SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

NINTH DAY

JUNE 6, 2000

Taken by: Lucia Braaten
Alison Mahoney

Riverhead, New York

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

MR. BARTON:
Good morning, Mr. Chairman.

P.O. TONNA:
Roll call.

(*Roll Called by Mr. Barton*)

MR. BARTON:
Ten present. (Not Present at Roll Call: Legs. Towle, Fisher, Haley, Carpenter, Crecca, Bishop, Binder and Cooper)

P.O. TONNA:
Okay. With the quorum being present, let's all rise for a salute to the flag led by Legislator Cameron Alden.

(Salutation)

P.O. TONNA:
Thank you very much. And I'm recognizing Legislator Brian Foley to introduce our guest clergy, speaker, whatever.

LEG. FOLEY:
It's my pleasure this morning to have with us, to give us today's invocation, to give us a bit of spiritual guidance as we consider the County's business. It's going to be a long day and I know that Sister Mary Waters of Mercy Center in Patchogue will have the appropriate prayer for us this morning, so we can decide on issues with wisdom and with ever thinking of those less fortunate in our County. Sister Mary Waters.

SISTER MARY WATERS:
Please sit down, if you'd like. As we put ourselves and our deliberations in God's presence today, we pray.
God, those of us who are entrusted with the concerns and dreams, leadership and direction of the inhabitants of Suffolk County come before you today in prayer. Enfold us to be blessing for one another as we ask you to be blessing for us. God, bless our eyes, to see you in each other, and to recognize looks of joy and pain, insight and searching as revelation of your vision. Bless our ears, to hear you in each other, and to recognize question and affirmation, fear and desire as revelation of your listening. God, bless our lips, to speak your truth to each other, and to recognize words of promise and challenge, belief and contradiction as revelations of your speech. God, bless our minds, to understand your wisdom in each other, to recognize ideas and impasse, planning and hesitation as revelation of your direction among us. And, God, bless our hearts, to feel the passion for mercy in each other, to both recognize and respond to the calls for justice, and the anguish of our sisters and brothers as revelation of your all-embracing heart. God of all seeing and hearing, speaking, understanding and feeling, be blessing of wise and compassionate service and leadership among us today and every day. Amen.

P.O. TONNA:
Amen. Thank you so much, Sister. Okay. Michael. Just to move, I'd like to recognize Legislator Mike Caracciolo for the purposes of a proclamation or proclamations. Proclamation.

LEG. CARACCIOLO:
Thank you. Presiding Officer Tonna, members of the Legislature, members of the public, this morning we take this occasion to recognize one Police Officer from one of the five east end towns, and one of the many villages and towns in this County outside a Suffolk County Police District who, on this particular occasion, performed her duties in an exceptional manner, as police officers on a day-to-day basis, 24 hours a day, every day of the year oftentimes do. Officer Jennifer Combs-Quarty back in January of 1999, responded to a call for a young woman, a young high school student, who was stabbed by her boyfriend. In the course of responding to this situation, which involved the two high school students, the young female student lay seriously wounded, but, fortunately, since that time has recovered from those injuries. Due to Officer Quarty's diligence and professionalism, however, she confronted the boyfriend a short distance away from the scene of the attack. And, at that time, the boyfriend, still with the knife in his hand, pleaded with this officer to take his life. Through her training, her expertise and her knowledge, she was able to disarm this individual without causing any further harm to himself or to Officer Quarty, or other members of the public. So I'd like to take this occasion, as her County Legislator, and recognize her efforts in saving the lives of the people we are all sworn to serve and protect. Officer Quarty.
(Applause)
And I would just close by saying that, you know, oftentimes, throughout this great County of ours, the residents who, particularly during the warmer months, the summer months, have occasion to go east of the William Floyd Parkway and beyond the Suffolk County Police District, which borders really Eastport, a little bit beyond that point, fall within the jurisdiction of the five east end town police departments, the State Police, and we should not forget that on a daily basis, these individuals will go the full measure to ensure the public's health and safety. Thank you, Mr. Chairman.
P.O. TONNA:
Thank you.
LEG. D'ANDRE:
Mr. Chairman, if I may.
P.O. TONNA:
Yes.
LEG. D'ANDRE:
That all the gun laws in the world are not going to prevent homicides and attacks. And this young lady I think deserves a lot of credit to going into -- to disarm a person with a knife. A gun is easy, in my view, it's quick and instant, but a knife and an injury from a knife, I

don't want to face that. So, young lady, congratulations are all yours.
OFFICER QUARTY:
Thank you, sir.
P.O. TONNA:
Thank you. Thank you very much, Legislator Caracciolo, and congratulations.
Okay. Just a couple of quick announcements. On a light note, Andrew

Crecca and his wife were responsible, I guess, they had a baby boy, eight pounds seven-and-a-half ounces yesterday. Andrew Anthony Crecca was born at Good Sam Hospital in West Islip. He's going to be late for this meeting, which --

LEG. D'ANDRE:

He should be.

P.O. TONNA:

-- it should be, absolutely.

(Applause)

LEG. D'ANDRE:

I think that's a wonderful thing to have happen.

P.O. TONNA:

Hopefully, his son, Andrew, will tell him how to vote next January. Anyway the -- on a sadder note, and Jonathan Cooper's son, Chris, had a massive brain tumor. It was an all of a sudden thing. I know I was with him Friday night at the hospital. His young son, I guess, threw up in school and his legs started turning. He went to his pediatrician, and there, from there, they went to a pediatric neurologist who, after an MRI, said they had to do immediate surgery or else he was going to lose his life. After over eight hours worth of surgery, with a brain tumor the size of a softball, they were able to remove the tumor, and they're awaiting now, a second MRI, to make sure that they got all of the tumor, and to make sure that, you know, the status of the tumor was -- whether it be benign or whether it be malignant. There sense is, is that they did get all of the tumor and that it is benign, but those tests, the MRI's, you know, the reading will be this morning. So Legislator Cooper is with his family this morning awaiting that.

I will say that knowing Chris pretty well, as a five year old boy, he came out of the surgery pretty quick. He was very cognizant, he was very demanding about the type of toys that he wanted. He knew he could bilk this for at least a few additional toys.

And, you know, hats off to the people at Schneider's Children's Hospital who did a wonderful job. And if you know anything about this type of surgery, with microscopes for eight hours, a very, very tedious, very detailed type of surgery.

And then, lastly, Legislator Andrew -- Angie Carpenter will be a little

late. She had to attend the funeral of a family member.

Okay. Let's go on with the cards, and we'll start, just -- wait. Two other announcements. One is just to mention to Legislators, there are nine Legislators today who will be giving out Youth Achievement Awards. That will take place at 12 o'clock today for photos and then a little lunch afterwards. And the Capital Budget amendments will be addressed at the conclusion of the public hearings, and speakers not heard during the morning's public portion.

Okay. Let's go with the first card, Karen Boorshtein. Hi, Karen.

MS. BOORSHTEIN:

Hi. I'm Karen Boorshtein.

P.O. TONNA:

Just maybe you could turn on that mike. It's up. There you go.

MS. BOORSHTEIN:

Thank you. I'm Karen Boorshtein, Associate Executive Director --

P.O. TONNA:
Is that on?
MS. BOORSHTEIN:
Yes. At Family Service League. Okay. And I'm here today to address a resolution that was introduced by Legislator Towle, it's 1474, regarding money that was allocated originally to Family Service League for our VINES Program operated at the William Floyd School District. There's a resolution here to take the money away from Family Service League and to give it back to William Floyd School District under a different contract for an after school program. And we understand, as it was brought to my attention, that the $75,000 that was allocated to Family Service League in this year's budget was a mistake, that it was, indeed, to go to William Floyd School District, but to another program, the after school program. Family Service League also provides the VINES Program at the same district, and we were told, though, that the contract for this year was 140,000, and we have a signed contract to attest to that. So I'm here today to ask the Legislature to please honor this contract and uphold it.
We have a commitment to these youngsters that we work with at the district who have all been referred to us because they have a potential for violence. It's a very large school district. We feel that all these services should be in place, the after school program and our VINES Program, and to keep them intact through the end of the year. These are kids who are fragile and vulnerable and at risk for a myriad of reasons. We don't want to give them another reason to feel that the constant continuity of adults and the social workers who have been providing these services are now going to be out of their lives, and to give them another reason to feel that people in their life have let them down. We've made a tremendous impact in the district. We met last week with the Coordinator of Student Services, who couldn't be more delighted with all of the programs there to help these children, and she says that the kids come up to her constantly, because a number of these children have experienced a significant amount of loss in

their life, and they constantly say to the Coordinator that we hope that all our social workers are going to be here, you know, for the rest of the year and for next year. So, please, we ask for your support to uphold this contract through the duration of 2000. Thank you.
P.O. TONNA:
Thank you very much. Roberta, is that -- do you have anything to add?
MS. KARANT:
Well, one of the things that I'd like to say is that the kids have been -- we're involving the kids in community projects, and they've been doing some things like plant the -- there was a tree planting in Yaphank, and we're involving them in a food drive and things that will make them feel, that have already made them feel good about themselves, and where they're giving back to the community. So it would be a shame to take this program away at this point, when they're just now starting to think outside of themselves. So, you know, if you can see --
P.O. TONNA:
Thank you.
MS. KARANT:

-- yourself clear, it would be good to reinstate it.
P.O. TONNA:
Thank you very much, Roberta. Okay. Phyllis Garbarino.
MS. GARBARINO:
Good morning.
P.O. TONNA:
Hi, Phyllis.
MS. GARBARINO:
I'm here again to urge the passage of the resolution regarding the Coram lease on the Health and Social Service Center. I think we've gone through many times all of the problems, all of the questions, and everything else involved with this. A number of years ago, because this body would not pass any of the build-to-suit bills that came before them, the -- I spoke with the Commissioner of Social Services, who said at that time, felt they had no choice but to now go back to this landlord and try to negotiate some kind of an agreement.
P.O. TONNA:
Just wait one second, Phyllis.
MS. GARBARINO:
Sure.
P.O. TONNA:
Could I ask Legislators to come in? We have the public speaking. And I'd ask that Legislators in the back would please come in and we don't have a quorum right now. I'm going to wait, Phyllis.

MS. GARBARINO:
Sure.
P.O. TONNA:
I think what you have to say is important. And, you know, I just -- I would appreciate it if we had at least a majority of Legislators here.
LEG. D'ANDRE:
I'm here, Lafayette.
P.O. TONNA:
All right. I know, I know, Mike. I'm going to wait for -- right now, we have one, two, three, four, five, six Legislators. I'd ask that at least four other Legislators come in. Okay?
LEG. D'ANDRE:
Why not all of them come in, Mr. Chairman?
LEG. FIELDS:
Why not all of them?
P.O. TONNA:
Yeah, okay.
LEG. D'ANDRE:
Why not all of them come in?
P.O. TONNA:
I agree.
LEG. D'ANDRE:
These people come here to be heard.
P.O. TONNA:
Phyllis, while you're giving your -- I'd just -- maybe I'd ask a question for, you know --
MS. GARBARINO:
Sure.

P.O. TONNA:
-- kind of like a little commercial.
MS. GARBARINO:
Okay.
P.O. TONNA:
Anyway, the -- okay, we got one more. We're at right now one, two, three, four, five, six, seven, eight. Any other Legislators back there? No. Okay. Well, go ahead, Phyllis. We got eight.
MS. GARBARINO:
Okay.
P.O. TONNA:
We're getting there.

