, that's why, Dave, you just withdraw your motion. You --
LEG. BISHOP:
I would reinstate it. I think it should go back to committee, we'll have discussion at committee.
LEG. GULDI:
Second.
P.O. TONNA:
Okay. So now you're saying -- now we have a motion to bring it back to committee. Please, make up your mind. And there's a second by Legislator Guldi. Okay. Let's call the vote.
LEG. CARACCIOLO:
Yes.
P.O. TONNA:
All in favor? All right. Roll call.

00274

(*Roll Called by Mr. Barton*)

LEG. BISHOP:
Yes.
LEG. GULDI:
Yes.
LEG. CARACCIOLO:
Yes.
[LEG. TOWLE-NOT PRESENT]
LEG. CARACAPPA:
No.
LEG. FISHER:
Yes.
LEG. HALEY:
Yes.
LEG. FOLEY:
Yes.
LEG. FIELDS:
Yes.
LEG. ALDEN:
No.
LEG. CARPENTER:
No.
LEG. CRECCA:
No.
LEG. D'ANDRE:
No.
LEG. POSTAL:
No.
LEG. BINDER:
No.
LEG. COOPER:
Yes.
LEG. LEVY:
Yes.
P.O. TONNA:
Yep.

LEG. HALEY:
Change my vote to a no.
MR. BARTON:
Legislator Towle? (Not present) Nine.
P.O. TONNA:
Okay. That failed. Now there's a motion to approve by Legislator Carpenter, seconded by?
LEG. BINDER:
Second.
P.O. TONNA:
Legislator Binder.
LEG. CARPENTER:
And just remember --
P.O. TONNA:
All in favor?
LEG. CARPENTER:
-- it's not to exceed.

LEG. BISHOP:
Roll call.
LEG. CARPENTER:
It's not to exceed 25.
P.O. TONNA:
Right. Let's just do the roll call. Go ahead.
(*Roll Called by Mr. Barton*)
MR. BARTON:
Legislator Carpenter.
LEG. HALEY:
Carpenter.
LEG. CRECCA:
Angie, vote.
P.O. TONNA:
Say yes, Angie.
LEG. CARPENTER:
Yes.
LEG. CRECCA:
Yes.
LEG. CARACCIOLO:
Yes.

LEG. GULDI:
Yes.
[LEG. TOWLE-NOT PRESENT]
LEG. CARACAPPA:
Yes.
LEG. FISHER:
Pass.
LEG. HALEY:
Yes.
LEG. FOLEY:
Pass.
LEG. FIELDS:
Yes.
LEG. ALDEN:
Yes.
LEG. D'ANDRE:
Yes.
LEG. BISHOP:
Abstain -- no. Make it a no. It's just an out and out no.
LEG. POSTAL:
Yes.
LEG. BINDER:
Yes, an out and out yes.
LEG. COOPER:
Yes.
LEG. LEVY:
No.
P.O. TONNA:
Sure.
LEG. FISHER:
Yes.

LEG. FOLEY:
Yes.
MR. BARTON:
15. (Not Present: Leg. Towle)
P.O. TONNA:
Okay. Now, can we stay away from procedural motions for awhile? All

right. Thank you very much. I'm all confused. We're going now to Public Safety.

PUBLIC SAFETY

LEG. CARACAPPA:
Motion.
LEG. FOLEY:
Second.
P.O. TONNA:
All right. 1154 (Authorizing County Police Department to act as lead agency for William Floyd Union Free School District Edward Byrne Grant). Is there a motion?
LEG. FOLEY:
Do it for Freddy, yes.
P.O. TONNA:
Okay.
LEG. FISHER:
Second.
P.O. TONNA:
There's a motion by Legislator Towle, there's a second by Legislator Caracappa.
MR. BARTON:
Legislator Towle is not present.
LEG. FOLEY:
Towle's not here.
P.O. TONNA:
All right. Legislator Caracappa, there's a motion, seconded by Legislator Foley. All in favor?
LEG. LEVY:
Quick explanation from Counsel.
P.O. TONNA:
Opposed? Approved.
LEG. LEVY:
Quick explanation, please, from Counsel.
LEG. GULDI:
Take the money.
MR. SABATINO:
In order to get this grant for the school district, there has to be a municipality that acts as the intermediary. In this case, it would be the Police Department, since they have the background and expertise in dealing with these Edward Byrne Grants for targeting violence in

schools.
P.O. TONNA:
Okay. Number 1283. Is there a --
MR. BARTON:
The vote.

P.O. TONNA:
What?
MR. BARTON:
The vote.
P.O. TONNA:
Oh, vote. All in favor? Opposed? 1154 passes.
MR. BARTON:
18.
P.O. TONNA:
There you go. 1283 (Re-establishing Department of Corrections Committee to study viability of creating separate County Department of Corrections). Is there a motion? I'll make the motion, seconded by Legislator Bishop. All in favor? Opposed?
LEG. GULDI:
Opposed.
P.O. TONNA:
Approved. Opposed, Legislator Guldi.
MR. BARTON:
17.
P.O. TONNA:
Okay.
MR. BARTON:
One in opposition.

SOCIAL SERVICES

P.O. TONNA:
Social Services. Bond Resolution Number 1305 (Amending the 2000 Capital Budget and Program and transferring partial funds from construction to planning and appropriating funds in connection with planning and construction of day-care centers in County facilities).. I make a motion, seconded by Legislator Fisher. All in favor? No. Roll call, please. Roll call.

(*Roll Called by Mr. Barton*)

LEG. TONNA:
Yes.

LEG. FISHER:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. GULDI:
Yes.
LEG. TOWLE:
Yes.
LEG. CARACAPPA:
Yes.
LEG. HALEY:
Yes.
LEG. FOLEY:
Yes.
LEG. FIELDS:
Yes.
LEG. ALDEN:
Yes.

LEG. CARPENTER:
Yes.
LEG. CRECCA:
Yeah.
LEG. D'ANDRE:
Yes.
LEG. BISHOP:
Yes.
LEG. POSTAL:
Yes.
LEG. BINDER:
Yes.
LEG. COOPER:
Yes.
LEG. LEVY:
Yes.
MR. BARTON:
18.
LEG. LEVY:
Just to note, this was the money for the three on-site centers, which

we passed last year.
P.O. TONNA:
Okay. Let's go, same motion, same second, same vote. There we go.
DISCHARGED BY PETITION
Now we're at the discharge. We're at the deadbeat parent vehicle bill.
LEG. CARACAPPA:
I'll second that.
P.O. TONNA:
1089 (A Local Law to authorize immobilization of "Deadbeat" Parent Vehicles) is there a motion, Legislator Carpenter?
LEG. CARPENTER:
Motion.
LEG. CARACAPPA:
Second.
P.O. TONNA:
Motion to approve.
LEG. BINDER:
Second.
P.O. TONNA:
Is there a second by Legislator Caracappa? Okay.
LEG. FISHER:
Motion to table.
P.O. TONNA:
Motion to table by Legislator Fisher, seconded by myself.
LEG. CARPENTER:
On the motion.
P.O. TONNA:
On the motion.
LEG. CARPENTER:
I would just like to hear why there is a motion to table?
P.O. TONNA:

You want -- you really want me to go into this?
LEG. CARPENTER:
Go right ahead.
P.O. TONNA:
Fine.

00281

LEG. FIELDS:
Vivian made the motion.
P.O. TONNA:
Well, I can give you --
LEG. CARPENTER:
Except you didn't make the motion.
P.O. TONNA:
I can give you tons of reasons why. I didn't make the motion, I seconded the motion, but we made the motion in committee. First of all, I think --
LEG. CARPENTER:
Actually, you made the motion in caucus, but go ahead.
P.O. TONNA:
Excuse me? Made the motion --
LEG. CARPENTER:
Go ahead.
P.O. TONNA:
What caucus? I haven't been in a caucus room since a year with you, Legislator Carpenter, so I don't know what you're talking about. Anyway --
LEG. CARPENTER:
You made the motion in your recess earlier this evening. But go ahead.
P.O. TONNA:
No. This bill was already decided upon way before that. But if you want to be a mind reader, go right ahead. The fact is is that it's like -- I think the old saying was, "Why are you polishing the silverware when you haven't cleaned the toilets yet?" The truth is is that when you have CSEB --
LEG. TOWLE:
I never heard that. I never heard of that.
P.O. TONNA:
-- okay, with all -- I'll repeat it one more time for you, Legislator Binder. I'm sure you'll bring little anecdote back home.
LEG. TOWLE:
Nobody's ever heard of that.
P.O. TONNA:
"Why polish the silverware before you haven't -- before you haven't cleaned the toilets yet." Yeah, that's even better.
LEG. CARACCIOLO:
Say it one more time for Ed.

00282

P.O. TONNA:
Okay. The reason --
LEG. CARACCIOLO:
Did you get that?
P.O. TONNA:
The reason is, is very simple. This bill is not going to do really

anything to help when there is so many egregious problems over at CSEB. The very first thing that we have to do is we have to spend our time and our resources at CSEB. We have identified a lot of different problems; phone systems, training. We've identified problems. The Commissioner came and spoke. He said, "Hey, we would love something like this, maybe to use it at a certain period in time." But to tell you quite honestly, any resources that we take to enforce this is going to just push our caseload even that much more worse where people won't attend to the problems that have to be done.

LEG. FISHER:

Mr. Chairman.

P.O. TONNA:

Okay. I'll let somebody else kick in. Thank you very much. Legislator Fisher.

LEG. FISHER:

I had made the motion to table and I was asked why. And we had not approved this particular resolution in Social Services, although many of us, upon seeing this particular resolution, were very happy to support it at the outset. But the more testimony I heard from people who came before the Social Services Committee, the more convinced I was or -- and am that we need to have a lot of work done in the agency. We don't need to give another tool to an agency, which right now is having a great deal of difficulty working with the tools that it already has at its disposal.

The women, because it was -- it was generally women who came and spoke before us, who were having problems collecting money from their ex-husbands would not be helped by this resolution, would not be helped by the booting. They indicated that their ex-husbands have changed -- had their cars listed under somebody else's name, they didn't hold the title to their cars, they didn't hold title to their homes, so they would just slip right through this system, just as they have slipped through other systems.

The problems that we saw that were very clear to us was that there was not a responsive CSEB, that there was not good communication between the Child Support Enforcement Bureau and the courts, there was not good follow-up. So the Social Services Committee has decided to do everything we can to work with making this County agency -- because, very frankly, we were embarrassed that a Suffolk County agency would treat people the way we saw people treated by this agency. And we have made a commitment to work on improving the problem and not just have a quick fix that really wouldn't be a fix at all.

And I just want to make it very clear that if anyone has a very deep

interest in this, I was a single mother of three children for a number of years, and know how difficult this can be for someone who's a single parent, and I found the testimony heartbreaking. However, we have to be really rational about this and know that this is -- this resolution is not going to solve the problem.

LEG. CARACAPPA:

Mr. Chairman. Paul.

P.O. TONNA:

No. I have a list. Legislator Binder is actually --

LEG. CARACAPPA:

After me.
P.O. TONNA:
Yeah. Legislator Caracappa, then Binder. Sorry. Just I'm becoming a little forgetful.
LEG. BINDER:
Actually, Postal's before him.
LEG. POSTAL:
Where am I?
P.O. TONNA:
Oh, I'm sorry. Legislator Postal, Caracappa, Binder. Yes.
LEG. COOPER:
Paul, you got me, right?
P.O. TONNA:
All right.
LEG. HALEY:
Paul, put me on the list.
P.O. TONNA:
Cooper, you're after that, Crecca, and then Guldi, and then Haley.
LEG. POSTAL:
For many, many years, CSEB has been criticized. I've heard criticisms of CSEB by custodial parents and noncustodial parents. I've heard custodial parents complain that CSEB isn't doing enough and noncustodial parents complain that CSEB is persecuting them needlessly. The issue of CSEB I think is a completely separate issue from the issue of the boot. And, by the way, CSEB did all of these same things years ago when this Legislature voted to ask New York State to suspend the driver's licenses of deadbeat parents. We voted -- I'll bet that we voted unanimously for that. CSEB was operating the same way as it is now a few years ago when this Legislature passed a resolution to deny occupational licenses to deadbeat parents. I heard the same arguments then. None of these things is perfect, certainly, denying somebody a driver's license, denying somebody an occupational license. And I heard somebody say that, by the way, that's not working, Consumers doesn't do it.