MS. GARBARINO:
As long as this is official, that we don't have to do it --
P.O. TONNA:
This is official.
MS. GARBARINO:
As long as we don't have do it ever again.
P.O. TONNA:
Phyllis, any time you talk to me, it's official.
MS. GARBARINO:
Okay.
P.O. TONNA:
I'm joke, I'm joking.
MS. GARBARINO:
I just don't want to have to do this over again. As I started to say, that the Commissioner of Social Services felt at the time that since none of the build-to-suits were going through, that they had to go back to this landlord to negotiate something. This is the first time any of these negotiations have resulted in an extensive renovation of the building. It's not just a fix -- which is what had been happening before, and the frustration of the employees was the same as this body, that these little fixes weren't enough. If any of you have gone to the center, it is despicable, it is deplorable, it's -- and it's something -- it has to be virtually -- it's almost like gutting it and starting all over again. That is the only possibility at this point. Yes, could the County continue looking for another spot? Sure, for the next 20 years. But, at this point, these people have been working in this building, in these conditions for at least 15 years. And I, personally, as an Executive Officer, have stood here for six years watching everything go down every time. This body has within its power, if they feel that the County is not demanding enough of the landlord, not demanding the terms of the lease be followed, you have within your power to pass a resolution to do whatever you would have to do to do a rent withhold, or whatever else was necessary, if the landlord was not going to uphold his side of the bargain.
It appears that this is the first time that this extensive agreement has come to this point, and I think it's time for it to happen. These people have got to be working in a building that is at least passable. We know the County facilities are not plush, it's not like working in corporate America, that's across the board, but we should at least have livable, sanitary conditions --

P.O. TONNA:
Right.
MS. GARBARINO:
-- which do not exist.

P.O. TONNA:
Phyllis, I have a question. Do any -- I didn't interrupt you, did I?
MS. GARBARINO:
No.
P.O. TONNA:
Okay.
MS. GARBARINO:
No, that's fine.
P.O. TONNA:
Just a quick question. I don't know if other Legislators have question. My concern is this. I know that AME came down and lobbied for the passage of the last lease agreement last meeting.
MS. GARBARINO:
Right.
P.O. TONNA:
And I'm sure you're aware. I have documents since 1987 that we've had lease agreements that penalize the landlord when they don't meet certain requirements. The fact is is that the County never, never took those penalties seriously enough to hold their feet to the fire. Then we have situations where they have the same language, at least the last agreement that we had, which was a couple of weeks ago, had the same agreement. It was basically a boiler plate agreement for the same agreement that we had last time. Now, because of the Legislature's scrutiny, we have a stronger agreement already, better than the one that you came down and lobbied for a couple of weeks ago. And the argument that I want to make is this. I think there is some disagreement right now among Legislators, well, it's still strong enough. Given the track record of this landlord, who basically has done next to nil for making sure that this Coram facility is, you know, is furnished properly.
My question to you is this. The Legislature is -- that's why leases coming to the Legislature so, that we can scrutinize things. I mean, I don't think anybody here is saying that we shouldn't be there. I think what they're saying is let's have a reasonable price and let's make sure that there's teeth in the contract.
MS. GARBARINO:
Correct.
P.O. TONNA:
And I'd just ask you, how do you feel about just the fact that we're strengthening language in the last meeting?
MS. GARBARINO:
That's better for everybody, and I know it can be done. I've been involved before with another Social Service building a couple of years ago, the Motor Parkway building and, there were problems there that -- I worked with Space Management. I told them that I had a list. They said,"Great." They didn't have a formal list. I sent them over the

list that the center manager had diligently kept of all of the

problems. Within ten days, they had a rent withhold letter out, and within two weeks, the problems, the immediate problems, were fixed.
P.O. TONNA:
Right.
MS. GARBARINO:
So I know it can work. So strengthening the language certainly is a plus for everybody.
P.O. TONNA:
Right.
MS. GARBARINO:
And I don't want the employees, I don't want the AME members going into a building that maybe starts out fine, and then if everything else gets ignored, we go back to the way they're living now. Nobody wants to see that happen. So the strengthening of the language is better for everybody. I have no problem with that.
P.O. TONNA:
Thank you.
MS. GARBARINO:
But I think something has to be done now. I don't think we can go any longer and just keep putting this off and putting it off.
P.O. TONNA:
I don't know if putting it of -- you know, we could be -- it's time for questions of the public, but I'll make this statement. You might want to react to it. The reason why agreements come in front of the Legislature is so that we can hold -- that's what they call checks and balances. And we feel, basically, that it's out of balance, that we've had a long-term lessor who has not fulfilled his responsibility; okay? And, you know, it's fine, sign an agreements, sign an agreement, or rush to sign an agreement when we're going to have the same problems six months, a year from now, whatever else. And all I'm saying is that's why we want to scrutinize this thing. You might want to react. I'll let Legislator Guldi just, you know, talk. Legislator Guldi.
LEG. GULDI:
Thank you. Phyllis, I share the concerns for the working conditions and the condition of the Health Center as much as anyone in this, and, in fact, I'm concerned about some of the things that have been done even during this lease negotiation. The problem -- what I really want you to respond to is -- let me give it to you hypothetically; all right? Presuming that I come to the conclusion that the lease language is inadequate, that the landlord is still not going to meet its obligations, that the lease terms are far too fat, that we're paying far too much in terms of millions of dollars more for this facility than we should be, and that embedded in the lease -- in the lease are at least one gift, and that's -- I use the word "gift" in the strictest sense of giving value for nothing, of several hundred thousand dollars, should I -- do you still want me to vote for that lease?

MS. GARBARINO:
I would assume that, at this point in time, after all the negotiations, you -- with the County and the County Attorney's Office, that you would have had your questions answered by now.
LEG. GULDI:
I've had my questions answered, these are the conclusions I'm coming

to. What do I do now? I don't believe the landlord's going to actually make the repairs in a competent or timely manner, I think we're paying too much for the space, and I think we're giving him illegal gifts on a lease that's far too fat for a piece of real estate that we're paying far too much for.
MS. GARBARINO:
What has the County Attorney's response been --
LEG. GULDI:
They've made --
MS. GARBARINO:
-- to this?
LEG. GULDI:
They've made minor, minor changes throughout the discussion, some of which have improved the terms of the lease in response to those. I'm still waiting for a response to the one question on gifts. I would like to see what they have to say about it.
MS. GARBARINO:
I was just going to ask you, what about the hypothetical gift? Because not having those -- that information in front of me, I can't possibly comment on that type of a detail.
LEG. GULDI:
Basically -- that type of a detail basically embedded in the lease is a term that will require us to pay for about 10,000 square foot of space at $20 a foot per year for two years, during which period we will vacate that space so the landlord can renovate it. So we'll be paying essentially $20 a square foot for 10,000 feet, which will move, it will be different feet, for two years, $400,000 for empty space.
MS. GARBARINO:
My understanding of it is the addition will be put on, so that the people can occupy, the employees can occupy that.
LEG. GULDI:
The way it's going to work is this. 10,000 square feet of the existing structure -- the existing structure is 40,000 feet. Ten thousand get vacated, or really are vacant now. They've got your employees, your members working in closets while they have vacant space on other floors; that's a difference issue. But 10,000 gets vacated now. It gets renovated while they build the new 10,000. They didn't give us back that 20,000 and we vacate 10,000 more. As soon as they give us the 10,000 new we, start paying 50 -- rent on 50,000 square feet. While they're doing the renovation, we're occupying 30 and paying rent on 40,000 square feet. Therefore, it's 10,000 square feet that is

vacant, we're not using, they're renovating it, we're paying rent. That's a gift. We're paying a landlord rent for space we don't have.
MS. GARBARINO:
Not being in the business of real estate, I don't know if that -- those are the conditions that are usually offered.
LEG. GULDI:
They're not.
MS. GARBARINO:
This is just --
LEG. GULDI:
I have been. I've done this a couple of thousand times.

MS. GARBARINO:
Maybe I can answer your question with a question. What's your alternative to the employees in that building?
LEG. GULDI:
Yeah. See, the problem I -- the problem, I believe, is this landlord, to the extent that we are over a barrel and that he is negotiating from the perspective of we have no place else to go, so he can overcharge us and rip us off. There's not another tenant for this burned out shell of a derelict and that -- to be had for a decade and he knows it. If this Legislative body votes down this lease, it will be back here tomorrow or next week with better terms.
MS. GARBARINO:
We also have to face the reality, and I think all of you know that, that one of the things, and I don't work on a day-to-day basis with the real estate end of it, but the reality is it is very difficult to lease space for social service centers. Nobody wants us. That has happened. I've known that. I've been with -- in that department. I've been in Social Services, this is my 23rd year. It has not changed. Because, historically, what happens, that's why they've started to move some of the social service centers to the locations which are not in neighborhoods, not in downtown areas, because the accusation is always that if you put a social service center in, you ruin the town.
LEG. GULDI:
Well, the other --
MS. GARBARINO:
And this location is not in a town, it is not in a residential area, it is not in a place where the people will start yelling, "You put another social service center in my backyard."
LEG. GULDI:
The counter-balance to that is that we're the best tenant in the world, because we pay the rent by automatic electronic transfer. You get the rent on time every month.

MS. GARBARINO:
Right, I understand that.
LEG. GULDI:
We do our own maintenance, we run our own facilities, and we're not going out of business.
MS. GARBARINO:
Correct. But that's not just this area, that's not just Coram, that's the County.
LEG. GULDI:
That's the County, that's right.
MS. GARBARINO:
So why are you penalizing just one area and one group of employees? Really, it's come down to personal. It's a group of employees working in that building in substandard conditions by who's ever fault. I'm not laying blame right now, I'm looking for the future. I'm trying to eliminate the past and now move forward from here. How long can you promise these people? This has been going on for several years, just this particular thing, because it hasn't been approved here, and promising the people, "Hold off, you'll have a little bit."

Safety-wise, it is the only center left where the interviewing is done at the desks. If you've gone through that building and seeing the working conditions of Social Services, it's a maze of halls. So when you bring a client in for an interview, you're bringing them right into the work area. Now, they're scattered in different in work areas. How do you handle that security-wise? You can't have one-on-one security, one person for every worker in that building, and that's what it requires now. That's why all of the other centers have gone to interview areas, which are, first of all, much better for the clients, because it's more personal, they're not giving their personal information to an open room of people, there is more privacy availed -- available, and it's a lot safer for both sides, because you're able to handle security in a group setting. Coram doesn't have that, they still have people walking through the halls. They have what we call a break area, if you want to call it. It's a room that the table puts it in, it's a closet, and it's filthy.

Now, the County, I believe, is unwilling at this point to start putting major painting and remodeling and everything in it if we're not going to have a lease or someplace that they know they're going to stay, because, usually, the County would do the quick fixes. I don't think they're ready to do that at this point because of what's going on. And you're just asking these beleaguered employees to keep putting up with this and being given promises and promises year after year, day after day, and how much longer? Tomorrow. Every time we talk to him, just hold off, we're going to do it. When?

D.P.O. LEVY:

Joe Caracappa's next.

LEG. CARACAPPA:

Thank you, Mr. Chairman. Phyllis, you mentioned personal and punishment, and it's exactly what this comes down to. And to tell you

the truth, I'm fed up. Last time everyone came here looking to push the lease at the last meeting and everyone said, well, a majority that have problem, "Well, it's got to come back to committee. Let's ask questions. Let's go back to the Space Committee." I'm all for that. That's fine and dandy. That's what our job is, oversight. You got one packet, you got two packets, you got three packets.

MS. GARBARINO:

How many times?