I just called Consumers because I had a constituent who was denied a license because he was in arrears with child support payments. So they do do it, they do enforce it. But the point is that I heard all the same arguments then. Neither of these things works all of the time, it's just another tool, and it's another tool that if it helps a couple of people, because it gives another way to either humiliate or embarrass or compel a parent who's not meeting his or her responsibilities, then it's worth it and we shouldn't table it. There is -- you know, if you support the concept of denying occupational licenses to people who are in arrears with child support, then why is this a different matter?
I'll also tell you that Saturday night, I spoke to an attorney who works in matrimonial law in Nassau County and he asked me where this bill was headed. And he said to me he hopes that it's going to pass, because he represents a lot of custodial parents and he sees what happens to them. He sees how many noncustodial parents evade their responsibilities by not having property, by not having businesses in their own names and working off the books, and he said he recognizes

that this isn't going to work in every situation. But even if it works for a few people, those are a few families where children will have parents who may meet their responsibilities. I think that we need to look at this as another tool. We shouldn't let anything cloud our judgment other than whether we truly feel this can be a tool that will help some people.
LEG. CARACAPPA:
Paul am I up?
LEG. TONNA:
Yes, you're up.
LEG. CARACAPPA:
Thank you, Mr. Chairman. Just to go a little bit further on that, we'll first go back to what the first speaker was saying, that this doesn't do the trick. It never was meant to do the entire trick in regards to curing Child Support Enforcement Bureau. Why should we sit around and put together a committee, which I know we're going to do, and just completely rebuild CSEB and wait two to three years before we try something and do something such as the initiatives this Legislature has taken in the past? We have to do something. These parents who are at the end of their rope need something to reach out with, even if it is a benign measure, in some people's minds it's a benign measure such as this, it means a lot to one, two, or maybe even more families and so many more kids than that.
There was an editorial passed out from News 12 and I just -- I think this goes to the heart of the matter and I think the heart of the legislation, and it's the last paragraph. And it says, "Should parents be shamed this for failing to pay child support?" We think so. Parents who have the means, yet still refuse to support their own children, deserve to be humiliated. You would think that they would be ashamed of themselves, and this is really what this goes about. Some people aren't afraid of losing money, some people aren't afraid of beating the system, some people aren't afraid to hide their assets, but I'll tell

you, some people are afraid of being made fools of. Some people are more afraid of being called a coward in regards to their own children, and some people are just damn afraid to be -- have their -- a finger pointed out to them saying they're a deadbeat. And I'll tell you, if a sticker and a boot does that, we should do that. And I'll tell you, again, not to be redundant, if it's that one child that we help because of a stupid metal boot, it's well worth it. It's not a cure-all, but it is a last -- one of our last resorts and an option for us. Thank you, Mr. Chairman.
P.O. TONNA:
Thank you. Legislator Caracappa -- no, Binder.
LEG. BINDER:
Thank you, Mr. Chairman. We have for years, for the years I've been in the Legislature, had a problem in CSEB, sometimes worse, sometimes better. It's waxed and waned, depending on the type, the amount of calls that have come into CSEB, but there's always been a problem there. It's always been a problem just even taking the calls, the thousands of calls that come in. Behind those thousands of calls are the children. Now, we have, as a Legislature, committed to try to help these children. We have worked very hard over the years. Child

Protective Services, Child Support Enforcement, orders of protection, doing things that we can in the homes, especially broken homes. This Legislature has always been committed to doing what we can.
In the past, Legislator Postal points out about licenses, occupational licenses. We've taken the steps we think are necessary to try to help with the problem. None of them was the total answer. We've also done legislation to fill vacancies, create vacancies, put more people in.
We need to do more at CSEB, no one argues that. But to argue that as the reason not to pass this tonight, because we have to fix an administrative problem, is to walk away from the problem, is to not face up to the fact that we're sitting here with a -- not a solution, but a helping hand, a small weapon in the arsenal to send a message that these children are hurting.
And, you know, the one thing that this Legislature has always done through the years, I'm here ten years, and every time there's been a measure like this that's come before us, politics aside, we sat down and said the children are first, we're going to do something about the problem. We know we're not going to fix it, but you know what, if there's something we can do for the kids, this Legislature will do it.
Now, tonight, the first motion that's made on this, or the second motion, actually, the first motion is to approve, the second motion is to table. The question is why a motion to table? The answer is, well, the bill's no good.
P.O. TONNA:
It isn't.
LEG. BINDER:
Okay. If the bill's no good, withdraw the motion to table, let's vote on it, and all of you who think the bill is no good, vote no. Everyone that thinks the bill is good, vote yes. If there are ten -- if there

are ten votes, it will pass, if there are not ten votes, it won't.
Tabling it keeps it every week, every time we come here, on an agenda and we're going to go through this every time. And all it does is it puts off a vote. If you really believe and you're able to say on the record this is no good you don't like this, let's not -- let's not --
LEG. CARACAPPA:
Give false hope.
LEG. BINDER:
-- get a -- go away from -- try to hide from the vote, let's vote. If you don't like it and you have guts to say it on the record, you're already on the record, vote no. That's fine.
P.O. TONNA:
I already said it.
LEG. BINDER:
That's fine. So then let's not table it, let's not recommit, let's not do all of it. Let's go up or down, let's vote on this tonight, so you can say publicly whether you believe this is a measure or not. But I have to say this. Ten years I'm here, ten years I was the Chairman of Health and Human Services, and I can tell you, every time there was a measure, didn't matter where it came from, what side of the aisle, Democrat, Republican, when there was a measure that would help in domestic violence cases, abused spouses, the children, elders, our seniors, when we were able to help people, this Legislature rose to the

occasion. We didn't find out -- we didn't find reasons why we couldn't do it, we didn't make -- say, well, we should do this, we should clean the silverware instead of the toilet. I mean, I don't know. If you're eating, you're worried about the silverware, you're not worried about the toilet, that's afterwards. Let's do the silverware, if this is silver -- hey, by the way, if this is silverware, if it's good enough to be called silverware, rather than the toilet, then let's take care of the silverware. Let's take care of this. Let's rise to the occasion like this Legislature for ten years has always done. We didn't run from this kind of stuff. Always, Republican and Democrat have always risen to this. Let's protect the children. Let's do that tonight. I hope we'll all vote yes.
P.O. TONNA:
Okay. Legislator Cooper.
LEG. COOPER:
This is something that I feel very strongly about and it's not about protecting kids. I care as much about kids as Legislator Binder and anyone else at this table. I pledged, once I got involved with this issue, that I wanted to do something to really resolve this problem. There have been mothers coming here for years, for years, complaining about this issue to no avail, nothing's been done about it. My concern is, and it's heartfelt, and I don't question Legislator Carpenter's motives on this, I'm sure that they're well intentioned, but this bill is not going to solve the problem. And some of the Legislators just a few minutes ago said, "Well, if it even helps one or two parents." I didn't get involved in this and tackle this with the effort that I've expended over the past few weeks, the hours I've spent on the phone

with these mothers and meeting with them to help one or two mothers. I want to do something to resolve this problem and deal with thousands and thousands of parents that are owed child support, thousands of kids that are doing without right now. This bill is not going to do it. My office spoke --
LEG. CARACAPPA:
We never said it would. We never said it would, Jonathan.
LEG. COOPER:
Okay. Well, then why don't we try to tackle something -- excuse me. If we're serious about doing something about this, there are things that can be done. For example, number one, my office spoke with CSEB in Fairfax, Virginia, asked them about the bill that they have in effect there, what advice do they have, do they have any problems with it. The one point that they made is it's vitally important to make sure that you have measures in place to make sure that you identify the correct people and that you don't accuse someone who's innocent of being a deadbeat parent. I'm concerned that with the inadequate staffing levels that we have at CSEB, with the outdated computer system, with the problematic phone system, with the lack of training of CSEB personnel, where they're not aware of laws that should be enforced, that could be enforced right now, tools available right now, enforcement tools that they don't even know about. That I spoke to a mother today who said that she's not -- was not aware of these tools, and she had no resources to learn about these tools. Things like that have to be addressed. A suggestion was made that we consider

privatizing the collection process at CSEB.
I know it's a politically difficult decision. I don't know how many people here would be willing to consider this. But, you know, maybe that's something that we should take a look at, having CSEB as just an administrative arm and farming out the enforcement to private professionals. Maybe they'll get a cut of the money that they collect. But I'm absolutely convinced that they'll be much more successful in finding creative means to get these monies owed from deadbeat dads. But I've spoken to a dozen, fifteen parents about this and the majority of them are opposed to this bill for the reasons that we outlined. And to question my motivation on this, I'm concerned that we're going to pass this bill, it's a feel-good bill, we're going to feel that we resolved the problem, we're going to move on to other things. I would be willing to support something like this after we address the inadequate staffing levels, after we fix the computer problems that they have there and the phone systems, and we train the personnel properly, and once we're sure that the people that we go after are guilty individuals. I'm not convinced of that now.
You've all heard testimony, certainly everyone who was on Social Services, I'm sure a lot of you, from parents who said, "I am innocent, I never missed a child support payment in my life, but they came after me." And now what's going do happen? Their cars are going to be booted, it could take days or weeks or longer for this to be resolved, but they could lose their job in the meantime. Is that going to make it easier for them to make child support payments? This is ridiculous. This is ridiculous. So for anyone to consider passing this bill at this point with all the problems that we've heard about

for the past weeks or months, I think it's insane. And I would support something like this, but only after we addressed all the problems that everyone here at the horseshoe admits we're facing at CSEB and first to do -- first, to consider implementing this bill right now, it's the easiest thing to do, it sounds good in the papers, but we're doing a disservice to an awful lot of people and I for one, I'd either -- I'll either vote to table or I'll vote to defeat this, but in good conscience, I cannot support this.
P.O. TONNA:
Thank you very much. Legislator Crecca.
LEG. COOPER:
And by the way, excuse me, if it wasn't for me, if, I didn't sign the discharge petition, and the reason I did it, Angie, was because I wanted to give you an opportunity to have more people come and testify and voice their views on this issue, but I told you at the time I signed the discharge that I was opposed to it, I didn't think I would change my position. And, if anything, I'm even more hardened in my opposition based on the testimony from Karen Savino that we heard today, if everyone read her letter. I mean, this is a lady that's owed tens of thousands of dollars. And I took her out to lunch, we spoke for an hour about this, and she went into tremendous detail about why she's opposed to this. She thinks it's going to make things worse and not make things better.
P.O. TONNA:
Okay. Legislator Crecca is next.