LEG. CARACAPPA:

It went to committee. Everyone came. They asked the questions. Now, for people to sit here -- now, for people to sit here and say, "Well, the past, look at the past, look at the past." You hit it right on the head, let's move forward. We finally corrected it. That's what this whole process was about, correcting the wrongs of the past. Now, why should the people of the Coram Health Center, both the workers and those of the community that use it, be punished at this point? Because everyone wants to slap the hand of this person who owns the building for eternity? No. Now, I could appreciate what Legislator Guldi is doing by saying, "I saw everything, I asked my questions, I'm not satisfied," and that's perfectly all right with me, because that's your prerogative. But the fact remains do not, I ask my colleagues, do not hold this up because you want to slap the hand of somebody that you

think is a bad person and hasn't done the right thing by the Coram Health Center for so long. It's time that we move on, it's time that we correct this problem and this is the way. And seeing that I have to ask a question, Phyllis, would you agree?
MS. GARBARINO:
Absolutely.
LEG. GULDI:
Point of personal privilege, to respond?
D.P.O. LEVY:
Legislator Caracciolo is next.
LEG. GULDI:
Legislator Caracappa, I do want to say that when I did vote in committee to discharge this without recommendation, I did so with the specific caveat that we've had an opportunity to look at it. I don't know if I'm voting for it, but let's bring it to the floor and bring it to an issue. But the questions still aren't answered. I think we still need answers to the economic questions. The problem I still have is, you know, yeah, you're right, the people -- the employees and the constituents that those employees serve deserve a better facility and deserve it not months ago, not weeks ago, but probably years ago, but do we still give a gift of an excessively remunerative lease to this landlord?
D.P.O. LEVY:
Okay. Let me --
MS. GARBARINO:
Well, the gift -- the gift is from a --

D.P.O. LEVY:
Give a quick response, please, and then we'll move on.
MS. GARBARINO:
All right. The gift is your terminology. It might be an educated terminology, I'm not going to argue that, but that's your terminology. As far back as five -- it's five years ago when our union offices were right down the street. There were several times that because the plumbing facilities shut down, people called, we had them coming to our building and lining up on the stairs to do this. They were standing, waiting in the union building to try to use the one bathroom we had to accommodate the dozens of people that had no toilet facilities. Now, you've got to come to a conclusion. I'm not going to say you're punishing the people, you want to punish the owner. But by wanting to punish the owner, you're punishing several hundred employees who are taking their lives in their hand with that building, they really are.
D.P.O. LEVY:
Okay. Mike Caracciolo, followed by Legislator Fields.
LEG. CARACCIOLO:
Mr. Chairman, I'd just like to make a request, that at the time we take the lease up for consideration later today, that the County Attorney's Office have someone here who's familiar with the terms and conditions of this lease, maybe the person who actually wrote the lease, so he could answer or she could answer questions.
D.P.O. LEVY:
I think there's a representative from the lessor here, so --
LEG. CARACCIOLO:

Well, let's make sure the County Attorney is represented and someone who is familiar intimately with the terms and conditions of this lease.
D.P.O. LEVY:
Very good. They've nodded accordingly and we'll have somebody here. Okay. Legislator Fields?
LEG. FIELDS:
Phyllis, hi. I just wanted to acknowledge the fact that, as a committee person, that this came before on three committees. It wasn't a personal vendetta that we had, we just saw that there was a problem. We were very concerned about the employees and that was why we objected to the lease, we wanted to make it stronger.
MS. GARBARINO:
Okay, thank you.
D.P.O. LEVY:
All right. No further questions. Thank you very much, Phyllis. I appreciate that. Next speaker, Anne Riordan.
MS. RIORDAN:
Good morning, members of the Legislature. I'm Anne Riordan.

D.P.O. LEVY:
Anne, just speak into the microphone, please.
LEG. FOLEY:
Speak closely into the mike, Anne.
MS. RIORDAN:
I'm Anne Riordan, Chair of the Campaign Finance Board of Suffolk County. When Suffolk passed Local Law 25-1998, we were ahead of the curve on campaign finance reform. Since that time, several states, including Maine, Arizona, Vermont, Massachusetts have passed similar legislation. The Board is now in the process of setting up this program. The people asked us to set up a check-off system on the property tax bill to fund the system, and we have twice met with the Tax Receivers, listened to the problems they thought they might encounter, and we are proposing a mechanism that they felt would be the easiest for them to implement and insert on the tax bill. Southampton has included a check-off insert in its tax bill for several years now without legal challenge and without any problems. We ask you to pass Resolution 1356 to allow the people of Suffolk County to begin contributing to the Campaign Finance Fund they voted to establish. Thank you.
D.P.O. LEVY:
Legislator Alden.
LEG. ALDEN:
Hi.
MS. RIORDAN:
Hi.
LEG. ALDEN:
I got a call from several Receivers of Taxes and they had a number of concerns. But I just want to, you know, maybe flesh out a little bit of how this works. There would be a separate piece of paper that would go in with the property tax bill.
MS. RIORDAN:
Probably an envelope similar to this, or smaller, with --

LEG. ALDEN:
And where does the money go, then, if somebody wants to --
MS. RIORDAN:
It goes -- it would go to the Treasurer's Office, where they would have set up a fund to receive it.
LEG. D'ANDRE:
Could you pass that around?
LEG. ALDEN:
So it's not really a --

LEG. D'ANDRE:
I want to see how its manipulated. You got to fold it.
MS. RIORDAN:
This is just a prototype. It does not have our --
D.P.O. LEVY:
Anne, just speak at the mike, please, thanks, or else she can't pick it up.
LEG. ALDEN:
So it really is not a -- it's not a check-off on the taxes, so it's not going to be received by the towns, what it's going to do is require somebody to put extra money, a check or cash -- or not cash, but--
MS. RIORDAN:
Check.
LEG. ALDEN:
A check in an envelope and send it to the County. Some of the comments that I got were why doesn't the County just do a mailing to all of the -- all of the people that own property in the County? Because what it does is, as it was explained to me, it's going to put a burden on the Receiver of Taxes and they're not going to be compensated for it. So, in effect, what it's going to end up is a negative to the Town Receivers or more cost, and possibly a plus to the Treasurers Office when they receive the checks. So was consideration given to that?
MS. RIORDAN:
Well, now we -- this is the mechanism that this Legislature set up and gave us. And we met with the Tax Receivers, listened to their objections and came to an agreement that this was the one way that could work that they would accept.
LEG. ALDEN:
We have a letter here from the --
MS. RIORDAN:
Oh, I've seen it.
LEG. ALDEN:
Yeah. But they're not so happy with it.
MS. RIORDAN:
Well, they told us that this is the one they would accept, the one they could use and, now they've changed their minds, apparently. But they --
LEG. ALDEN:
Okay. I wasn't privy to that conversation, but the ones --
MS. RIORDAN:
We had two meetings with them.
LEG. ALDEN:
The ones that I talked to said that they were not happy with this from

the -- right from the beginning, that, in other words, it's another directive from us --
MS. RIORDAN:
Yes.
LEG. ALDEN:
-- to them to incur cost for a benefit for maybe a County -- and it really is a County issue. So no consideration was given to like a separate mailing by the County?
MS. RIORDAN:
Well, that's not in the legislation. The legislation that we have, Local Law 25-1998, suggests a mechanism using the property tax bill.
LEG. ALDEN:
Did your committee, after reviewing it, did they come to the conclusion that it was going to increase the cost to the Receivers?
MS. RIORDAN:
We did not specifically come to that conclusion. We find it's a very difficult mechanism to raise funds, and we did report that to you in our last July's report on this program.
LEG. ALDEN:
Do you have any other suggestions on how to work this?
MS. RIORDAN:
Well, I think that, eventually, we'll have to come to money out of the County taxes.
LEG. ALDEN:
No, no, no. I meant this particular check-off type thing.
MS. RIORDAN:
No, this is -- this was actually the best we could do, I think -- and I think the least -- and the most cost effective. If you go to a separate County mailing, you're talking about a lot more money.
LEG. ALDEN:
Okay. But, in essence -- well, there are County mailings that go out now where, you know, an enclosure could be included in it, but -- and that was brought to my attention also by a number of the Receivers of Taxes. But do you have -- did you gather he information how much it's going to cost each one of these towns?
MS. RIORDAN:
Well, no, we did not, and they didn't offer it. Basically, for some towns, it will cost nothing, they'll be -- they'll have enough portals to be able to insert it, they will -- the postage will not increase and it will be fine. For some other towns, there may be an increase in postage, it may just take it over that little bit.
LEG. ALDEN:
Somewhere between 20 and 40 cents per mailing, and a couple of towns said they do 50,000 pieces. So I didn't do the math, but, you know, it

sounds like we're really sticking the towns with an extra cost on this.
MS. RIORDAN:
That may be true, I can't say. They would not give us specific figures when we talked to them.
LEG. ALDEN:
Okay, thank you.

D.P.O. LEVY:
Anne some questions for you. First of all, do you know what the towns' position was -- the Town Assessors' position -- positions were when the Legislature wanted to have a separate line on the tax bill regarding out-of-county tuition indicating that it was not a County charge? Do you know if they were in --
MS. RIORDAN:
They were against it.
D.P.O. LEVY:
They were against it. Do you know what the -- that they said it couldn't be done, in fact.
MS. RIORDAN:
Right.
D.P.O. LEVY:
Do you know what the Town Assessors' position was when the County wanted a separate line on the tax bill to show that erroneous assessments were not the fault of the Suffolk County; do you know what position they took?
MS. RIORDAN:
They were against it.
D.P.O. LEVY:
They were against that, they said you couldn't do it. Do you know what Town Assessors' position was when the bill was passed for partial payment of taxes?
MS. RIORDAN:
They said it couldn't be done.
D.P.O. LEVY:
They said it couldn't be done. It's almost like a knee-jerk reaction. Any time the County comes up with a rather innovative idea that's going to either help consumers or be in good government nature, the Tax Receivers almost automatically say, It can't be done. I can understand if people have a policy difference on this -- on this policy matter and they can say, "We don't like it for various philosophical reasons," but they constantly say things can't be done when, in fact, they can, and it's often just a matter that they don't want to do it. But beyond that, a question, some very legitimate questions raised by Legislator Alden, one being cost. And maybe I'll ask Counsel. The cost for the printing of the material, will that be borne by the towns?

MS. RIORDAN:
No. I think that we had agreed that the Legislature would subsidize that, and it's not a great deal, it's not a great cost. I think it can be done for under $10,000.
D.P.O. LEVY:
And what -- what is the reason in your mind why this concept of having the check-off is sent with the tax bill? Does it have anything to do with mirroring what they do with the State system of income tax check-offs, or is there another reason?
MS. RIORDAN:
I don't know of another reason, but it's the fact that we did not have an income tax that we could attach it to that the property tax seemed the next best way to go.
LEG. LEVY:

And could it also be that these receipts for your taxes are already being sent out to the individual property owner, so as long as it's going out anyway, a mere insertion is a much more cost effective method of getting the information out to the public?
MS. RIORDAN:
It's also a way of something they will open and will look at, which I think is important. We want to bring it to their attention and this is a good mailing in which to bring it to their attention.
D.P.O. LEVY:
And the final question I have is this system was already -- was already embedded in the resolution --
MS. RIORDAN:
Yes.
D.P.O. LEVY:
-- that was passed back in I believe 1998, and it was -- it was specifically stated that this would be the method of collection in 1998, and that particular resolution was disseminated to all the towns and the Tax Assessors had that information. Did you get any written responses or any lobbying from the Tax Assessors at that point that it could or could not be done?
MS. RIORDAN:
No, we've never had -- they have never approached us. As I say, we have asked them and met with them on two occasions and pretty much thought we had come to an agreement, that this method would be viable for them, and so we were surprised to hear their opposition.
D.P.O. LEVY:
Okay, thanks. I know Legislator Alden wanted to respond.
LEG. ALDEN:
I just had like kind of one question. Do you know what the response has been from the Suffolk County Legislature to unfunded mandates in the past?