LEG. CRECCA:
Yeah. I do appreciate your passion on this issue, it's to be commended. And I appreciate you signing a discharge petition to let it come to the Legislature to be voted on. So, on the motion, what I would ask you in that regard is, on the motion to table, to vote against the motion to table. And I agree with Legislator Binder, which I don't often do, but I do agree with him that we should put this on the table, we've debated it to death for weeks, and Legislator should vote their conscience on this. And I know you've been working hard on this for weeks, but for the last six years of my career, this is what I've done for a living. So, you know, like Dominick is to Vector Control, Crecca is to child support enforcement.
You're all right, you're all correct in the fact that the Child Support Enforcement Bureau needs help, it needs serious help. You also should all be aware that all the people who've come to testify before us, remember, you're hearing one side of a story also. So while there are problems there the bulk -- right, the bulk of their work that they do there is pretty good and they do do a halfway decent job of collecting money in these child support cases. There's lots of work that needs to be done there to fix it, but if somebody goes into the hospital with a broken arm, if we're going to be using analogies, and they have abrasions on them, it doesn't mean you don't put Band Aids on the abrasions before you set the arm. Okay? The reality is, you know, and I understand what you're saying, Legislator Fisher, but if you just stop and think about it for a second, we're not going to accomplish anything. It's going to take us at least months, if not a year or more

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LEG. FISHER:
But I have stopped to think about it, that's why I have to vote no on this.
LEG. CRECCA:
Okay, yeah. And I'm not saying you haven't stopped to think about it, I meant it rhetorically. But it's going to take us months, if not a full year and more, to fix the problems that are there with CSEB. We're going to have to do hearings, we're going to have to get a lot more information to try to correct those problems. In the interim, I believe this bill, as somebody who's been on both sides, representing noncustodial parents who owe support and representing mothers and fathers who are trying to collect support. I can tell you right now that this bill will have an effect. It will not, you know, make a tremendous change, but it will make a difference to a lot of people. And I will say this, too. When this bill was first introduced, I discussed this with the then Head of the Child Support Unit, as well as other people from that unit who work there. They were very excited about this bill, they thought it would be a good enforcement tool, and they asked that certain amendments and changes be made to the bill, which I agreed with. I went to the sponsor, Legislator Carpenter, I gave her those changes, discussed those with her, she agreed and made those changes after talking to them. Again, those are the experts, if you want to say it, too, and they agreed with it initially. I think this has, unfortunately, become a political battle. I'd ask everybody, when they vote today, put politics aside. Let this come to a vote and

then vote what you think is right. But I do believe that this bill is right, it's good government. And I know not all of my Legislators agree, but politics aside, this is good government.
P.O. TONNA:
Legislator Guldi.
LEG. GULDI:
Well, you stole my analogy, except that the analogy I was going to use is that you're putting a band aid on a lacerated artery on a patient that needs a transfusion, because they've already bled out to the tune of $300 million.
LEG. BISHOP:
Where does the silverware come in?
LEG. GULDI:
CSEB -- you know, we talk about the great efforts we've made in the past. Well, I think our past efforts have been pathetic and we have the result to prove it. CSEB is handling less than a third of the arrears that exist in this County right now. They are grossly understaffed and overworked and doing a job that we can't ask them to do. Last year they came to us, they asked for 24 additional positions to catch up with their backlog, we gave them 11. The County Exec didn't fill them, then we passed an Early Retirement Plan. Our efforts in the past have been pathetic and this bill is another -- it looks good in the -- it looks good in the newsletter, it gets your name in

the newspaper, but it's another pathetic band aid on a situation that needs a systematic approach.
Today I filed a budget amendment to create up to 40 new positions in CSEB. In the next two weeks, I will be filing a bill to include among those positions attorneys with the federal reimbursement rate to seek the judgments in the unit to clean up the mess of data.
The other issues that we need to approach are child care, day-care, so people can go to work. We haven't done that work. Instead, we're talking about booting the cars on the people who are trying to comply, because the skells who are docking the system don't have a car in their name, and we all know that. It's in some corporate name, or some company's name, or some companion's name, and it's leased anyway, so it's not -- it won't be subject to this bill.
What it has done, and I will say this about the bill, it has showed us that we're dealing with the tip of an iceberg and the iceberg is real and substantial. The fact that we spend so little on our children in this County, when we are spending more than a million dollars a day on public safety, we're spending vastly more money on the prisoners in our jail than we are on our children, and we are a disgrace for doing that. I submit we should reverse that equation. We should make the commitment to our children. We should give CSEB and the people who are trying to support children the support they need. And we shouldn't convince ourselves that we're doing anything when we're -- when we're passing the kind of feel-good legislation that this constitutes. I've said this privately to the sponsor. I don't think it's going to be effective. We don't get to the people we need to, and what we need to do is fix the system. Thank you.
P.O. TONNA:
Okay. I have Legislator Haley.

LEG. HALEY:
I'm going to tell you right now, it's all going to miserably fail anyway. You now, the thing that bothers me is I put in -- I put in a sense resolution last year that talked about requesting the Office of Court Administration to make changes in the matrimonial section. We have a major -- major problems in New York State. And, Legislator Cooper, you can't really call Virginia to see how they do it, because they deal with a whole different set of statutes than we do in New York, so, therefore, it's a problem. But, you know, I think each and every one of us, Mike -- Mike? Mike? He's got -- he's tone deaf to my voice, I know he is. Each and every one of us --
LEG. GULDI:
We all are.
LEG. TOWLE:
Most of us are.
LEG. HALEY:
Most of us are, right? Each and every one of us know a horror story. I think each and every one of us -- what did you say about my ex-wife?

P.O. TONNA:
Tone deaf to your voice, I said, maybe your ex-wives.
LEG. HALEY:
Well, I pay my child support and I'm very proud to do that. And I didn't have -- I was very fortunate, as I guess my wife was, because we both worked and so I guess we could have looked at child support in either direction, and it worked out pretty well, because I didn't use an attorney. All right? And I made sure I didn't get -- that my ex and myself didn't get screwed by the system, and there's a major problem in the system. But what really bothers me is that when I talk to some people, names will go unmentioned, in the court system and I talked about the problems and how it affects children, you know, they said, "Yeah, well, we're working in that direction, but, you know, we can't resolve 20 years of problems overnight." But. Excuse me. Excuse me. Finished? Thank you. And I said 20 years. And if any of you have been a participant in any divorce, yourself, have family that have been divorced, whether it was your children, brothers, sisters, aunts, uncles, you know -- excuse me, Linda. You know -- you know the devastation, not that the spouses went through, the devastation that -- Mike. Mike. Mike, I'm sure you know somebody who's been divorced. You know the devastation that they've gone through.
LEG. D'ANDRE:
My daughter.
LEG. HALEY:
Thank you, Mike. That's what I'm -- this is the point I'm trying to make. All right?
LEG. D'ANDRE:
She's owed over $70,000 --
LEG. HALEY:
Thank you, Mike.
LEG. D'ANDRE:
-- and her husband's a deadbeat.
LEG. HALEY:
That's right. And you know what's -- you know the problem is, I said

to this person, 20 years -- Mike. Twenty years of children being adversely affected and now those children are having children. We've made a substantial dent, societally, as in regards to our children.
And you know what, this is perhaps a band aid approach, and until it fails absolutely miserably and we've established that we've made every single attempt possible to resolve some of those issues, whether it's your daughter being offered -- being owed 70,000 or someone else being owed only 2,500, we as a Legislature, because the State has failed to provide the statutes necessary to make this work, have to do every single thing we can to prevent this from happening for not only another unmonied spouse or another spouse, a custodial parent, but do everything that -- anything we can do to protect the interests of children. We're not -- we're not doing it, we're not doing a good enough job, CSEAB -- CSEA -- CSEB, in spite of all of their problems, and I'll be the first one to support all of those things, haven't been

too successful. And I don't imagine that booting is going to make that large of a dent.
But I'm certainly willing to make every single attempt possible to make sure that we send every single message and we do everything we possibly can do, so that when it does fail, because it's going to fail, somewhere along the line, maybe our State delegation and our Governor will do something about it, what is necessary in the statutes, and we don't have our children being damaged for 20 years, they're talking about. It's about time we started getting on doing this, and you know what, take it a step further. Because, ladies And Gentlemen, after we've done all the CSEB -- after we've done all these types of legislation, I'm going to come back and ask each and every one of you to make a hard vote to say something to the judicial system, to something to the Governor of the State of New York. It's about time they got off their rumps and did something about this problem and how it affects our children.
P.O. TONNA:
Thank you, Legislator Haley. Legislator Cooper.
LEG. COOPER:
I agree with a lot of what Legislator Haley said, but I can't believe that we're considering voting for something that we basically know is going to fail. I mean, if we're honest, we know this is not going to do the job. Does anyone here really think this is going to make a dent?
LEG. CARPENTER:
Yes.
LEG. COOPER:
Okay. I think you're about the only one here, and I've spoken to --
LEG. TOWLE:
No.
LEG. COOPER:
-- certain Legislators behind the scenes who admit that this is not going to really make that much of a difference, but it's an easy vote to take. If it can help one person, it's worth doing. We've expended all this effort. We've gotten people's hopes up to help one or two people? I mean, this is crazy. And there's an expression, something along the lines that it's better to let ten guilty men go free than to convict one innocent man. Until I could be convinced, and Legislator

Crecca, maybe he could address this, I'm really fearful that with the system that we've got right now and all the fallacies there, that we're going to basically convict innocent people. And put yourself in their place. I mean, I've spoken to fathers who said that they've never missed a child support payment in their entire life, but they're dragged into the CSEB system and dealing with these bureaucrats and not getting returned phone calls. What's going to happen now? They're going to get their cars booted by the local sheriff, and how long is it going to take for them to get the car unbooted? And how are they going to get to work in the meantime? And their kids will be shamed by this, and it will be harder for them to make child support payments, and maybe they'll miss the first one that they've ever missed in their life

as a result of this.

Once we could resolve this problem, fix the computer system, which Commissioner Wingate said will be fixed within a matter of a couple of months, fix the phone system, which is supposed to be fixed within a matter days, if not weeks, increase the staffing level, which he assured us would be done within what, six to twelve months, if not before that, and more importantly, I think train the CSEB personnel. They're not adequately trained. It's not their fault. It's not their fault. No one's taken responsibility for training them and using the tools that they already have at their disposal. Why are we thinking about passing a new law that's not going to work. Almost everyone here knows it's not going to work. It's not going to really make a dent in this. When there are tools available to them right now, if they knew about it and, if the women owed money knew about, it really wouldn't really make a difference. So we should be training these people, we should perhaps be pushing to have changes made in the court system, we should be adding staff, we should be fixing the computer system, fixing the phone system. After all of this is done, if we still have a problem, then you consider a booting law. But it's not going to work, we know it's not going to work. There are a lots of single moms owed money who know it's going to work and think it's going to hurt things and not help things, and I don't think in good conscience we could vote for this.

P.O. TONNA:

Angie. We still have a number of speakers.

LEG. CARPENTER:

To respond to your statement that it's not going to work, I wish I had your crystal ball, because I believe it is going to work. And in Fairfax County, Virginia, when they began the booting law, they did it in the County, they booted 47 vehicles, and that 47 vehicle booting netted them $351,000. But what is more important than that was the hundreds, do you hear me, hundreds of people who came forward voluntarily and paid up their arrears in child support. Why? Because they were afraid of being shamed, they were afraid of being embarrassed. And as Legislator Caracappa repeated this paragraph in the editorial, they should be. Parents who have the means, yet still refuse to support their own children, deserve to be humiliated, they deserve to be shamed.

And when you talk about feel good legislation, I heard that said, this is not about feel good legislation. Believe me, when I had my first

exposure to someone who was devastated as a single parent who wasn't getting the child support, I just didn't know what I could do to try to help. And after doing a lot of research, I came across this in Fairfax County, Virginia, and it does work, it is effective, and it was so effective in the County, that they went state-wide with it. And it's been used in other counties across the country and very, very effectively.

And to address the statement about, well, you're going to be booting the cars of the very people who are working and trying to comply. B.S. If they're working and trying to comply, we're not going to be booting their vehicles. Remember, they have to be four months in arrears, four

months, $2,500, four months. And right now, I sat in that Social Services Committee for four hours and listened to the testimony and heard about the procedures that are in place, and the fact that the State notifies the department. There is a mechanism in place to do this and do this effectively.

And Janet Beck is sitting in that -- in this auditorium tonight and she has been here a number of times. This is a woman who has stated on the record that she works seven days a week, three jobs, to support her kids, because she's got $60,000 in outstanding child support. And she admits that, perhaps, this might not help her, but she cares enough to be down here on -- probably won't see another day off working seven days a week, took a day to be here because she feels so strongly about it, not even knowing that it's going to help her personally, but because she believes so much in this that it's going to send the right kind of message, once and for all, the kind of message that says this County, Suffolk County is going to be tough on deadbeats and shame on anybody who doesn't support it.

And if it doesn't help the thousands of people immediately, it's not meant to help thousands of people immediately. This bill is meant to work with the resources that we already have in the department and, hopefully, more as we progress. Let's do it, do it now, and if we need to make modifications, we'll make it. But in the meantime, the word goes out that we are serious, that we care about the kids in our County.

And believe me, Nassau County is right there, ready to do this. When they heard about it, they called wanted copies of the resolution. Their County Executive wants to do it by executive order, he doesn't even want to wait for it to go through the process. People know that this is going to work. Just give it a chance. And for once, for once, let's not let politics get in the way. Let us do what is the right thing for the people of this County, for children of this County.

And to answer the people who were saying that it's not going to work and we've got all of these problems in the department, before this is introduced -- this resolution was even filed, I sent it to the department and asked them for their input, and did not receive the kind of negative comments that some of the people here are trying to share today to perhaps cover their real reasons for not voting for it. So let's set it all aside and let's --

P.O. TONNA:

What's the real reason for not voting for it? I just want to -- you're talking in like ghost and goblins. What's the real reason why these

people are not voting for it, Angie, what's the real reason?
LEG. CARPENTER:
I don't know?
P.O. TONNA:
It can't be because it's a bad rule, it has to be something else, right? What is the real reason? You just said. What is the real reason? What in your mind is the real reason why --

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LEG. COOPER:
You said it was being -- how is it politicized?
P.O. TONNA:
-- people aren't voting for this?
LEG. CARPENTER:
I would say that people are letting politics get in the way of it, definitely.
LEG. COOPER:
But, Angie, how.
P.O. TONNA:
What does that mean, Angie? What does that mean?
LEG. COOPER:
How is this politicized?
P.O. TONNA:
Anyway, okay. I'm sorry, I interrupted. Legislator Bishop.
LEG. BISHOP:
I'm eager to speak, because I have an entry for the metaphor derby.
P.O. TONNA:
There you go.
LEG. BISHOP:
You know, we had the silverware and the toilet, and George had --
LEG. CRECCA:
I had the broken arm and the band aid.
LEG. BISHOP:
Broken arm and the band aid, you had the artery and the --
LEG. LEVY:
All right.
P.O. TONNA:
Do we need a play by play? Come on.
LEG. BISHOP:
Well, mine is that this is giving a scalpel to a blind surgeon. Now you have what is an effective tool in the right hands, but you want to make sure that the person holding the tool is capable of using it. And I have to agree with what Legislator Cooper said. He spoke to Fairfax, Virginia. They said you better make sure you have all your facts straight before you go off on this program. I speak to my staff and I know that we've had at least six cases in the last year of constituents who paid into the system, but were not credited with the payments. Six times eighteen is seventy-two. That's at least seventy-two potential cases that we could really foul up. And before I deprive somebody of their property, I want to make sure I have the facts straight. Before I brand somebody a villain and try to shame them, I want to make sure

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that they are, in fact, in arrears and in trouble and deserving of being shamed and I don't have that confidence. I know that even

supporters of this bill don't have that confidence, but they're desperate to pass this bill at this time for whatever reason.
I think that this is a good bill. There will come a day soon, I hope, that we can pass this bill. But, first, we have to let the Social Service Committee work with the CSEB on what reforms need to be put in place, so that we have confidence that when we give this tool to that unit, that it will be used effectively and it will not shame us, it will not shame us by depriving people of their property wrongly.
P.O. TONNA:
I'm on the list, Towle, Cooper. And then, Legislator Carpenter, you want to respond? Okay. Just a couple of quick things. One is, if you heard -- and I know Legislator Carpenter was there, Legislator Towle, and other members of the Social Services Committee, when Legislator Cooper's Aide put 20 calls into CSEB and got busy signals, and then one return pickup and then they hung up on him, clearly, It's not the booting bill right now that needs to be addressed, what needs to be addressed is huge egregious problems at CSEB. When we hear from the Commissioner and his staff at that day at committee saying that we don't have the resources to even implement this, that we're in fear that if we had this and now we had to comply with this law, we would stop pursuing the cases that we already have, that seems like an excuse to say something that Legislator Guldi wants to say, which is you need more staff. When you hear that CSEB is talking about where they don't even have enough desks for their workers, where people have to, from the standpoint of just capital improvements to their work quarters, where they don't have filing cabinets, they don't have -- we're talking about ground level stuff. For the last couple of years, I don't know what it's like, whether it just fell apart just recently, or whatever else, all I know is that this is a nightmare.
I want to commend Legislator Carpenter, and I want to commend her because I think this debate is extremely helpful. I'm not ascribing any political, you know, goals or whatever else. I think Legislator Carpenter has a genuine concern. She thought best that this is a way that maybe can help. And to tell you quite honestly, I don't think the idea of booting is, you know, de facto a bad idea. I just think that right now, the very first thing you want to do is build a foundation. The booting law, if they have bad information because they don't know how to work their computers, where you can't even get calls, so a response back from people to say that they've been whatever, all I can tell you is to put this out there in front I think does two things.
One it, sends the false impression that what we're saying is we're really dealing with the substantive issues at CSEB and we're not. Until such a time where we have the right phone system, where we have the commitment for resources, and staffing, and training, and capital improvements to the building and all of these other things that need to be done, and within this next budget cycle can be done with so many other things in the area of Social Services and DSS, I think a booting law is just we're putting the cart before the horse.
And so I want to commend Legislator Carpenter, despite the fact that, and I still don't know what the political -- you know, why people are

being political with Legislator Carpenter's thing. On the merits, right now, it's not a good situation.

Commissioner Wingate was very clear. If we can use this thing selectively at the discretion of the department, once we get our things together, this would be a good idea. Okay? And that's -- that's when I think we need to have that debate. I want to commend Legislator Carpenter to forcing us to focus in on CSEB. It's a place that there is real problems. And I think that the -- I think that the Legislature in general, Social Services Committee for sure, and through the next budget process and through the things that we can do right now, we should start making those changes and putting their feet to the fire to make those changes. There shouldn't have to be 20 to 30 phone calls made within an hour period with all the busy signals. Thank you. Legislator Towle, you have the floor.

LEG. TOWLE:

Thank you, Mr. Chairman. I, too, sat with most of the Social Service Committees in awe as we listened to the complaint after complaint after complaint about how that agency was run, from paperwork that was handed out that's six years old and hasn't been updated to not being able to get through on the telephone, to having to wait on a line at a center in order to get services for an hour, an hour-and-a-half, only to be turned away to say that we've reached a quota for the day that we can handle to every other excuse you we could possibly think of as to why a department is not running properly. And, clearly, the stories we heard I think are not only mind-boggling, but are very disheartening when you look at the people who are receiving these services. This particular bill is not the end all to solving every problem with deadbeat parents. You would think that because it involves their children, the most important resource that any one of us could have, that that would be enough of an incentive for them to do the right thing. But, clearly, based on the number of people that we have that are deadbeat parents, that is not enough of an incentive, unfortunately.

I remember some debate here less than a year ago that we shouldn't seize vehicles from drunk drivers, that it was going to create an undue hardship. But the reality is that that debate, that dialogue, the fact that we passed a bill, reduced drunk driving arrests in Suffolk County by 37%, not because of the fact that we reduced police protection or police services, because we haven't, those levels have stayed the same. But the reality is it hit those individuals in the spot that they can't forget and that is their pocketbook. They thought they could lose their vehicle, something that was vitally important to them, something that was more important to them than the fact that they could kill themselves, that they could kill somebody else, that they could kill someone they love. Clearly, these people do not care about their kids, because if they did care about their kids, they would work out some type of arrangement to make their child support payments in a timely manner.

The reality is we need to send a message, and I think the message sometimes becomes the reality. Do I think there's some kinks here? Absolutely. Every piece of legislation we pass sometimes creates some kinks. We pass legislation in this Legislature that sometimes we haven't even asked the departments what they think and we pass it

anyway. Now, that's not to say that it's right, but that's done because we have very strong opinions and we're very -- a very

compassionate group of individuals at times. I could not think of a more compassionate presentation that we received at Social Services, because I think the number of people clearly were overwhelmingly in support of this, not opposed to it, from my count, sitting on the Social Service Committee. One meeting that went seven hours, actually longer than any meeting that Legislator Binder ever chaired --

P.O. TONNA:

Half a committee.

LEG. TOWLE:

But that was only half a committee, correct. But I don't have a problem spending that seven hours if we're really going to try to make positive change, and I support that. But the reality is that's not going to happen in two weeks, that's not going to happen in a month, that's not going to happen in six months. It's probably not going to happen until we have the Department of Social Services sitting in this room or the room in Hauppauge where we're going to approve their budget or deny their budget and have that tool in which we will get them to fix the problem. This is not brain surgery on fixing a telephone and getting it answered, this isn't brain surgery on handing out documents that are updated and that have accurate names and addresses and phone numbers and that are not six years old. We're paying people to run that department damn good money and they should provide us the services that they should provide us. We should not have to go in and fix that problem. They should be doing that for us. We should be providing them the tools and the resources and the dollars to do their job. They're not asking for tools or resources and dollars, they're asking how to reinvent the wheel. They're the people that are supposed to know what's going on, they're the people that's supposed to know how to fix this problem, and, unfortunately, they are clearly failing us in that regard, and that's why, unfortunately, we're going to have to take an inordinate amount of time of the Social Service Committee to go in and look at everything with a microscope, to look at everything. Are we crossing every T, are we dotting every I?

But, clearly, the most compassionate thing that I heard, for those members who are on the Social Services Committee, and Legislator Carpenter was a guest, was the young boy who came up to the microphone to sit next to his mother and made a few comments at the microphone, a boy who now has been, I think, damaged, for lack of a better word, a boy that, unfortunately, has suffered because of the consequences of adults.