MS. RIORDAN:
No.
LEG. ALDEN:
Oh, we've overwhelmingly rejected that.
D.P.O. LEVY:
Well, it depends if you want to call erroneous assessments a mandate and the partial payment a mandate. We passed a lot of them.
LEG. ALDEN:
No, that's a different subject, thought, Steve.
D.P.O. LEVY:
But we've done it. Okay.
LEG. ALDEN:
It's a different subject.
D.P.O. LEVY:
But we'll debate that later, all right?
LEG. ALDEN:
All right.
D.P.O. LEVY:
Okay, we'll debate that later. Okay. Anything else for Anne? Thank you, Anne.
MS. RIORDAN:

Thank you very much.
D.P.O. LEVY:
Gail Davenport is next on the same subject.
MS. DAVENPORT:
Good morning. I'm Gail Davenport, I represent the League of Women Voters of Suffolk County, and, once again, I'm here to support the passage of a resolution, in this case Resolution 1356, which we see as a necessary step in the implementation of Local Law 25, which was passed by referendum in 1998. And the law specifically says that a campaign finance fund be set up through voluntary contributions, which will be collected by the Receivers of the Tax -- of Taxes from the ten towns in Suffolk County.
I'd like to, first of all, applaud the efforts of the Campaign Finance Board, which this board is really doing pioneering work in setting up this campaign finance fund. And it's time, really, for us to begin to think about collecting the money for the fund. The election in 2002, which will be the first election that public financing will be in place in Suffolk County, isn't that far away.
Secondly, I want to tell you that the League of Women Voters of Suffolk County is prepared to work to inform the residents and the taxpayers of Suffolk County on how they can contribute to the fund or work with the

tax check-off.
And I'd like to say something personally. I'm a resident of the Town of Southampton. My taxes are paid by my mortgage bank, but I do get a
MR. LIPSCHITZ:
Of my tax bill every year and in it is a request to contribute to our Community Preservation Fund, which I do, with the envelope and the form that is sent by my Receiver of Taxes. This works very well, and I think it can work very well for the whole County. And so I would like to urge you to vote for Resolution 1356, so that the work to begin collecting that fund can get going.
D.P.O. LEVY:
Legislator Alden?
LEG. ALDEN:
Just one question. You said that the money is mandated to be collected by the Receiver of Taxes, but Ms. Riordan said that the money will be sent into the Treasurer of Suffolk County.
MS. DAVENPORT:
Well, the Receivers of Taxes have to send out the tax forms in for the whole County. We don't have a collection agency for the County taxes, and the Local Law 25 says that the tax check-off will go through the Receiver of Taxes. Now, they're not going to do it with the tax check-off, they're going to do it with that form that you saw and that should go out with the County tax bill.
LEG. ALDEN:
But the collection of it after that, the envelope would be basically --
MS. DAVENPORT:
Then the -- when you get your envelope --
LEG. ALDEN:
-- posted back to the --
MS. DAVENPORT:
Yes, back to the Treasurer, County Treasurer.

LEG. ALDEN:
So the Receiver of Taxes are not going to collect that money and remit it, we're asking the people to remit it directly to Suffolk County.
MS. DAVENPORT:
Right. So they don't have to go through the expense of separating out the money that has to go to the Campaign Finance Fund. They have no administrative work other than to put that form in the -- with the taxes.
LEG. ALDEN:
I'm just going to have a question of Paul Sabatino later on, if he could just -- when we debate the bill. I'd like to know the specific requirement, if it does require it to go -- be collected by the Receiver of Taxes, or if collecting it by Suffolk County. And that's

not a question for right now, that's for when we debate the bill. Thank you.
D.P.O. LEVY:
He could answer now.
MR. SABATINO:
The money is going to be paid to the Treasurer.
D.P.O. LEVY:
So it's going to be sent --
LEG. ALDEN:
But it states in the bill?
MR. SABATINO:
Yes, it does.
LEG. ALDEN:
Thanks.
D.P.O. LEVY:
Okay. Thanks, Cameron. Thank you.
MS. DAVENPORT:
Thank you.
D.P.O. LEVY:
Next speaker, Sister Rose Sheridan. Good morning, Sister Rose. Your three minutes begins now.
SR. ROSE SHERIDAN:
Good morning. I'm here today representing the Welfare to Work subcommittee of the Department of Social Services, the Commissioners Advisory Council, of which I am a member.
On May 23rd, our subcommittee made a presentation to the Social Services Committee of the Legislature on a report entitled "How Well is Welfare in Suffolk County," a study of current and former welfare recipients. Those -- an aside, the persons who did not receive one may take one now, it's being distributed. If you have one already, please don't, because I didn't bring 18 with me. Thank you.
Since the new federal welfare regulations, popularly known as welfare reform, were adopted in 1996, the number of people on public assistance dropped dramatically around the County, with Suffolk County experiencing a 60% reduction in caseloads since 1994. However, the fate of people leaving public assistance remains unclear, with numerous preliminary studies suggesting that many of the former welfare clients remain in poverty. The persistence of poverty begs the question of whether clients are being appropriately prepared for lives of economic

self-sufficiency as they are transitioned off public assistance.
On Long Island today, a family of four requires an annual income of at least 35,000 for economic self-sufficiency. The research for this study was conducted in the Spring and Fall of 1999 among 174 current or

former welfare clients who had sought assistance 18 direct service nonprofit agencies in Suffolk County. The study is obviously not a statistical sample, but nevertheless, a snapshot of people transitioning off or having already left public assistance. We believe it does profile some clear patterns of both successes and shortcomings in the policy and procedures used by the Suffolk County Department of Social Services and the Labor Department to transition people from welfare to work. Since time is limited, I'll mention only two areas that the subcommittee feels needs serious reconsideration.
The first refers to sanctions. Almost one-third of the respondents reported having been sanctioned at least once. Two-thirds of the responses had their benefits -- two-thirds of those had their benefits reduced prior to written notification of the sanction. This pattern suggests departmental cultures that may rely too heavily on sanctions rather than assistance as an incentive to move clients off welfare.
Another major problem we see, Suffolk County has emphasized work placement as their primary vehicle for ending poverty. However this study found that too many former clients left welfare for work at poverty wages. Two-thirds of those with jobs earned seven dollars an hour or less, or under 12,590 per year. Thus, we would propose that more emphasis be put on education, including movement toward an associate degree, which used to be enforced here, but was then rejected. Our final recommendation was to institutionalize the meeting with our subcommittee, the Commissioner of Social Services and of DOL Department heads to continue our common concern to improve the Welfare Program. This recommendation was accepted. Meetings will be held quarterly. Thank you.
D.P.O. LEVY:
Thank you very much, Sister.
LEG. FOLEY:
Thank you.
D.P.O. LEVY:
Perfect timing. Legislator Foley.
LEG. FOLEY:
Thank you, Sister Rose, for the synopsis of the study that was given to the Social Services Committee last week. I'm not a member of that particular committee, but I did attend it. I know it's the intent of the Chair and other members of the committee, and some of us who aren't members of the committee, to move forward with a number of the observations and recommendations that you've made. And I would imagine that over the next six to eight months, there'll be an unfolding series of either resolutions or actions that will be taken by the Legislature to move forward with some of the points made in your report. So it's an excellent document. It puts on paper many of the anecdotal episodes that some of us have heard from consitituents in our district offices.
So with this document, we'll be able to move forward in a more systemic way to grapple with -- some call welfare reform, others call welfare repeal, so we'll be moving forward. And I'm glad, through the

Presiding Officer, that there will be regular meetings of your committee with both Department of Labor and of Social Services

00024

Department, because up until the committee meeting, that was -- that was not a certainty.
SISTER ROSE SHERIDAN:
That's right.
LEG. FOLEY:
So, as one of the results, again, of Legislative action in the way that the process works through the committee system is that we have received assurances from both the Commissioners of Labor and Social Services that this ongoing dialogue will -- dialogue will be ongoing and continuing. So, again, I want to thank you.
SISTER ROSE SHERIDAN:
Thank you. Thank you, too.
D.P.O. LEVY:
Thank you. Legislator Alden?
LEG. ALDEN:
I have a question. Is the public portion just a -- just for certain Legislators, or is it for all Legislators?
LEG. FOLEY:
It's for all Legislators.
LEG. ALDEN:
Oh.
LEG. FOLEY:
But --
D.P.O. LEVY:
Well, let's get it in, let's get in. We don't even have a quorum here. Linda, could you be so kind as to make sure we have a quorum, at least ten? On deck will be Diane Mercieca. Yeah. No, you don't have to speak yet, Diane. We're just going to wait until we get a quorum. I just wanted to let you know you're next.
MS. MERCIECA:
Thank you.
LEG. ALDEN:
Otherwise, we should compensate these people for their time, send them home and we'll wait until the other Legislators show up. Compensate the people.
LEG. FOLEY:
How do they compensate the people?
LEG. ALDEN:
If they're that rude, they'll compensate the people.
D.P.O. LEVY:
Well, I'm owed a lot of money.

00025

LEG. ALDEN:
Steve, you're always allowed to speak.
D.P.O. LEVY:
Will Legislators please report to the horseshoe? We do not have a quorum. Please report to the horseshoe, or we will call a recess. Bear with us. Okay. We've been joined by the Presiding Officer. Diane, you have three minutes.
MS. MERCIECA:

Thank you very much. Good morning, everyone. I'm Diane Mercieca, I'm the Director of the South Fork Community Health Initiative. Our Legislator --
D.P.O. LEVY:
Just speak a little closer to the microphone, please, Diane. Thank you.
MS. MERCIECA:
Our Legislator Guldi has introduced a bill, 1483, providing money for the South Fork Community Health Initiative. For those of you who don't know about us, we're a grass roots organization. We're located on the South Fork, and we tend the communities of both East Hampton and Southampton. We cover from Montauk Point to Westhampton Beach. Last year in outreach services, we provided 3,474 people with these services, and we hope in the Year 2000 to provide more.
I also have for you a petition by the members of our community that they strongly support the South Fork Community members and what we do in our initiative, and all of the services that we do for the community. We do mammography, inoculations, prostate screenings, health fairs, health educations, and dental services within the community of the South Fork. So I'll give this to the Clerk. And I, again, with great respect, would ask that you today pass Legislator Guldi's initiative, 1483. Thank you very much.
D.P.O. LEVY:
Thank you.
LEG. GULDI:
Mr. Chairman.
D.P.O. LEVY:
Our next -- Legislator Guldi, you want to say something?
LEG. GULDI:
Yeah, I do. I've asked my Aide to find the Budget Committee Chairman. 1483 is still in the Budget Committee and hasn't been discharge, and I'd like him to respond to whether or not it will be discharged the next cycle, or whether or not I'll have to ask for this to be discharged by motion. But he is not at the horseshoe at the moment.
LEG. CRECCA:
Who?

P.O. TONNA:
Oh, the Budget Committee. I'm sorry.
LEG. GULDI:
Budget, Budget. And my Aide is looking for him. So as soon as he's here, I'd like to address that question to him.
D.P.O. LEVY:
Are we able to discharge a resolution from Budget?
MR. SABATINO:
Yes.
D.P.O. LEVY:
Okay. So you're going to hold off on that?
LEG. GULDI:
Yeah, I need the Chairman here.
D.P.O. LEVY:
All right. Thank you, Diane.
MS. MERCIECA:

Okay. Thank you very much.
D.P.O. LEVY:
Next speaker, Mary Ella Reutershan.
MS. REUTERSHAN:
Thank you, especially for pronouncing the name correctly.
D.P.O. LEVY:
Well, that's because it's already pretyped. So the hard part is reading people's penmanship, usually.
MS. REUTERHSAN:
I carry those around, because you should see my penmanship. We greatly appreciate the Legislature's and George Guldi's support on health issues in general, we know this. I worked many years ago with Legislator John Foley on some of these same issues. As you know, the East End population is exploding and there are housing problems, transportation problems and health care needs, and this -- I have been with the South Fork Community Health Initiative as a board member and a community worker for many years and I know the need, because many people can't -- don't have transportation needs, they have -- they don't have private doctors, they're new in town and they don't know how to use the system, so that we can -- these outreach programs held in schools and at fire houses, as Diane Mercieca told you, meet a real ongoing need. And they have portable mammographies, mammography, prostate screenings, immunizations, health education and health fairs in schools, and blood pressures for seniors, and dental outreach. And I strongly support the resolution by Mr. Guldi. Thank you.
LEG. FOLEY:
Thank you.

D.P.O. LEVY:
Thank you, ma'am. Next speaker, it's a Ms. Valdez, Bess Valdez. I'm sorry, sir, I couldn't read -- is that Ruben?
MR. VALDEZ:
Yes.
D.P.O. LEVY:
Okay, Ruben Valdez.
MR. VALDEZ:
Good morning. We greet you from Shinnecock Indian Nation to the Suffolk County body of Legislators. Just very quickly, I'd like to summarize from 1640, when the first English Colonials landed on our shores in Southampton, it was known as Southampton from that day. Our ancestor, {Noadona}, greeted and assigned lands to these people, numbering about 40 to 50 people, who were basically helpless against the winters and the elements that faced this new land to them. These people were taken care of and shown how to grow corn, hunt and live in a new world to them. Between 1640, when they first landed, and 1703, some years later, the lands that the Shinnecock people described as their own became the borders of the Township of Southampton and are literally the same borders today, from Brookhaven somewhere out to Amagansett. We greeted Hudson, Verrazano, Stuyvesant, and, finally, John Halsey. By 1703, these lands were, from Amagansett to Brookhaven, were described as the Shinnecock territory and then were taken in a lease agreement and a deed from the people, signed by our ancestor, {Mandush} and {Pomgano}, who signed over their lands of their people.

As you may not realize, the government of Indian people is about the people and truly is about the people. All members of the tribe or nation are part of the governmental system. All decisions are up to all people, not just a group elected to make decisions, but all things are asked from each young and old alike. These things have changed for us as we have attempted to keep our self-governing status through the years. Between 1703 and 1859, the lands that had been leased to us through an agreement had shrunken to -- from those borders I first described to an area of about five to 6,000 acres, and then one more time in 1859, the State Legislature and the Town of Southampton forced the relinquishment of these lands from the Shinnecock people, leaving them with approximately 1,200 acres in their control. Between 1859 and 1925, more than half of that acreage was under lease agreements with individuals from the Town of Southampton. Somewhere between 1859 and 1925, these lease agreements changed by way of homemade handwritten deeds into claims of land ownership. As you well know, Indian lands are not able to be sold, so at no point did we sell our land, it was taken from us by dirty paperwork. I said all that just to bring us to the point where in 1859, we were moved from our 5,000 acre reservation and sequestered on a small plot facing Shinnecock Bay, where we remain to this day.

I don't believe that the Town of Southampton expected for the tribe to survive into this century or into the Year 2000, to be able to rise up and make claims to these lands, which were taken wrongfully. However, in January of this year, after sitting basically quiet and sequestered on our reservation for over 100 years, the people decided to rise up,

because the lands, as we had been watching, were being destroyed by bulldozers, first, few houses a season, then a few more during the winter, and, finally, there's no month during the year when they are not bulldozing and creating new homes. Our people sat by quietly for a longtime until we could take it no longer. They took an area of over many thousands of acres and shrunk it down to the very last parcel, which was about 65 acres, where we stood up and said, "You will not go any further than this."

We expected friendship from the Town of Southampton; we did not get friendship from the Town of Southampton. We were at a peaceful protest to bring awareness to this trouble, where we only have the 62 acres left. Let's do the right thing and save it was our thoughts. And we went out, keeping the men home purposely and the women out, so not to incite people, not to look like we're out to fight. And we sent our women and children out to the frontline to describe what is wrong with this situation. The Town responded by sending State Troopers, many dozens of State Troopers. Many people were arrested and hurt on that day. Our sage society requested of the State Troopers if we would go in and create a prayer site to honor the spirits of our ancestors, which lay had this ground. The prayer site would consist of four colors on flags, which are stood on pieces of wood, to show our respect for the four directions, which we consider sacred. Our request was denied. We had promised that if we would go in for our prayer, that we would all leave peaceably and they could have the land to destroy, but everyone that request was denied. So on another site away from the protest site, our sage group on the border, the very edge between the

highway and this parcel of 65 acres, we did erect a prayer site and continued with our sage ceremony, because we know our ancestors lay there trying to give us guidance. Approximately two weeks later, it was noticed by a Steven O'Hara, which is the site supervisor of the Parish Pond Properties, which the 65 acres is known as this day, and he ordered his men to dismantle our prayer site, take it apart and take it away.

We wrote a letter to Mr. Guldi describing this event, and also in our letter, we sent the American Indian Religious Freedom Act of 1978, which is a federal law. The act guarantees access to religious sites, the use and possession of sacred objects and freedom to worship through traditional ceremonial rights. By removing our prayer staff, our religious rights, our rights to be Indian people were removed and thrown into the trash that day. And I believe that is about the level of understanding that the Town of Southampton is capable of when coming to deal with the people that fed them and took care of them when they first came to these shores. They would not have lived through that winter. The English did not have the technology to deal with the Long Island winters as they were in those days. It was sooner to the glacier time and it was very cold back then. We're living in tropical times these days, and maybe people don't realize that it was once a very cold and bitter place to live.

I would like to ask the County, as they have proven in the past, to be a more friendly entity toward our people by way of the fort purchase in our sacred hills, by way of defending us in the {Pell} Case, which we prevailed, and also by listening to us when we do have different troubles.

P.O. TONNA:

Sir, if you can wrap up your comments. I've given you double the time.

MR. VALDEZ:

Thank you very much. I would like to ask the County to remind the Town of Southampton to codify the recognition process for -- which requires them to notify the Shinnecock Tribe when they come to encroach upon lands that have been considered sacred to the people. In this 65 acres, they did have a requirement to do that which they very nicely did not do. It was a cruel thing. It caused us to go into State Court where the State did not prevail our case either. They did not listen to the merits, they listened to the Town of Southampton, which said that we have only 30 days. We didn't know, no one ever told us, so we didn't know when the 30 days began or ended. So, once again, the very last parcel, which we consider -- we've been calling the "Last Buffalo", has been slated for development for 37 luxury homes, which the Town doesn't need. We have more to do than what we can with the people that are living there now. Anymore of this and we're just going to say good-bye to the Town as the way we know it. It was a very beautiful and paradise-like place. Others have come there, saw the value, take the money and then they run, Fort Lauderdale or someplace else.

I'd like to thank you very much for listening today.

P.O. TONNA:

Thank you, sir. Hold on one second. Legislator -- no questions?

LEG. GULDI:
Next speaker.
P.O. TONNA:
Okay.
MR. VALDEZ:
Are there questions?
P.O. TONNA:
No. I guess --
MR. VALDEZ:
Thank you.
P.O. TONNA:
Thank you, sir. Okay. Larry -- Larry? Or do you want me to --
LEG. GULDI:
Elizabeth Haile.
P.O. TONNA:
Elizabeth Haile is after that. But do you want me to take Elizabeth Haile, so we stay on the theme?

MS. HAILE:
I've only got a minute-and-a-half.
P.O. TONNA:
Okay. Elizabeth, please, come on up.
MS. HAILE:
I would like to add this, please. Elizabeth Haile from the Shinnecock Indian Reservation. We who live in the Hamptons year-round are deeply concerned with the over-development of the East End, evidenced by the heavy traffic every morning. The current geographic and political infrastructure is overloaded and this land cannot support further development, in our opinion. Shinnecock Indian Reservation residents drink groundwater. Pollution is very serious to us. The area luxury homes and condos all have access to, quote, city water. Those development homeowners are not concerned about where their sewage and lawn nitrates wash off. And perhaps the County Land Acquisition Program could be applied here. But, anyway, the 37 Parish Pond proposed luxury homes are located uphill of the Indian reservation, and pollution to our water is inevitable. And what affects the balance of nature in the native communities of our Island affects us all. There are laws to protect the archeological discoveries, the burial of our ancestors and wampum-making area. Federal laws of repatriation and the federal American Indian Religious Freedom Act applies here.
In addition, the fact that the Shinnecock Tribe has no representation in Town, in County, neither in the State government or at the federal level. The land issue was brought to the attention of the special session of the United Nations this week during the opening statements. Mary Robinson, United Nations High Commissioner of Human Rights has a copy of the Shinnecock Land Defense Committee packet.
We thank you for hearing this this morning, and especially we would like to thank Mr. Guldi. Thank you.
P.O. TONNA:
Thank you very much. George, do you have a question?
LEG. GULDI:
I'll be filing bills on religious freedom issues and other related issues in the next cycle. I wanted to urge you to support them at that

time.
P.O. TONNA:
Thank you very much, Legislator Guldi. Okay, Larry, you're up.
MR. LIPSCHITZ:
Thank you. Good morning. My name is Larry Lipschitz, I am President of the New York State Land Title Association. I'm here today to indicate the New York State Land Title Association's opposition to that part of the local law recently passed by Suffolk County entitled, "A local law to require water well testing prior to acquisition of a residential home," which portion prohibits the Suffolk County Clerk from recording a deed unless there is attached to the deed a certification that the private water system serving the residential dwelling produces safe drinking water, or in lieu of the certification,

a waiver executed by the buyer and seller.
Let me state at this time that the Title Association recognizes the Legislators' concern for the safety of all County residents, not only those who are moving their residents within the County, but those who are making Suffolk County their home for the first time. However, that part of the law which prohibits the Suffolk County Clerk from recording a deed unless the required certification or waiver is attached to the deed, is, in our opinion, beyond the scope of authority of the County Legislature to enact. That portion of the Suffolk County local law is invalid, as it is inconsistent with and preempted by Article 9 of the Real Property Law. Article 9 of the Real Property Law contains a comprehensive and mandatory statutory scheme for the recording of deeds and other instruments affecting real property.
The Association is not unmindful that the home rule provisions of the New York State Constitution confers broad police powers on municipalities relating to the welfare of their citizens. However, local governments may not exercise those powers by adopting local laws that are inconsistent with the constitution or any general law of the State; this is set forth in Section 10 of the Municipal Home Rule Law. Nor may the local government exercise it's powers when the State Legislature has expressly or impliedly preempted the field of regulation. A local law is preempted by a State statute that is in direct conflict with the local enactment, or if the State statute expressly precludes the enactment of any local law on the same subject.
Additionally, preemption by State statute may be implied from the nature of the subject matter being regulated and the purpose and scope of the statutory -- of the State statutory scheme. Where the State has preempted an entire field, a local law purporting to regulate the same subject matter is deemed inconsistent therewith, and, accordingly, is -- and, accordingly, is invalid if it imposes additional restrictions on rights granted by State law. The Court of Appeals has stated that such laws, were they permitted to operate in a field preempted by State law, would tend to inhibit the operation of the State's general law and thereby thwart the operation of the State's overriding policy concerns.
Under the foregoing, the County's newly enacted local law is objectionable in that it requires, as a prerequisite to the recording of a deed, the attachment to the deed of a certification or waiver. That is a requirement beyond that provided by State statute for the