We're talking about children here. I don't care that we inconvenience somebody, that we boot their car. I do care that we've tried to protect those kids. I do care that we've taken every attempt and effort possible to send a positive message that this kind of nonsense is not going to be accepted. Are we going to have problems? Absolutely. But those problems can be overcome. If we pass this bill tonight and we send the message that we are serious about people meeting their moral and personal and financial obligation, many people are going to be fearful that they could lose their car. It's a reality. If they lose their car, they can't get around, they can't do

the things they enjoy, they can't work in whatever business they're working in and not paying their debts. That is a tool, that is a

fear. It's unfortunate that we have to use that tool and fear. But, quite honestly, when it comes to children and it comes to protecting these families, I think we need to do whatever it takes and that's why I'm going to support this bill this evening.
P.O. TONNA:
Legislator Cooper. Wait, wait. Look. I just want you to know, I keep a running tab and this is the longest that I've had as many speakers, and you've broke a record Legislator Cooper.
LEG. D'ANDRE:
You're doing very well. You're holding up very well.
P.O. TONNA:
You're the eighteenth person that has spoken now.
LEG. BINDER:
Three of them are him.
P.O. TONNA:
I know.
LEG. TOWLE:
He spoke four times.
LEG. GULDI:
The clergy introduction this morning.
P.O. TONNA:
I just wanted to say thank you very much. I feel like -- thank you. Go ahead.
LEG. COOPER:
Look, the more we're talking, the more -- more --
LEG. HALEY:
Do you have something to add?
P.O. TONNA:
I thought you were so convinced last time.
LEG. COOPER:
Thank you very much. The more convinced I am that I should be voting against this. And someone had mentioned the fear of -- the deadbeat parent's fear of being shamed or embarrassed. This is New York, this is not Virginia. Maybe things are different in Virginia. But, excuse me, I've spoken to enough mothers owed money and they're talking about the deadbeat husbands who have abandoned them and abandoned their kids, they laugh all the way to the bank. One of them was telling me today that her ex-husband was in a car accident, was awarded $300,000, he had a judgement against him. She wasn't able to collect on it and --
MS. BECK:
"God bless America," he says all the time every time he goes to court.
00300
LEG. COOPER:
And he's laughing, right? Now, excuse me, Janet, do you think that if we pass this booting law tomorrow, would your husband be so ashamed, so intimidated that he'll cough up the money he owes you?
MS. BECK:
If it --
P.O. TONNA:
Wait, wait, wait. Jonathan, this is a new -- this is a -- we're debating. We had the time for public debate.
LEG. COOPER:
Okay. Well --

P.O. TONNA:
Okay? I just want to say, just stay to your point and whatever else. And I'm sorry, I didn't want to cut you off, but you had your time to speak and, you know, we had our time to ask questions.
LEG. COOPER:
But -- okay. But am I wrong or are there relatively easy ways for these deadbeat parents to shield their car? I mean, that's my understanding. Can't they -- excuse me. Can't they just put it in their girlfriend's name or -- I mean, people here can tell me. Andrew, you can tell me the methods they can take. Are these guys stupid? They're not stupid. They already have their house in someone else's name, they've got other -- trust me, this is going to appear in the paper, if this bill passes somehow, God forbid, and it appears in the paper, next day -- next day, word is going to spread, "Hey, guys, put the car in your girlfriend's name and register it out of state," this and this. It's going to accomplish nothing, it's a joke, so why are we -- why are we debating this? This is insane.
P.O. TONNA:
All right.
[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]
LEG. BISHOP:
Vote. Call the question.
P.O. TONNA:
Wait. Is there a motion to call the question?
LEG. CRECCA:
There is a motion to table right now.
LEG. BINDER:
Mr. Chairman?
P.O. TONNA:
Okay. Is there a motion to force a vote?

LEG. CARPENTER:
I think I'm on the list.
LEG. FISHER:
I'm on the list.
P.O. TONNA:
Okay. Legislator Carpenter is next, then Legislator Fisher, Legislator Fields, Legislator Alden, Legislator Binder. Okay?
LEG. BISHOP:
Motion to call the question
LEG. LEVY:
Can we vote to table and if it fails then we keep going?
P.O. TONNA:
You want to go down this road, we'll go down this road; you'll break all my records.
LEG. ALDEN:
Put me down after Binder.
P.O. TONNA:
Again? After you go, then Binder goes, then you go.
LEG. BISHOP:
Mr. Chairman, motion to call the question. Motion to close debate.
LEG. GULDI:
Second.

LEG. BISHOP:
Call the vote.
LEG. HALEY:
Wait.
P.O. TONNA:
Okay. On the motion, can we do a --
LEG. BISHOP:
Roll call. We're going around in circles.
P.O. TONNA:
-- roll call.
LEG. CARPENTER:
To close debate?
P.O. TONNA:
Yeah, that's the motion.
LEG. BISHOP:
Because we have an agenda that we can finish by midnight.

00302

LEG. HALEY:
I'm surprised to hear that from you.
P.O. TONNA:
It takes two-thirds of a vote, by the way.
LEG. HALEY:
On the motion.
P.O. TONNA:
Okay.
LEG. HALEY:
On the motion to close debate.
P.O. TONNA:
There is a motion to close debate, there is a second. And now Legislator Haley, on a whole new motion, has the floor.
LEG. HALEY:
I am shocked and appalled at Legislator Bishop who has professed over many years to make sure he would spend nights here, days, whatever it took to make sure that everything that had to be said was said, and now you want to close debate?
LEG. BISHOP:
Everything was said, we're saying it again and again.
P.O. TONNA:
Okay.
LEG. HALEY:
Obviously everything's being redundant, but you don't have the nerve enough to tell them.
P.O. TONNA:
I make a motion to close the debate of the close the debate, all right? Let's just -- we have a -- let's do the roll call, Henry.

(*Roll Called by Mr. Barton*)

LEG. BISHOP:
Yes.
LEG. TOWLE:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. GULDI:

Yes.
LEG. CARACAPPA: (Not Present)

LEG. TOWLE:
He told me yes.
LEG. FISHER:
No.
LEG. HALEY:
No.
LEG. FOLEY: (Not Present)
LEG. FIELDS:
No.
LEG. ALDEN:
Pass.
LEG. CARPENTER:
No.
LEG. CRECCA:
Pass.
LEG. D'ANDRE:
No, let it go on.
LEG. POSTAL:
Yes.
LEG. BINDER:
Never voted to close a debate, no.
LEG. COOPER:
Let me think about this; yes.
LEG. LEVY:
Yes.
P.O. TONNA:
No.
LEG. CARACAPPA:
No.
P.O. TONNA:
Okay. Legislator Carpenter, you have the floor.
LEG. CARPENTER:
I'll pass now, come back to me.
P.O. TONNA:
No. Legislator Carpenter, you have the floor; say something, Legislator Carpenter.
LEG. CARPENTER:
Okay.

P.O. TONNA:
What?
LEG. CRECCA:
Henry is still taking the vote.
P.O. TONNA:
All right.
(*Roll Call Continued by Mr. Barton*)
LEG. FOLEY:
No.
LEG. ALDEN:
No.

LEG. CRECCA:
No.
MR. BARTON:
Seven.
P.O. TONNA:
Okay. Let's get -- can I just make everyone aware of one thing? If this is an elaborate, you know, convoluted way of filibustering, we're all doing a very good job. Can we just -- we have other things to get to. We have 45 minutes, let's move on with this.
LEG. LEVY:
How about those who haven't spoken yet?
P.O. TONNA:
Yeah, I just don't see the point of going on when we have -- some people here have already spoken three times; let's call the vote. Legislator Carpenter, you have the floor.
LEG. CARPENTER:
Thank you. I just wanted to correct a couple of -- well, let me just say this. The Commissioner did say that he thought this would be a good tool, and we were also told that the telephones are going to be fixed, that -- in fact, the Presiding Officer just said that the computers were going to be fixed in a couple of months. Remember that if we pass this bill --
P.O. TONNA:
Legislator Carpenter has the floor, please.
LEG. CARPENTER:
If we pass this bill tonight and the County Executive signs it, which I can only assume he would because he did tell me that he supported the booting bill although you would not know it from some of his staff, but that the computers are going to be fixed, the phones are going to be fixed. If the bill is signed, approved and signed, it's four months until anything could happen, because a person has to be in arrears for four months; they have to get a lien on the vehicle, there is a whole

process that has to take place. So isn't this a good impetus for the department to get their act in gear and do what they have to do. They have admitted that this is a tool that they would like to have in their arsenal to help with child support enforcement, so I say we should just pass it tonight.
P.O. TONNA:
Okay. Legislator Fisher.
LEG. FISHER:
Just very quickly, I wanted to refer to some points that were made by Legislator Towle. He compared this to the legislation regarding the car seizures in cases of DWI. And I remember, Fred, because I was fairly new to the Legislature, that I thought one of compelling arguments at that point was that this was a law that was already in existence and that you were just trying to have the Police Department implement it because it wasn't doing -- the implementation wasn't there. We have tools that are now in place that are not being implemented and what we should be doing is forcing the implementation of the tools that we now have.
The other point regarding the DWI is that when a car is seized, it's clear that the person who is in that car, driving that car is drunk.

There are people who came before the Social Services Committee who because of the inept administration of CSEB there were people who's licenses had been revoked and who had been thrown in jail but had been making payments, but because of the communication problems in that department these men were unable to clear their names. I would hate to see somebody have his car booted, not have access to his vehicle and then try to reach an agency where he can't even have a phone answered, I just see a terrible injustice in that. And that's not helping children doing that to someone who's paying his bills.
P.O. TONNA:
Please, let's listen to Legislator Fisher.
LEG. FISHER:
It's creating a horrible anger in a family. Even if it's a broken family, a divorced couple, the children suffer when you have that kind of anger between parents, and they probably suffer more than monetary disadvantage makes them suffer. So I think that we have to think about all of the different ways that kids suffer after a divorce.
LEG. CARACAPPA:
Mr. Chairman, if I could just jump in here for a second.
P.O. TONNA:
Wait, no. I'm sorry, you're going to have to get on the list.
LEG. CARACAPPA:
I think the list should be just eliminated at this point. We all know where we're going with this.
LEG. LEVY:
Absolutely.

LEG. CARACAPPA:
We're all doing ourselves a disservice here. Let's just vote. It's not fair to the people in the audience, it's not fair to the people behind this issue, it's not fair to each and every one of us. Please, let's just vote.
P.O. TONNA:
Okay.
LEG. BINDER:
I will withdraw my --
P.O. TONNA:
That's great, you're one of six. Okay, Legislator Fields.
LEG. FIELDS:
Yes, this is my first time
P.O. TONNA:
Yeah, right. No, I'm joking.
LEG. FIELDS:
When we had the Social Services meeting it became -- let me back track a little. When Angie came up with this bill it sounded like a reasonable bill. And I think that when we are discussing whether or not we care about kids, I think that's a given, we all care about kids, but it became very clear that CSEB was a mess. And after the meeting, and you have all heard all of the trials and tribulations that went on during that meeting, but after the meeting I had several opportunities, and at a legislative reception after that I had several opportunities to speak to many of the employees who work in that department, and they told me that their department is filled with problems. And if a

sophisticated deadbeat Dad is coming to this point in time -- or mom, okay -- they are not going to have a car in their name. They felt that the bill would not do what its real intent was meant to do.
And I guess the last question I have, just after saying what I have to say, is what will happen when a car is booted and the records are incorrect and that car shouldn't have been booted?
P.O. TONNA:
Legislator Alden.
LEG. ALDEN:
The hour is late and I don't want to be accused of filibustering, so I'm going to pass my time over to Legislator Cooper.
LEG. CARACAPPA:
No.
LEG. TOWLE:
No.

P.O. TONNA:
Just wait a second. Legislator Cooper has the right to go four times on an issue. Legislator Cooper, please.
LEG. COOPER:
These are the last words you're going to hear tonight. I just want to make a couple of --
LEG. D'ANDRE:
It may very well be.
LEG. COOPER:
No, just a couple of points. Number one, early in the process I spoke to several CSEB workers -- not administrators but the workers themselves -- and I asked them what they thought about this bill and whether they thought it would be helpful; every single one of them said no.
LEG. CARPENTER:
Who told you that?
LEG. COOPER:
Excuse me.
LEG. CARPENTER:
We are talking to different people.
LEG. COOPER:
Every single one of them told me no. And they talked about, "Well, well, if you want to do something, increasing staffing levels, do something about the damn computer system," badump badump. That's speaking to the workers themselves. Number two, Angie, I pledge to you --
LEG. LEVY:
Now she's going to talk back.
LEG. COOPER:
I pledge to you, Angie, that if we don't take this bill up now and if we wait until these changes are implemented in CSEB so we have a system that works, so we minimize the chance of booting innocent people's vehicles, then I will not only vote for your bill, I'll cosponsor your bill. And Janet, I pledge to you that I'm not going to let this issue die and go off the radar screen, I'm going to stay on this and I'm going to make sure that we pass whatever reforms are needed to make sure that your deadbeat husband pays every cent that he owes you. It's

the right thing to do. But this bill is not the way to do it.
P.O. TONNA:
We'll go out and break his legs.
LEG. BINDER:
Okay, go.

00308

LEG. CARACAPPA:
Call the question, Mr. Chairman.
P.O. TONNA:
Wait, wait, I have one more speaker.
LEG. FOLEY:
Call the question.
P.O. TONNA:
Oh, Legislator Foley, you want the question -- I want you to know, Legislator Foley, I'm so impressed with you this year, really.

Applause

It's been short, to the point; don't you agree?
LEG. CARACAPPA:
Yes.
P.O. TONNA:
This could have been Legislator Foley last year, this whole list. Anyway, okay. Here we go.
LEG. FOLEY:
I'm ready now, I'm ready now.
P.O. TONNA:
Let's -- Henry, roll call.
LEG. CARACAPPA:
On what, what's the motion, Mr. Chairman?
LEG. GULDI:
Motion to table.
MR. BARTON:
On the motion to table.
P.O. TONNA:
The motion is to table by Legislator Fisher, seconded by myself.

(*Roll Called by Mr. Barton*)

LEG. FISHER:
Yes.
P.O. TONNA:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. GULDI:
Yes.
LEG. TOWLE:
No.

00309

LEG. CARACAPPA:
No to table.
LEG. HALEY:
No.
LEG. FOLEY:
Yes.
LEG. FIELDS:

Yes.
LEG. ALDEN:
Yes.
LEG. CARPENTER:
No.
LEG. CRECCA:
No to table.
LEG. D'ANDRE:
Yes to table.
LEG. BISHOP:
Yes.
LEG. POSTAL:
No.
LEG. BINDER:
No.
LEG. COOPER:
Yes.
LEG. LEVY:
Yes.
P.O. TONNA:
Okay, thank you very much.
MR. BARTON:
11-7.
P.O. TONNA:
There we go.
LEG. TOWLE:
Mr. Chairman?
LEG. GULDI:
Motion on 1146.

00310

P.O. TONNA:
Okay. 1146 - Adopting Local Law No. 2000, a Local Law to require well-water testing prior to acquisition of residential home (Caracappa). Motion by Legislator Caracappa, seconded by Legislator Guldi. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1295 - Accepting and appropriating additional 100% Federal Grant Funds from the New York State Department of Health to the Department of Health Services for the Early Intervention Administration Program (County Executive). Is there a motion?
LEG. FOLEY:
Motion.
P.O. TONNA:
Motion by Legislator Foley, seconded by legislator Levy. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1296 - Accepting and appropriating additional 100% State Grant Funds from the New York State Office of Mental Health to the Department of Health Services, Division of Community Mental Hygiene Services, to

enable the enhancement of intensive case management services necessary to implement provision of Kendra's Law (County Executive). Motion by Legislator Foley, second by Legislator Fields. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1297 - Accepting and appropriating additional 100% State Grant Funds from the New York State Office of Mental Health to the Department of Health Services, Division of Community Mental Hygiene Services, for the Children's Assertive Community Treatment (ACT) Team and creating positions for the program (County Executive). Motion by Legislator Fields, second by Legislator Foley. All in favor? Opposed? Approved.
MR. BARTON:
18.
LEG. TOWLE:
Mr. Chairman?
P.O. TONNA:
Keep seated please, everybody. Yes?

LEG. TOWLE:
I want to make a motion to discharge 1155.
P.O. TONNA:
Okay. Can we just finish with the agenda, Fred?
LEG. TOWLE:
Nope.
P.O. TONNA:
All right. He wants to have -- oh, he has to have an hour to age? Well, let's just vote it down, just vote it down.
LEG. CARACAPPA:
I will second it.
P.O. TONNA:
Okay, there's a motion and a second. All in favor?
LEG. FIELDS:
What's this on?
LEG. GULDI:
Roll call.
P.O. TONNA:
Okay. This is which one, Freddy?
LEG. TOWLE:
It's the sober house, 1155.
P.O. TONNA:
1155, a motion to discharge from committee.
LEG. FOLEY:
Doesn't it have to age for an hour?
LEG. GULDI:
Yeah. Point of order, wouldn't it have to age an hour?
P.O. TONNA:
Yes.
LEG. GULDI:
Before it would be eligible for a vote?
P.O. TONNA:
Guys, it doesn't matter. Let's just --

MR. SABATINO:
If it got discharged it has to wait one hour before you can vote on the merits then, right.
P.O. TONNA:
Right, okay. So there's a motion by Legislator Towle, seconded by Legislator Caracappa. All in favor? Opposed?

00312

LEG. GULDI:
Roll call, roll call
LEG. BISHOP:
What is it?
LEG. FIELDS:
Sober houses.
LEG. BISHOP:
Sober houses.
LEG. CRECCA:
It's a motion to discharge.
P.O. TONNA:
Sober houses. Roll call.

(*Roll Called by Mr. Barton*)

LEG. TOWLE:
Yes.
LEG. CARACAPPA:
Yes to discharge.
LEG. CARACCIOLO:
No.
LEG. GULDI:
No.
LEG. FISHER:
No.
LEG. HALEY:
Yeah.
LEG. FOLEY:
No.
LEG. FIELDS:
No.
LEG. ALDEN:
Pass.
LEG. CARPENTER:
Yes.
LEG. CRECCA:
I'm sorry. This is to discharge? Yes.
LEG. D'ANDRE:
No.

00313

LEG. BISHOP:
No to discharge.
LEG. POSTAL:
No.
LEG. BINDER:
Yes.
LEG. COOPER:
No.

LEG. LEVY:
Abstain.
P.O. TONNA:
Nope.
LEG. ALDEN:
No to discharge.
P.O. TONNA:
Okay.
MR. BARTON:
Six.
P.O. TONNA:
Fred, you have two more motions to make?
LEG. TOWLE:
No, go ahead.
P.O. TONNA:
That was it? Okay, great. Let's go on to --
LEG. GULDI:
1300.
P.O. TONNA:
What? 1300 - Authorizing the Department of Health Services to transfer the title of the Laerdal Defibrillators issued to ambulance and first responder companies (County Executive). Motion by Legislator Guldi, seconded by Legislator --
LEG. FIELDS:
Me, Fields.
P.O. TONNA:
Fields. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Parks, Land Acquisition & Cultural Affairs:

1169 - Appointing Edward J. Hahn, Esq., as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 4) (Presiding Officer).
LEG. BISHOP:
Motion.
P.O. TONNA:
I will make the motion, seconded by Legislator Fisher. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1203 - Authorizing land acquisition under water quality protection component of the 1/4% Drinking Water Protection Program (Property adjacent to Northport Veteran's Administration, Town of Huntington) SCTM Nos. 0400-060.00-01.00-001.006 and 0400-086.00-03.00-001.000 (Cooper). Motion by Legislator Cooper, seconded by Legislator --
LEG. COOPER:
Motion to table.
P.O. TONNA:
Oh, motion to table by Cooper, seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.
P.O. TONNA:
1259 - Establishing "Fee Free Thank You Suffolk Day" in Suffolk County (Carpenter). Motion by Legislator Carpenter. Are you making a motion, Legislator Carpenter?
LEG. CARPENTER:
(Nodded head yes).
P.O. TONNA:
Is there a second?
LEG. FIELDS:
Second.
LEG. CRECCA:
Second.
LEG. LEVY:
Motion to table by myself.
P.O. TONNA:
Okay. Motion to table, I will second that.
LEG. CARPENTER:
Oh, come on, Levy.

LEG. LEVY:
Well, Carpenter, I'm going to tell you why.
P.O. TONNA:
Okay. Legislator Carpenter to you.
LEG. LEVY:
Well, she just called me Levy.
P.O. TONNA:
Oh, okay.
LEG. CARPENTER:
I don't think I did.
LEG. LEVY:
Yeah, you did. The reason this should be tabled is, as I said last time, we just gave this money away for people who just happened to have the luck to be off on that particular day. What I propose instead, and a bill will be coming up soon, I would rather take the same amount of money that we're using to just give away for those people who happen to be off on that day and cut certain fees for everyone throughout the course of the year. We can debate whether or not they're the best places to cut, but I'd rather make it something substantive and throughout the year that everyone can enjoy rather than a one shot that's here and gone.
P.O. TONNA:
On the motion. Jim, can you just tell us -- because we have to ask you one question today, all right, you're sitting there -- have we budgeted for this; what's the fiscal impact?
MR. SPERO:
Let's see. The fiscal impact is approximately $6,000 of lost golf fees and $20,000 in beach fees. However, the actual amount depends on the weather that particular day, so it could be higher or lower, it could be lower.
P.O. TONNA:
My only question is why are we doing this? We set fees, you know, I

don't understand this. I don't think this makes good public policy to give a free day for anything. So I second the motion.
LEG. CARPENTER:
On the motion.
P.O. TONNA:
Wait. Legislator Carpenter is next. Go ahead.
LEG. CARPENTER:
This motion has been tabled a number of times before and I would ask that we just vote on it. It was an opportunity to say thank you to our citizens who patronize our parks. By putting it on a Monday instead of a weekend day, it diminishes the impact to the revenues. It gives people, hopefully if we pass this earlier enough that they're aware of

it, that they extend their weekend or plan their vacation around it. But the positive feedback that the Department of Parks got on this was very encouraging, people really appreciated it and it's a way to give back to people. And in worrying about the fiscal impact, just think of it as another rainy day; if it had rained that particular day as it actually did last year, you know, you wouldn't have that revenue coming in anyway. So to think about trying to do it for one particular park user like golfers, as has been suggested, I think is really discriminating against those who are not golfers.
LEG. BINDER:
Mr. Chairman? Mr. Chairman?
P.O. TONNA:
Yes, Legislator Binder.
LEG. BINDER:
It's not a question of luck if someone is off on that particular day, it's a question of planning. If someone wants to be part of Fee-Free Day and they want to take advantage of it, it's not happening tomorrow, we're not passing it today and it happens tomorrow. What we're going to be able to do is have people plan, plan for it, take the day off, if that's what you want, do it. That's it.
LEG. LEVY:
I have a comment on that one.
LEG. FOLEY:
Very good, Allan.
P.O. TONNA:
Allan, just the common sense test. Okay, you and the Binder Family are out, okay; are you really going to take a day off because you have a free day at the park?
LEG. BINDER:
If that is what I --
P.O. TONNA:
I just want to know.
LEG. BINDER:
If that is important to me --
LEG. LEVY:
You're going to lose a hundred dollars at work and save $5 at the park.
LEG. BINDER:
Legislator Levy --
P.O. TONNA:
No, I ask you, I want to ask you.

LEG. BINDER:
Wait, Legislator Levy describes it as being lucky enough to be off that day. Is it lucky? I don't know. Am I going to use it? I don't know. But

I do know this --
P.O. TONNA:
Listen, I don't know who gets lucky and who doesn't in this Legislature. But all I want to say is just --
LEG. CARPENTER:
Mr. Presiding --
LEG. BINDER:
It is getting late. It is getting late, Paul.
LEG. CARPENTER:
If you vote for this you might get lucky.
LEG. BINDER:
If you want it, use it. If you don't want it, don't plan, don't use it, that's it.
LEG. CARPENTER:
May I just --
LEG. LEVY:
Oh. So I'll just take off, just take off.
P.O. TONNA:
All right. Wait, wait, wait, wait.
LEG. CARPENTER:
Mr. Presiding Officer, if I could.
P.O. TONNA:
Who's on this list?
LEG. CARPENTER:
Carpenter.
P.O. TONNA:
Legislator Carpenter, you have the floor.
LEG. CARPENTER:
Thank you.
P.O. TONNA:
This is your big day, by the way, I want you to know.
LEG. CARPENTER:
No.
P.O. TONNA:
You've got tons of stuff here.
LEG. CARPENTER:
The booting bill didn't pass.