deed to qualify for recording.
Real Property Law Section 291 provides in pertinent part that "A conveyance of real property, within the State, on being duly acknowledged by the person executing the same, or proved as required by this chapter, and such acknowledgment or proof duly certified when required by this chapter, may be recorded in the office of the clerk of the county where such real property is situated, and such county clerk shall, upon request of any party, on tender of the lawful fees therefor, record the same in his office.
There are other sections of Article 9 which impose conditions for the recordability of instruments everywhere in the State. One other

statewide requirement is an instrument must be in its entirety in the English language. And there are sections of Article 9 which speaks specifically to certain counties. For example, Subdivision 1-G of Section 333 of the Real Property Law requires that the tax map designation of property located in Suffolk County must be endorsed on the instrument offered for recording.
The State statute thus provide in mandatory terms that an instrument conveying an interest in real property anywhere in the State, including in Suffolk County, is entitled to be recorded if it is in suitable form for recording, as specified in the Real Property Law, and if it is accompanied by the fees set forth by State statute.
By the subject local law, the Suffolk County Legislature purports to prohibit the County Clerk from recording any deed if the additional requirement of attaching a certification or waiver has not been met by the parties to deed. The local law thus directs the County Clerk to refrain from recording a deed when he is required to record according to State statute. This explicit inconsistency between the State statute and the local law makes that part of the local law invalid on its face.
Article 9 of the Real Property Law sets forth policies of statewide importance and does so --
P.O. TONNA:
You have -- you've passed your time, so if you could wrap --
MR. LIPSCHITZ:
I'm wrapping it up. And does so in comprehensive and exhaustive detail, which can lead only to one conclusion. The conclusion is that the State has preempted the field regarding the recordability of deeds and other instruments. The efficacy of the system of conveyancing in New York State is so inextricably tied to the recording process as to make statewide regulation indispensable the right to record a deed cannot be a function of chaotic patchwork of local regulation. That would turn the recording process into an unpredictable process, as local governments could from time to time add or change the local law -- the local recording requirements to the detriment of unsuspecting purchasers or mortgagees.
For the foregoing reasons, the New York State Land Title Association respectfully requests the repeal of so much of the Suffolk County Local Law as prohibits the County Clerk from recording a deed unless the required certification or waiver is attached to the deed. Even the proposed local law, as set forth in resolution 1615 that authorize the County Clerk to establish and issue rules and regulations as he shall

deem necessary and appropriate to effectuate the recording of the deed does not cure the invalidity of the recently passed local law.
I thank you for permitting me to speak at this meeting today, and I hope that you will take appropriate action of repealing what we believe to be an invalid local law to the extent that it adds record -- additional recording requirements --

P.O. TONNA:
Okay.
MR. LIPSCHITZ:
-- not authorized by State statute.
P.O. TONNA:
Thank you.
MR. LIPSCHITZ:
Thank you.
LEG. CARACAPPA:
Thank you.
P.O. TONNA:
Okay. There's a question.
LEG. CARACAPPA:
Mr. Chairman.
P.O. TONNA:
First of all, I think we have to make a motion to extend the public portion, right?
LEG. CARACCIOLO:
Motion.
LEG. CARACAPPA:
Second.
P.O. TONNA:
Okay. Motion by Legislator Caracciolo, seconded by Legislator Caracappa. I just -- before we call the vote, I don't think we have ten here.
D.P.O. LEVY:
Yeah, we do.
P.O. TONNA:
We do. Three, four, five, six, seven, eight, nine. Where's the tenth?
LEG. ALDEN:
Paul. Paul could be the tenth.
P.O. TONNA:
It's the 19th.
(Legislator Towle Entered the Auditorium)
Here's ten. Okay. Motion by Legislator Caracciolo, seconded by Legislator Caracappa. All in favor? Opposed? Okay, we extend it. Question, Legislator Caracappa -- yeah, Caracappa.

LEG. CARACAPPA:
Yeah. Thanks for coming down. I appreciate your time.
MR. LIPSCHITZ:
Thank you.
LEG. CARACAPPA:
When did you first find out about this bill?
MR. LIPSCHITZ:

After it had been passed, but before it became a local law by the filing with the Secretary of State.
LEG. CARACAPPA:
Are you aware of when I first filed this legislation?
MR. LIPSCHITZ:
No, I'm not.
LEG. CARACAPPA:
It was actually last year. And for the Land Title Association to come now and tell us to repeal it I think is --
LEG. ALDEN:
Weak.
LEG. CARACAPPA:
Weak --
LEG. D'ANDRE:
Disingenuous.
LEG. CARACAPPA:
-- to use what Legislator Alden just said. It's weak. And, you know, I took your concerns into consideration along with the County Clerk, and the County Clerk sent a letter up to the Attorney General. Are you aware of that?
MR. LIPSCHITZ:
Uh-huh.
LEG. CARACAPPA:
And you know what the Attorney General said, right?
MR. LIPSCHITZ:
Well, the Attorney General has no formal authority over the County Clerk.
LEG. CARACAPPA:
Well, he refused to give an opinion on it and the County -- and our County Attorney refuses to ask for one due to the fact that they feel this is -- this is -- this falls under our jurisdictions.
I have introduced to my colleagues a new piece of legislation relating to the speaker's concerns that will basically formalize the process in the Clerk's Office through an affidavit process when a person goes to

record the deed. If they have city water, you know, with Suffolk, if they're hooked up to the Suffolk County Water Authority, this bill does not apply to them whatsoever. But if they do have well water and they do waive the testing, which they can do, which clears the County of any -- of any lawsuits, that file now will be accessible to the County Clerk's Office. I think this is a compromise, I believe it makes this bill work.
Legislator Bishop, in a quote in the newspaper, I think hit it right on the head. Though a little bit of a hassle, a slight hassle, this goes to the well-being of the health and welfare of the people of Suffolk County who use well water. As we all are well aware of, no pun intended, our water here is suspect in so many different illnesses and it flows back to well water; it goes to pesticides, it goes to a whole host of things, such as the tritium problem, all of those homes on wells south and east of our lab. This goes right to the heart of this legislation.
And I understand what the speaker is saying, we're circumventing State law, which I believe is not to be the case. I ask you just to stick

with me on this. As Legislator Levy said earlier, there's another issue where he made points where people said it couldn't be done, it shouldn't be done, and it was done for all the right reasons. This bill and this amendment to that bill is for all the right reasons. So I ask you to stick by me like you have, and Legislator Caracciolo, in passing the bill, and to making these amendments so it works.
P.O. TONNA:
Thank you very much Legislator Caracappa. Question, Legislator Levy, of the speaker.
LEG. LEVY:
I guess to Larry and to Joe. I know what we do with lead paint disclosure. And forgive me if you might have said this in the early part of our statement, I didn't hear it, I had to make a phone call. What we do is don't -- we don't attach a paper to the deed, we do it at contract, whereby a checkoff is provided for the owner and the perspective buyer to know that they have an opportunity and a right to check the house for lead paint exposure. It's checked off at the contract. By law, it has to be provided. Would you have a problem if a similar type of acknowledgment would have to be provided at contract?
MR. LIPSCHITZ:
No, I would not. My objection is to the muddying of the various recording -- of the recording requirements. As I said, if each local government, each local County could enact their own local recording requirements, we would be in a state of chaos within the State, as we have over 60 some-odd counties and it's impossible to keep up with the mechanisms of each county. We were not aware of the proposed local law, we do not monitor every County Legislator's doings, and that is the reason why we could not comment until, in fact, it became law and someone just, you know, sent it to us.
LEG. LEVY:
I guess my question would be to Joe, because I know we discussed this

rather informally. I know that's the way they do it with lead paint. At closing -- not at closing, but at contract, everybody could be made aware about it. And it's probably, in my opinion, better to do it at contract, because then you're aware at that time before you sign on the dotted line that it may or may not be public water, as opposed to being on the back end with the deed and having the filing requirements. So I just wonder, is that an option that we can look into?
LEG. CARACAPPA:
You know, I did look into it and I decided to go against that, because, as you're well aware of as an attorney, contracts, once they're signed and then they're in their file, or whatever, they're gone, and for the next buyer of a house with the well water, there's nothing to show what the test held, what the test results were. And that's why I felt it was imperative that it was with the deed, so the people know exactly what that water test said when they buy their home. You never see the prior -- the prior owner's contract, but you should know about the well water when you buy a house.
P.O. TONNA:
Wait. Gentlemen, this is --
LEG. LEVY:

Yeah, but could I -- could I --
P.O. TONNA:
Wait. No, this is not a debate time. This is --
LEG. CARACAPPA:
He asked a question.
P.O. TONNA:
I know.
LEG. LEVY:
I asked him a question.
P.O. TONNA:
I know. You asked who a question?
LEG. CARACAPPA:
The sponsor.
LEG. LEVY:
Legislator -- the sponsor of the bill.
P.O. TONNA:
Yeah, the sponsor of the bill, right. That's when we're debating. We ask each other questions back and forth. I've never cut off debate. This is a time for the public to speak. This is a time, if you have the public to ask a question -- I'm with you, Joe, on this. I just don't want to prolong it.
LEG. CARACAPPA:
Neither do I.

P.O. TONNA:
Steve. Steve, don't act like clueless on this. You know exactly what I'm talking about.
LEG. LEVY:
But this isn't --
P.O. TONNA:
Ask him a question. Ask him a question, if you want.
LEG. LEVY:
I asked him the question, then I asked the sponsor if he wanted to change it accordingly. I don't see why that's a big deal.
P.O. TONNA:
All right.
LEG. CARACCIOLO:
Okay.
P.O. TONNA:
Let's -- do you want to change that accordingly?
LEG. CARACAPPA:
For the reasons I have stated, I would not.
P.O. TONNA:
Okay. Thank you.
LEG. CARACCIOLO:
I have a question.
P.O. TONNA:
Any other questions Legislator Levy?
LEG. LEVY:
Well, yeah, I'd have a question to Larry.
P.O. TONNA:
Go ahead. Go ahead, ask questions to Larry.
LEG. LEVY:

And that is, if, in fact, there was a law on the books to say that it had -- there had to be notice at contract, I assume that that would apply to every contract that comes up. So if it is a first instance where a buyer purchases a house with notice of being able to check for the well water, he then sells to a subsequent buyer, upon that subsequent contract, there would again have to be a notification given to that new prospective buyer that they have the right to know if it's well water or public water. Would that not be the case? Isn't that how it's done with the lead paint disclosure?
MR. LIPSCHITZ:
Yes, yes. Each one, each contract is new and is governed by the statute. Certification of record does not mean that -- that came on record let's say very recently, does not certify to anyone who buys

that same house ten years hence that the water is -- the private water is still safe. The legislation --
LEG. LEVY:
But the new person ten years --
MR. LIPSCHITZ:
Excuse me. The legislation still provides for a waiver and that provides no public notice to any buyer of the house of the well water quality.
LEG. LEVY:
But ten years hence, as with the lead paint disclosure, you still have -- in the new contract, there has to be yet another disclosure given to the prospective buyer.
MR. LIPSCHITZ:
I see nothing in the legislation that says it with a first sale only subsequent to the enactment of the legislation. Yes, it should apply to every subsequent transaction down the road.
LEG. LEVY:
And legislation could be crafted for the well water in the same fashion.
MR. LIPSCHITZ:
I see no reason why it can't.
LEG. LEVY:
Okay.
LEG. CARACCIOLO:
Mr. Chairman.
P.O. TONNA:
Yes. Legislator Alden is next, then yourself. I'm sorry. Oh, Legislator Towle? I'm sorry, it was Legislator Towle, Legislator Alden, then Legislator Caracciolo. All right.
LEG. ALDEN:
I asked before he was even in the room, but that's okay. Freddy, go ahead.
LEG. TOWLE:
I defer to Legislator Alden.
LEG. ALDEN:
No. Go ahead, Freddy.
LEG. TOWLE:
I moved closer so he'd recognize me, but I guess it didn't even help either.