P.O. TONNA:
All right, you're two for three.
LEG. CARPENTER:
Al Rabush, who is the head of the Suffolk County Committee for Camping, had said that this was very, very popular, especially among the senior citizens and especially the campers. That many of them were able to extend their weekend to -- sure, and as they should, seniors should take advantage of every discount, they are on fixed incomes.
P.O. TONNA:
Okay.
LEG. LEVY:

On the question.
P.O. TONNA:
Can we call the vote?
LEG. HALEY:
Call the vote.
LEG. LEVY:
No, she talks, I want to speak.
P.O. TONNA:
All right. Legislator Levy -- wait, Legislator Carpenter, did I interrupt you, were you done?.
LEG. CARPENTER:
Yes, you did.
P.O. TONNA:
I interrupted you?
LEG. CARPENTER:
You did.
P.O. TONNA:
Okay, so finish.
LEG. CARPENTER:
Just on the feedback of it. There was someone who went and played golf last year at Timber Point because it was fee-free, had never played on a County course before, was very surprised-- I know you heard this story before, I'm sorry -- but it's a way of getting people to maybe utilize our parks that might not have before. So I think it's worth again saying thank you to our citizens and giving them this free day in the parks.
P.O. TONNA:
Thank you. Okay, Legislator Levy.
LEG. LEVY:
Just two quick things. If you want to help --

P.O. TONNA:
Wait, we have two quick things here.
LEG. LEVY:
If you want to help the campers, support a different version that gives a break for campers all the time. That's the bill that I have, it's going to cut the fee for campers throughout the course of the year not just do it one time. And the rainy day argument is ridiculous, to suggest that a rainy day is the equivalent of having a day. If you go you're not going to go again, if it's a rainy day you will come another day, so if you don't spend it on the rainy day you'll spend it on the next day.
LEG. HALEY:
Rain, rain go away.
P.O. TONNA:
Okay. Let's call the vote. All in favor?
LEG. LEVY:
Wait, wait, there's a tabling resolution.
P.O. TONNA:
Oh, there's a motion to table by yourself, seconded by myself? All right. All in favor? Opposed?
LEG. HALEY:
Roll call.

LEG. CARPENTER:
Roll Call. Opposed.
P.O. TONNA:
Roll call.
(*Roll Called by Mr. Barton*)
LEG. LEVY:
Yes.
P.O. TONNA:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. GULDI: (Not Present)
LEG. FISHER:
Is this to table?
LEG. TOWLE:
No to table.
LEG. CARACAPPA:
No.

LEG. FISHER:
No.
LEG. HALEY:
No.
LEG. FOLEY:
Pass.
LEG. FIELDS:
No.
LEG. ALDEN:
Yes to table.
LEG. CARPENTER:
No.
LEG. CRECCA:
No to table.
LEG. D'ANDRE:
No to table.
LEG. BISHOP:
Yes.
LEG. POSTAL:
No.
LEG. BINDER:
No to table.
LEG. COOPER:
Yes to table.
LEG. FOLEY:
No to table.
LEG. GULDI:
Yes to table.
MR. BARTON:
7.
P.O. TONNA:
Okay. Now we have a motion by Legislator Carpenter to approve and seconded by who? Legislator Caracappa. Okay, go ahead
(*Roll Called by Mr. Baron*)

LEG. CARPENTER:
Yes.
LEG. CARACAPPA:
Yes.

00321

LEG. CARACCIOLO:
Pass.
LEG. GULDI:
Pass.
LEG. TOWLE:
Yes.
LEG. FISHER:
Yes.
LEG. HALEY:
Yes.
LEG. FOLEY:
Yes.
LEG. FIELDS:
Yes.
LEG. ALDEN:
Pass.
LEG. CRECCA:
Yes.
LEG. D'ANDRE:
Yes.
LEG. BISHOP:
Does it matter?
LEG. GULDI:
Yes, it does.
LEG. CARPENTER:
Yes it does.
LEG. HALEY:
Yeah, you're the tenth vote.
LEG. BISHOP:
Yes.
LEG. POSTAL:
Yes.
LEG. BINDER:
Yes.
LEG. COOPER:
Pass.
LEG. LEVY:
No.

00322

P.O. TONNA:
No.
LEG. CARACCIOLO:
Yes.
LEG. GULDI:
No.
MR. BARTON:
Legislator Alden?
P.O. TONNA:

He already said something.
LEG. CARPENTER:
No, he passed.
P.O. TONNA:
All right. What are you on this one?
LEG. GULDI:
One way or the other.
LEG. ALDEN:
It doesn't matter; no -- yes, yes.
LEG. COOPER:
No.
MR. BARTON:
14-4.
P.O. TONNA:
All right, there you go. Okay, three for four, Angie, it's your big day.
1203, we did that already.
Where are we? 1262 - Authorizing land acquisition under Water Quality Protection component of the 1/4% Drinking Water Protection Program (along Ketchams Creek Property, Town of Babylon, SCTM No. 0101-008.00-08.00-011.001, 011.002, 012.000, 013.000 and 014.000). Motion by Legislator Guldi, seconded by Legislator Caracciolo.
LEG. GULDI:
Bishop.
P.O. TONNA:
Bishop, okay. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
All right. 1281 - Appointing R. Douglas Shaw as a member of the Suffolk

County Vanderbilt Museum Commission (Trustee No. 9) (Levy). Motion by Legislator Levy.
CHAIRPERSON FIELDS:
Second.
P.O. TONNA:
Seconded by Legislator Fields. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1282 - Reappointing Carl H. Luecke as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 7) (Tonna). Motion by Legislator Cooper. Was this --
LEG. GULDI:
This is you, you're the sponsor.
P.O. TONNA:
I know it's mine, but I don't even know this guy. I think this was yours, somehow my name got on this.
LEG. BINDER:
It's a reappointment.
P.O. TONNA:
Okay, seconded by Legislator Binder. This is the guy that you wanted? Okay, all in favor? Opposed? Approved.

MR. BARTON:
18.
[RETURN OF REGULAR STENOGRAPHER]
P.O. TONNA:
1306 (Authorizing the acquisition of land in the Suffolk County Land Preservation Partnership Program (CP7174) (Town of Brookhaven, State of New York, and USA-in vicinity of Wertheim National Wildlife Refuge-Watershed and/or Estuary Protection).
LEG. FOLEY:
Motion.
LEG. FISHER:
Second.
P.O. TONNA:
Motion by Legislator Foley, seconded by Legislator Fisher. All in favor? Opposed? Approved.
LEG. TOWLE:
Cosponsor.

P.O. TONNA:
Number 1200.
MR. BARTON:
18.
SPORTS AND RECREATION
P.O. TONNA:
(1200 - A Local Law establishing Special Sports Score Jets Committee to bring New York Jets to Long Island). Okay. Is there a motion?
LEG. CARACAPPA:
Motion.
LEG. CRECCA:
Motion to approve.
LEG. FISHER:
Second.
P.O. TONNA:
Motion to approve, Legislator Caracappa?
LEG. FISHER:
Second.
P.O. TONNA:
Yes?
LEG. CARACAPPA:
(Nodded head yes).
LEG. LEVY:
Question to Counsel.
P.O. TONNA:
All right. There we go. I knew there was something up.
LEG. BINDER:
I'll second that.
P.O. TONNA:
Okay. It was either that or the picket fence was going to be coming in. Anyway, here we go.
LEG. LEVY:
Question to Counsel.
P.O. TONNA:
Seconded by Legislator Fisher. Okay. On the motion. Is this going to

be near the convention center?
LEG. LEVY:
It's a question, it's close by.
00325
P.O. TONNA:
All right. Go ahead.
LEG. FISHER:
Right next door, an extension.
LEG. LEVY:
Paul, what is -- would you just put on the record what this bill does and does not do in reference to any County funding?
P.O. TONNA:
Does it use any of our 456 Account?
LEG. CARACAPPA:
Yes.
P.O. TONNA:
Oh, gosh.
LEG. CARACAPPA:
I got in first, though. I was the first one there.
P.O. TONNA:
All right.
MR. SABATINO:
It establishes a 15-member committee to look into the possibility, the feasibility of bringing the New York Jets to Suffolk County. There's a $50,000 -- I'm sorry. It was -- there was a corrected copy now for $20,000 for any outside work that may be necessary, but that outside work would have to be authorized by a separate resolution.
LEG. LEVY:
So there's no County money here that can be -- that can be authorized through this resolution other than the $20,000 for this study?
MR. SABATINO:
The money is available, but in order to spend it on an outside party, it would require another resolution to actually authorize that retention.
LEG. LEVY:
Okay.
P.O. TONNA:
Okay. All right. All in favor? Opposed? Is anybody opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1200, there you go.
P.O. TONNA:
Number 1058 (Amending the 2000 Capital Budget and Program transferring
00326
funds in connection with traffic signal installation at intersection of Little East Neck Road and 10th Street, Town of Babylon).
Is there a motion?
LEG. POSTAL:
Motion
P.O. TONNA:
Legislator Postal, seconded by Legislator Bishop.

LEG. FISHER:
Second.
P.O. TONNA:
All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Number 1238 (Amending the 2000 Capital Budget and Program by appropriating funds in connection with roof replacement on various County Buildings). Is there a motion?
LEG. FISHER:
Motion.
P.O. TONNA:
Motion by Legislator Fisher, seconded by Legislator Foley. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Okay. Number 1290 (Authorizing public hearing for authorization of approval of Cross Bay License for Beach Taxi, LLC). Is there a motion?
LEG. CARPENTER:
Motion.
P.O. TONNA:
Motion by Legislator Carpenter, seconded by Legislator Fields. All in favor? Opposed? Approved.
MR. BARTON:
18.

FINANCE, TECHNOLOGY AND MANAGEMENT SERVICES

P.O. TONNA:
Okay. Number 1298 (Reappropriating funds from a prior year and correcting the estimated revenues in the 2000 budget for Fund 324).
LEG. CARACCIOLO:
Motion.

P.O. TONNA:
Motion by Legislator Caracciolo.
LEG. HALEY:
Second.
P.O. TONNA:
Seconded by Legislator Haley.
LEG. FOLEY:
Explanation.
P.O. TONNA:
All in favor? Opposed?
LEG. FOLEY:
Explanation.
P.O. TONNA:
Okay, explanation.
LEG. FOLEY:
Fund 324.
P.O. TONNA:
Don't get the heebie-jeebies, we still got a few things here.
LEG. FOLEY:

Fund 324. Jim?
MR. SPERO:
This is a technical correction submitted by the County Executive for the Federal Manpower Fund, changing some of the revenues and creating some appropriations. This is all federally funded.
LEG. FOLEY:
Motion, Mr. Chairman.
LEG. FISHER:
Motion.
P.O. TONNA:
Okay. Motion by Legislator Fisher, seconded by Legislator Foley.
MR. BARTON:
We got it. We've got it, got it.
P.O. TONNA:
No. We have a motion and a second. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Okay. We have a late-starter. Motion to lay on the table Resolution

Number 1373, establishing annual deadline for filing for Downtown Revitalization Program. Legislator Postal assures me there's a timeliness issue on this. That's okay, I take your word for it. Okay.
LEG. GULDI:
Second.
P.O. TONNA:
It's going to be assigned to Economic Development. I make a motion, second by Legislator Postal. All in favor? Opposed? Laid on the table.
MR. BARTON:
18.

SENSE RESOLUTIONS

P.O. TONNA:
Okay. Sense Resolution Number 41 is a late-starter. A motion to lay on the table and approve. It's Legislator D'Andre's motion, the memorializing resolution requesting the State of New York to authorize safe haven for abandoned babies. I make -- second the motion. Legislator D'Andre is first, I second it. Anybody who wants to cosponsor. [Cosponsor said in unison by Legislators] All right. Everyone's a cosponsor.
LEG. GULDI:
No.
P.O. TONNA:
All in favor? Opposed? Approved. Sense 41.
MR. BARTON:
18.
LEG. D'ANDRE:
Everybody? Everybody?
P.O. TONNA:
Okay. Yes, everybody, Michael. Good work. Okay.
LEG. LEVY:
Motion.
MR. BARTON:

18 on 41.
LEG. LEVY:
Mr. Chairman.
P.O. TONNA:
Yes.
LEG. LEVY:
Motion to waive the rules and lay on the table and vote for that resolution which should have a number.

00329

P.O. TONNA:
Sense Resolution Number --
LEG. LEVY:
42.
P.O. TONNA:
42.
LEG. BISHOP:
We're waiving the rules and --
LEG. CARPENTER:
Wait a minute. Where is it?
LEG. BISHOP:
What's going on here?
LEG. LEVY:
It's been introduced. It's been circulated --
LEG. CRECCA:
I don't have it.
LEG. LEVY:
-- for everybody, I and R.
LEG. CARPENTER:
I don't have it.
P.O. TONNA:
Sense Resolution 42.
LEG. CRECCA:
I don't have it.
LEG. CARPENTER:
I don't have it.
LEG. LEVY:
It was given earlier in the day, in the morning.
LEG. CARPENTER:
Well --
LEG. CRECCA:
I've been here all day.
LEG. CARPENTER:
-- that was earlier in the day.
LEG. LEVY:
Well, then don't lose your stuff.

00330

P.O. TONNA:
Okay. Sense --
LEG. CARACCIOLO:
Well, let's -- let's go through the --
P.O. TONNA:
Sense 42, a sense of the Legislature imploring the Governor and the State Legislature, the State of New York, to approve meaningful

initiative and referendum legislation.
LEG. GULDI:
Second.
LEG. BISHOP:
Meaningful. We need meaningful.
P.O. TONNA:
Okay. All in favor? Opposed?
LEG. CRECCA:
Opposed.
P.O. TONNA:
Opposed --
MS. FARRELL:
Who's that?
MR. BARTON:
Crecca.
P.O. TONNA:
-- Legislator Crecca. Okay, approved. Okay. Sense Number 11.
MR. BARTON:
17-1.
LEG. CRECCA:
I don't have time to look at this. That's bullshit.
LEG. CARACCIOLO:
Motion.
LEG. CARPENTER:
Right.
P.O. TONNA:
A motion by Legislator Caracciolo, seconded by Legislator Levy.
LEG. CARPENTER:
On what?
LEG. CRECCA:
On what?

P.O. TONNA:
A sense of the -- right here, right here. Look on your agenda.
LEG. CRECCA:
I'm sorry. Can we just -- it's not you, it's just that I can't hear anything that's going on.
P.O. TONNA:
We have three more motions, please. Okay. Sense 11, Sense of the Legislature imploring the State -- the New York State Legislature to approve, yadda, yadda, yadda, to amend the Private Housing Finance Law by establishing a Homeowner's Mortgage Assistance Program. Motion by Legislator Levy, seconded by Legislator --
LEG. FIELDS:
Fields.
P.O. TONNA:
Fields. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Sense 21.
LEG. CRECCA:
Henry. Henry, abstain.

P.O. TONNA:
Okay.
MR. BARTON:
17, 1 abstention.
LEG. CRECCA:
Abstain.
P.O. TONNA:
(Sense 21-2000) Memorializing Resolution requesting New York State -- United States Congress to allow tax deductions for college attendance.
LEG. COOPER:
Motion.
LEG. GULDI:
Second.
P.O. TONNA:
Motion by Legislator Cooper.
LEG. BISHOP:
Cosponsor.
LEG. CRECCA:
Cosponsor.

LEG. FISHER:
Cosponsor.
LEG. CRECCA:
Cosponsor.
P.O. TONNA:
For college attendance?
LEG. FOLEY:
Cosponsor.
LEG. BINDER:
Every day you're there, you get a little off your taxes. If you don't show up, you don't --
P.O. TONNA:
Grow up. These kids should grow up.
LEG. CRECCA:
You want to put an income cap on this?
P.O. TONNA:
Okay. All in favor? Opposed? I'm opposed. You go to college, grow up. All right. One opposed. All right. Number 26. That passes.
MR. BARTON:
On 21, Mr. Chairman, who made the second?
P.O. TONNA:
What?
MR. BARTON:
On 21.
LEG. BINDER:
The second was Legislator Bishop. He believes in college attendance.
MR. BARTON:
17, 1 in opposition.
P.O. TONNA:
Okay. Number 26, memorializing resolution requesting State DEC to reject sandmining permit for Calverton Industries.
LEG. GULDI:
Motion.

LEG. FIELDS:
Second.
P.O. TONNA:
Is this a Grucci place?

LEG. LEVY:
I don't know anything about this.
LEG. CRECCA:
Can we have a one-sentence explanation, Mike?
P.O. TONNA:
Sandmining, is this a Grucci operation?
LEG. CARACCIOLO:
In the Town of Riverhead, there's a company called TSS Haulers that have been, according to many, including the Town of Riverhead, illegally mining, sandmining their property. They have called upon the DEC to revoke permits and we're waiting for a determination. This is a Sense of the Legislature joining them in trying to get the DEC to reconsider the issuing of the sand permits.
LEG. LEVY:
I don't know anything about this, I have to abstain.
P.O. TONNA:
Okay. All in favor? Opposed?
LEG. LEVY:
I have to abstain.
LEG. COOPER:
Abstain.
P.O. TONNA:
Okay. An abstention by Legislator Levy. All right. Let's read the abstentias here. Legislator Cooper.
LEG. COOPER:
I abstain.
P.O. TONNA:
Okay. Legislator Bishop, Legislator Crecca, Legislator Alden, Legislator Levy, Legislator Haley. All right. I think it still passes. Fine. Now, Sense Number 28.
MR. BARTON:
11, 6 abstentions, 1 not present. (Not Present: Leg. Caracappa)
P.O. TONNA:
Memorializing resolution requesting United States Congress to roll back the Clinton excise tax. Last time it was the exercise, right? But today I'm on my game, it's excise.
LEG. CRECCA:
Second.
LEG. LEVY:
Was the wording changed?

P.O. TONNA:
Excise tax on price of gasoline.
LEG. LEVY:
On the question.
P.O. TONNA:
Okay. On the question.
LEG. LEVY:

Was the wording changed on this? No?
LEG. BINDER:
No.
LEG. LEVY:
Okay. Motion to table.
LEG. GULDI:
Second.
P.O. TONNA:
Okay. Motion to table by Legislator Binder, seconded by Legislator Binder, seconded by Legislator --
LEG. BINDER:
No, no, no, I didn't.
P.O. TONNA:
Well, I'm looking for a Democrat who said that. Okay.
LEG. COOPER:
Second.
P.O. TONNA:
All in favor? Opposed?
LEG. TOWLE:
Opposed.
LEG. CARPENTER:
Roll call.
P.O. TONNA:
Okay. Roll call on the tabling. Gosh, let's hear it. Okay, go ahead.
(*Roll Called by Mr. Barton*)
LEG. LEVY:
Yes, to table.
LEG. BISHOP:
Yes.
LEG. CARACCIOLO:
Yes.

LEG. GULDI:
Yes.
LEG.TOWLE:
No, to table.
[LEG. CARACAPPA-NOT PRESENT]
LEG. FISHER:
Yes.
LEG. HALEY:
No.
LEG. FOLEY:
Yes, to table.
LEG. FIELDS:
Yes.
LEG. ALDEN:
Nope.
LEG. CARPENTER:
To table? No.
LEG. CRECCA:
No, to table.
LEG. D'ANDRE:
Pass.

LEG. POSTAL:
Yes.
LEG. BINDER:
No, to table.
LEG. COOPER:
Yes, to table and to go home.
LEG. TONNA:
Yes.
LEG. D'ANDRE:
Yes, to table.
LEG. D'ANDRE:
No. Change my vote, Mr. Chairman.
LEG. LEVY:
No, no. We could have gone home.
LEG. CARACCIOLO:
Henry, change my vote to a no.

LEG. LEVY:
Keep it yes, or we're going to be here awhile. Mike, we're going to be here awhile. Make it yes.
LEG. BINDER:
Motion to approve.
LEG. LEVY:
Make it yes.
MR. BARTON:
It's nine.
LEG. BINDER:
Motion to approve, Mr. Chairman.
LEG. TOWLE:
Second.
LEG. LEVY:
On the motion now.
LEG. CRECCA:
Second. Second.
P.O. TONNA:
Okay. There's a motion to approve by Legislator Binder, there is a second by Legislator who?
LEG. TOWLE:
Me.
P.O. TONNA:
Who's me.
LEG. TOWLE:
Me.
P.O. TONNA:
Legislator --
LEG. ALDEN:
Towle.
P.O. TONNA:
-- Towle. On the motion, Legislator Levy.
LEG. LEVY:
Again, I just think it's incredibly hypocritical to put in a resolution bashing the Clinton administration alone for a tax increase when it comes to oil and totally ignoring the Bush increase from a few years

before. You want to be fair about it, put in a bill that wipes it all out without getting political about mentioning Bush or Clinton, I'll support it. This is just pure political, partisan political posturing.

00337

LEG. BINDER:
Roll call.
LEG. ALDEN:
Didn't Clinton try to tax cigars, too?
LEG. HALEY:
Roll call
LEG. BISHOP:
On the motion.
P.O. TONNA:
That was an exercise tax.
LEG. BINDER:
Roll call.
LEG. BISHOP:
On the motion.
P.O. TONNA:
There you go.
LEG. BINDER:
Roll call.
P.O. TONNA:
All right.
LEG. BISHOP:
On the motion.
P.O. TONNA:
There's a -- on the motion, Legislator Bishop.
LEG. BISHOP:
I just want to know from the sponsor, is there any provision in here that ensures that the tax will be passed to consumers and not just glommed on by the oil companies and seen as a windfall to the companies?
LEG. CRECCA:
Ooh, that sounds pretty deep.
LEG. BISHOP:
Well, if you had something like that, that would ensure that the consumer would get that, then I would support this. But absent that, your willingness to be a toady for big oil companies and not stand up for the consumers, I can't in good conscience support it.
LEG. BINDER:
We're going to take the tax off the people. You want to take the tax off the people or on the people?

00338

LEG. HALEY:
Roll call.
LEG. BINDER:
Roll call.
(*Roll Called by Mr. Barton*)
LEG. BINDER:
Yes, to remove the tax.
LEG. TOWLE:
Yes, to remove the tax.

LEG. CARACCIOLO:
Yes.
[LEG. GULDI-NOT PRESENT]
LEG. TOWLE:
He said yes.
LEG. FISHER:
He said no.
[LEG. CARACAPPA-NOT PRESENT]
LEG. FISHER:
No, to play political games.
LEG. HALEY:
Yes.
[LEG. FOLEY-NOT PRESENT]
LEG. TOWLE:
He said yes.
LEG. FIELDS:
Yes.
LEG. ALDEN:
Yes, to remove the tax.
LEG. CARPENTER:
Yes.
LEG. CRECCA:
Yes, to play political games.
LEG. D'ANDRE:
Yes.
[LEG. BISHOP-NOT PRESENT]

LEG. POSTAL:
No.
LEG. TOWLE:
Bishop says yes.
LEG. COOPER:
I'm sorry. Yes.
LEG. CARPENTER:
Yes.
LEG. TOWLE:
Yea.
LEG. BINDER:
He said yes.
LEG. COOPER:
No, no, no.
LEG. BINDER:
Oh, that was great.
[LEG. LEVY-NOT PRESENT]
P.O. TONNA:
No.
MR. BARTON:
Ten. (Not Present: Legs. Guldi, Caracappa, Foley, Bishop and Levy)
LEG. TOWLE:
Jon, it passes.
LEG. ALDEN:
It passes, hooray.
P.O. TONNA:

Meeting adjourned.

[THE MEETING WAS ADJOURNED AT 11:50 P.M.]

{ } Denotes spelled phonetically.