P.O. TONNA:
I'm going to tell you. All right. I'm going to come clean. I have absolutely no idea of the order; okay? I'm lying, I'm making this up

as I go along.
LEG. TOWLE:
Legislator Alden, why don't you go first, I'll go second, and then Legislator Caracciolo would be third.
P.O. TONNA:
I just -- whoever looked more desperate, I went with them, and, Fred, you looked the most desperate, so I went with you. But, okay, let's -- now that I -- now that I have told you I'm absolutely making this up, let's defer to Legislator Alden. Okay, wait. Who voted for me to be P.O.? Okay. Alden first, then Caracciolo, then Towle. No, we'll go -- we'll go Alden, Towle, Caracciolo. There we go.
LEG. TOWLE:
It's not how they voted, it's how they're going to vote.
P.O. TONNA:
Okay. Larry, we're going to figure this out sooner or later. Go ahead, Legislator Alden.
MR. LIPSCHITZ:
I'll take the next question.
LEG. ALDEN:
Larry, you made a number of legal arguments, which, you know, I was following. But what's the real reason, that you just don't want to see us in violation of the law, or, you know, or our intent is to protect people that are purchasing houses?
MR. LIPSCHITZ:
Yes.
LEG. ALDEN:
So are you going to try to be what, the recording police, or what's the real purpose of coming here?
MR. LIPSCHITZ:
The purpose of coming here is that the real -- the buying and selling of real property in the United -- excuse me, in New York State is a big industry, and it is very hard to monitor the various local laws that may be imposed on recording. We have no objection with the intent of the law to provide a mechanism for providing --
LEG. ALDEN:
See, you're just worried that, you know, you weren't going to know about it and that you'd be in violation of the law. Well, now you know about it, so --
MR. LIPSCHITZ:
Well --
LEG. ALDEN:
-- that should end the argument.

MR. LIPSCHITZ:
Well, it doesn't, because there -- as I said, there are 60 some-odd counties. If the counties enact local laws from time to time, it becomes a patchwork scheme. The method, the --
LEG. ALDEN:
Well, I hate to say this to you, but, unfortunately, that's what's

going on, so --
MR. LIPSCHITZ:
When you're saying --
LEG. ALDEN:
-- my suggestion would be to monitor a little bit closer.
MR. LIPSCHITZ:
You're right, you're right. You're right, Mr. Legislator.
LEG. ALDEN:
Okay, thanks.
MR. LIPSCHITZ:
It is unfortunate.
LEG. ALDEN:
And that was it, because now I see where you're really going. Thank you.
LEG. CARACAPPA:
Just on top of that, Legislator Alden, in the amended version, it also gives more time for everyone to comply to make sure that everyone makes it on the line, so not one deed will not -- will be not recorded. So everyone will have plenty of time to fill out the forms, record deeds, and under the new provisions, that will happen, so everyone's safe.
P.O. TONNA:
Legislator Towle, and then Legislator Caracciolo.
LEG. TOWLE:
Thank you, Mr. Chairman. You didn't see the first law. Have you seen the amended copy?
MR. LIPSCHITZ:
I looked at it, yes.
LEG. TOWLE:
Okay. Do you support the amended copy, do you oppose the amended copy, or you haven't --
MR. LIPSCHITZ:
To the extent that it still requires the recording of a certification or waiver to the deed before it may be accepted for recording by the County Clerk, we oppose it.
LEG. TOWLE:
Okay. But the balance of the bill is okay, as far as you're concerned,

that one issue is still a stumbling block?
MR. LIPSCHITZ:
I have no problem with that -- with the portion of the bill that requires well water testing in the first instance.
LEG. TOWLE:
Okay. Second question. Obviously, as someone who represents an association, you've expressed a concern that to add different mechanisms in place here in Suffolk County changes the recording process, let's say, from Westchester County. Do other counties have other requirements that are in place now beyond the normal State standards?
MR. LIPSCHITZ:
Beyond those that are -- beyond those specifics that are authorized by the state enabling legislation, no, there are not.
LEG. TOWLE:
So we would be the only county in the State of New York that would have

a different requirement when filing a document, as far as land records are concerned?
MR. LIPSCHITZ:
Other than those differences that are set forth by State statute, that's my belief, you're correct, yes.
LEG. TOWLE:
Like for instance?
MR. LIPSCHITZ:
For instance, as I said, Section -- Subdivision 1G of Section 333 of the Real Property Law requires the tax map designation be put on a deed, or any instrument offered for recording in Suffolk County. That is a State statute. I'm going to suspect that it came -- it wasn't just picked out of the air by the New York State Legislature, there had to be some support from the County on that. I believe there is a section, I don't recall, it might be 298A of the Real Property Law, I could be very wrong on that, there are Upstate, Cattaraugus County, I believe, you have to have duplicates of a deed submitted for recording, but these are within the State statutes, which can be found by those members of the universal United States populous. If they want to know what is required to record a deed, they don't have to go to local laws and search out the local laws of each county.
LEG. TOWLE:
Thank you.
LEG. CARACAPPA:
Go ahead, Mike.
LEG. ALDEN:
Legislator Caracciolo.
P.O. TONNA:
Legislator Caracciolo.

LEG. ALDEN:
There you go, thanks.
LEG. CARACCIOLO:
Okay. Mr. Lipschitz, it's my understanding, based on your remarks, that you support this legislation. You, however, feel that it is not within the purview, nor does the County Clerk believe it's within his purview, and that's why he requested the State Attorney General's opinion, which was not forthcoming, the reply was not forthcoming. Given that, do you believe the legislation is meritorious?
MR. LIPSCHITZ:
The reasons for the well water testing? Absolutely.
LEG. CARACCIOLO:
Okay. As someone who's involved in this business and someone who I assume may be a homeowner in Suffolk County -- are you?
MR. LIPSCHITZ:
Actually, I live in Westchester County.
LEG. CARACCIOLO:
That being said, I think you have to be sensitive to the people who live in Suffolk County that --
MR. LIPSCHITZ:
My sister lives in Suffolk County.
LEG. CARACCIOLO:
-- a great many of them we, still have over 60,000 private well

systems in homes in Suffolk County, many of which, I should say, are located near present or formally farmed agricultural lands, many of which, by virtue of a number of practices, including homeowners practices of putting much more than required amount of fertilizers and other grass preventatives on their lawns, are contributing to contaminated underground well water. This local piece of legislation is aimed at promoting and advising prospective home buyers that when they buy a piece of property, that if they have a private well system, we want them to be assured that that well water system is not only operating and properly operating, that it is safe and clean drinking water for them and the inhabitants of that home to consume. So you do understand that, you do support that concept. It seems that we get bogged down in implementation. And what Resolution 1615 attempts to do, not attempts to do, would accomplish in doing, is to direct the County Clerk to promulgate rules and regulations to implement this local law. Do you oppose that?
MR. LIPSCHITZ:
Yes, I do.
LEG. CARACCIOLO:
On what grounds.
MR. LIPSCHITZ:
Excuse me. I oppose that portion which still requires the County Clerk

to reject the deed for recording unless it has a certification or waiver. I oppose that in that it becomes a nonstandard or non-State authorized recording requirement. I have no objection if the County were to go to the State and obtain enabling legislation to authorize the County to enact that law.
LEG. CARACCIOLO:
Okay. So that's your opinion. Let me go to Legislative Counsel. Mr. Sabatino, is there any requirement that we request any type of authority or permission, if you will, from the State Legislature to enact this local law?
MR. SABATINO:
I don't believe so.
LEG. CARACCIOLO:
Okay. So then it is within the County's purview. And then I believe the sense you're getting around this horseshoe is that in due course, when 1615 comes before the respective Legislative committees, and I would hope the Legislature as a whole, that it will win passage, and that we will give the Clerk the means by which he will actually put in place the means by which to carry out this local law. Now, I would also note that the effect of that will have a positive financial impact on the County and County government. So I would urge my colleagues, at the appropriate time, to support 1615. Thank you.
P.O. TONNA:
Okay. We're all done? Larry, thank you very much.
MR. LIPSCHITZ:
Thank you.
LEG. CARACAPPA:
Thank you very much.
P.O. TONNA:
Okay. Keeping to the same theme, Adolph Siegel, representing the

Suffolk County Bar Association.
MR. SIEGEL:
Yes, Mr. Tonna.
P.O. TONNA:
Thank you very much.
MR. SIEGEL:
Members of the Legislature, the Suffolk County Bar Association --
P.O. TONNA:
Just try to use that mike a little better.
LEG. FOLEY:
Ilona, could you see if that's on.
P.O. TONNA:
There you go. We figured you're a lawyer, right, you know, you'd know

how to use mike.
MR. SIEGEL:
I'm talking loudly.
P.O. TONNA:
There you go. All right.
MR. SIEGEL:
My name is Adolph H. Siegel, I'm an attorney in Lindenhurst, and the President of the Bar Association has asked me to come before the Legislature to discuss the local law that you pass. We agree with the legislation, that any purchaser of an existing house with well water should have the water tested to determine if it isn't approved according to the Suffolk County Health Department regulations. This same right exists, as Legislator Levy mentioned, with regard to lead paint. This is an act that the federal government passed several years ago requiring a disclosure to purchasers that they are entitled to have an inspection for lead paint. Lead paint, of course, was eliminated in 1978, so any house that was built prior thereto probably contained lead paint. However, the legislation also permitted the purchasers to make a waiver of that right to have such an inspection as part of the contract.
I've been practicing in the County for over 40 years, and, basically, any practicing attorney who represents a purchaser who is buying a house that has well water would be amiss if he didn't require that there be an inspection of the water system by an approved lab. In addition to that, in recent years, it has become very common for purchasers of homes to use the inspection service of either a home inspection service or of an engineer, and, once again, if the home had well water, the engineer would definitely call to that person's attention that there should be an inspection of the water system itself. So as far as the intent of the legislation, we have no problem with that. However, we do have concerns as to the effect that the legislation will have on the transfer of property, and the seller's and purchaser's ability to rely on the fact that the documents that are delivered at the closing of title are going to complete the closing itself.
In your bill, you have Sections 3B and 4 which require a water certification to be attached to the deed. I haven't seen the new bill, which I understand is being proposed. However, we do not believe that the County Legislature can impose requirements on the State law for

recording. The determination as to what a County Clerk must accept for recording is contained in the statute. Section 258 of the Real Property Law sets forth basically what a deed has to contain. And a county clerk does not have discretion in determining the document itself that they have before them. They must accept any document that complies with the requirements of the State law for recording of documents, such as the names of the parties, a description of the property, and also must be properly acknowledged. It must be accompanied with a 584 affidavit and an equalization form. These forms are required in order to put the deed on record.
The County Clerk has no jurisdiction or no ability to determine the

truth or the validity of anything that's given to him. If the document is given in recordable form, it is his obligation under State law to record it. And our concern is you are trying to impose an additional document, such as an affidavit, which is not provided for by State law as a condition for the county clerk to record a document. And our concern is if there's any error in this and the County Clerk kicks it back, the closing that has taken place will now be aborted and the parties will have problems with themselves.
Section 4 provides for waivers to be inserted in a contract. I don't know what your new section does, but the contract itself is never given to the County Clerk to exam, and the County Clerk would have no obligation to do so. If there's a provision in the contract which says that the parties can waive the right to have the inspection done and they do so, the County Clerk would have no way of knowing this. So, basically, you're creating a two-tiered type of legislation where you're imposing certain duties on the County Clerk and you're asking him to check into something that he has no right to see. And the contract itself says the parties in the contract can waive. Now, where does the County Clerk come up with this? You're asking him to take another document to tell you to tell him either that the parties have waived it or that they have annexed a water certification.
The other question is, if the water certification is now put on record, is this going to actually make the County a party to the fact that the certification is correct? What if there's an erroneous certification given by an -- either a laboratory who didn't properly test it and it turns out that they're in error? Basically, we're only concerned with the recording.
P.O. TONNA:
Okay.
MR. SIEGEL:
We understand the County's concern --
P.O. TONNA:
Sir, your time is up.
MR. SIEGEL:
Okay. That's basically what our concern is.
LEG. CARACAPPA:
Thank you.
LEG. FOLEY:
Thanks.
P.O. TONNA:
Any questions?

LEG. CARACAPPA:
No.
P.O. TONNA:
Okay.

LEG. FOLEY:
Thank you.
P.O. TONNA:
Thank you, sir.
MR. SIEGEL:
Thank you.
P.O. TONNA:
Okay. Robert Benjamin.
MR. BENJAMIN:
My name is Robert Benjamin; I'm a resident -- I'm a resident of East Northport. I live on the corner of Elwood Road and Cuba Hill.
D.P.O. LEVY:
Sir, could you -- could someone check that mike to make sure it's working?
LEG. FIELDS:
I think you have to like talk right into it.
MR. BENJAMIN:
Can you hear me now?
LEG. FOLEY:
Yes.
D.P.O. LEVY:
A little better.
MR. BENJAMIN:
Okay. Sorry. I live on the -- I'm a resident of East Northport. I came anticipating that the Silberstein Property would be on your agenda this morning. Since I'm here, I would like to ask the Legislature two questions.
I received a letter from Legislator Binder saying that the County has $20 million to purchase land for such uses as soccer, lacrosse, etcetera, and, unfortunately, the County has no funds to purchase land for -- to preserve as open space. But in Sunday's Times, May 28th, there is an article that says the County now has $100,000 to purchase land for open space. So if that is the case -- I would like to know, is that the case? And if so, I would like to urge you to consider, if you are considering purchasing Silberstein's property, to consider the option of leaving it as undeveloped open space. Elwood Park, which adjoins this property, does have space for lacrosse, soccer, etcetera, and is a lovely park. I would hate to see part of that park lost to parking space simply to add more developed parkland. I would like to see it returned to its open spaces. So are there funds? Can anyone answer that?
D.P.O. LEVY:
Why don't you answer as Chairman of the Energy Committee and a Park --

LEG. CARACCIOLO:
Anybody should be able to enter those questions.
LEG. GULDI:
Because the Presiding Officer's assigned open space acquisition to

other committees.
LEG. LEVY:
Oh, that will --
LEG. GULDI:
It's not before Energy and Environment anymore.
LEG. LEVY:
Well, there is -- there is money, sir, in a number of --
P.O. TONNA:
You know, I tried to do the most responsible thing, you know what I mean?
MR. BENJAMIN:
All right.
LEG. LEVY:
There's money for open pace in a number of different accounts. They're often competing against each other and there's only so much money in that pot. There's a different program over and above the money for Open Space that's called the Greenways Program, which allocates about $20 million for the purchase of active parkland, parkland not just for open space, but for soccer fields, and ball fields, and things of that sort.
MR. BENJAMIN:
Now, my second question. I know that Saint Vincent DePaul approached Silberstein to buy that property, and they were turned down, because I believe the County requires a ten-acre parcel in order to put in a camp, which -- a day camp, which was their proposal. The Silberstein property is, I'm told, 7.9 acres. Now, I just learned that my next door neighbor, whose property adjoins this, was approached by Saint Vincent DePaul. They want to buy a strip of land 300 feet by 18 feet. I presume that means they would now have eight acres.
P.O. TONNA:
This is what I would suggest, sir. Unfortunately, the Legislator who represents you in the district is not here right now.
LEG. FIELDS:
Who is that?
P.O. TONNA:
That's -- oh, isn't it Cooper?
LEG. BINDER:
It's me.

MR. BENJAMIN:
Binder.
P.O. TONNA:
Oh, it's you? Oh, so then I would suggest -- this is even better.
MR. BENJAMIN:
Okay. Let me just ask this. Did the Legislature change the regulation for ten acres? Why would --
P.O. TONNA:
I don't even know if there is a ten-acre requirement ever.
LEG. LEVY:
There's no such -- there's no such --
LEG. GULDI:
We don't have jurisdiction.
P.O. TONNA:

Okay. I'll let Legislator Caracciolo, who is an expert from ten acres down, he's like an expert.
MR. BENJAMIN:
Right.
P.O. TONNA:
Okay? If it was like ten acres and more, we'd go to Legislator Guldi, you know.
LEG. CARACCIOLO:
Well, I just want to respond to your first question about the County's environmental programs and various programs that would fall under the auspices of acquiring this particular property. The County has 12 environmental. Some of them require town government participation, some of them we buy outright. A number of them pertain only to open space acquisition. I would suggest that if the property owners are interested in selling this property for public acquisition and preservation, that they contact Steve Jones, who's the County Planner. You should not contact elected officials like the County Legislature, we don't get involved in that. So that would be how the process would be initiated, and then if it were a worthwhile piece of property, Mr. Jones would make a recommendation, and then as a local Legislator, Mr. Binder, or any of us, would consider that recommendation and possibly sponsor legislation to preserve.
MR. BENJAMIN:
Could you write that information down for me?
LEG. CARACCIOLO:
Absolutely, be happy to.
MR. BENJAMIN:
Thanks.

P.O. TONNA:
And like I said, don't you -- see, he is an expert from this point, you know. Thank you.
LEG. CARACCIOLO:
And since we've preserved over 2,000 acres on the North Fork since my tenure began, a record I'm very proud of, a lot of it, most of it includes ten acre plus parcels, Mr. Chairman.
LEG. GULDI:
He's pretty good on ten acres and up, too.
P.O. TONNA:
Okay. Well, I just want -- I've never been in at that category with the ten acres and above, because --
MR. BENJAMIN:
Right.
P.O. TONNA:
-- We don't have that much acres.
LEG. D'ANDRE:
Mr. Chairman.
P.O. TONNA:
Anyway, thank you.
LEG. D'ANDRE:
I think I can help out here.
P.O. TONNA:
Okay. Legislator D'Andre is going to help out now.

LEG. D'ANDRE:
You know Northport? I'm sure. You come from Northport, right?
MR. BENJAMIN:
Yes.
P.O. TONNA:
East Northport.
LEG. D'ANDRE:
Okay. We just -- the County just bought that parcel across from that shopping center off Townline Road, which is a wetlands, and they were going to build a shopping center on it until we rescued it. Unfortunately, they built the shopping center on the piece across the street years ago, and that was just under 10 acres, the one we just bought. We lost in court. The Town of Smithtown had them in court and they couldn't beat them. But, ultimately, it brought us time for us to get our forces together and we bought that, and it's under 10 acres. So that should tell you that --

MR. BENJAMIN:
You can purchase under 10 acres.
LEG. D'ANDRE:
Yes. We bought it.
MR. BENJAMIN:
What I'm saying, can Saint Vincent's purchase under 10 acres and put a day camp there?
LEG. D'ANDRE:
I'm sure they can.
MR. BENJAMIN:
That's what I want to know.
LEG. D'ANDRE:
You can buy anything with money.
P.O. TONNA:
Right. Well, let's not --
MR. BENJAMIN:
Thank you.
P.O. TONNA:
They can't buy political votes. I'm joking. Anyway, okay. I'm sorry. Political, yes, maybe governmental, no. Anyway, thank you, sir.
MR. BENJAMIN:
Thank you.
P.O. TONNA:
Thank you. All right. Let's go on to John Henry. John Henry? John Henry, that's a great name.
MR. HENRY:
Yes, it is.
P.O. TONNA:
It's my son's name, John Henry. That's why we buy all the underwear. I love that John Henry underwear.
MR. HENRY:
Let's get this over with. It might not go to John.
P.O. TONNA:
Okay. Thank you, sir.
MR. HENRY:
I am with Mr. Benjamin, and on February 22nd, Mr. Bender sent the

residents of Elwood a letter saying there was no money for -- to preserve the land in a natural state. On April 12th, I went to a meeting of the Elwood Taxpayers Association, and Mr. Bender said, to a question that was asked by someone, that he would prefer --

LEG. BISHOP:
You should speak into the microphone --
MR. HENRY:
Oh, I'm sorry.
LEG. BISHOP:
-- because I can't hear a word you're saying.
MR. HENRY:
You can't hear me on the mike?
P.O. TONNA:
And I think you mean Mr. Binder, right?
MR. HENRY:
Mr. Binder.
P.O. TONNA:
Binder.
MR. HENRY:
Did I say Bender?
P.O. TONNA:
Yes.
MR. HENRY:
Mr. Binder said that --
P.O. TONNA:
That's the law firm.
MR. HENRY:
Said that he would prefer to have this preserved as open space, but there is no money available to do so. Since then, residents have found out that there is, indeed, money to be used for open space. Whether or not we can be considered for that or not, I don't know. But I would like the Committee of Parks and Land Acquisition to consider purchasing the Silberstein Farm as open space, using whatever funds are available for that purpose, such as Open Space Greenway, one quarter percent sales tax, Open Space Program, capital borrowing, Land Preservation Partnership. Should I go on?
LEG. ALDEN:
Paul, he asked you a question.
P.O. TONNA:
No, you -- yes, you have -- you have about two minutes left to go on.
MR. HENRY:
I want to make sure that Western Suffolk has the same opportunity to preserve open space as Eastern Suffolk. I would like to know what the Legislature is going to do about that? Silberstein's Farm is an opportunity to preserve open space in Western Suffolk. So far, we haven't done any. I would also like to know what we can do to make

sure that this parcel is considered for the Open Space Program.
P.O. TONNA:
I'm going to let Legislator Binder ask you some questions, because I'm sure he would like to respond. Okay?
LEG. BINDER:

I guess at this point. I think you'll see in the letter that it didn't say that there was no money, but that it's oversubscribed. The programs are --
MR. HENRY:
That's not what it says. It's right here.
LEG. BINDER:
The over -- that's the problem, is that --
MR. HENRY:
I quote, "Unfortunately, there are no County funds available" --
LEG. BINDER:
Available, right.
MR. HENRY:
-- "to purchase and preserve the land in its natural state."
LEG. BINDER:
If I could have -- I could have tried -- I could have gone into two pages and explained that it was oversubscribed. The problem is--
MR. HENRY:
But that's not what you said.
LEG. BINDER:
Well, it's not available. It's not immediate --
MR. HENRY:
We've been told it is.
LEG. BINDER:
It's not immediately available.
MR. HENRY:
Who --
LEG. BINDER:
So we have a new program that would allow us to have available monies that's not oversubscribed, and Mr. Silberstein is very, very close to selling the land as we speak. And so I'm trying to use land -- money that is immediately available in a program that's immediately available that we can move on very quickly to try to make him an offer. That's the attempt. And as you're standing here, you should know this, you should know this also, that's not up to us, it's up to Mr. Silberstein. And I can tell you that --

MR. HENRY:
We're quite aware of that.
LEG. BINDER:
Let me tell you what he's -- he's been made an offer for a very large sum of money from a school, and right now, there's a school knocking on the door that will probably buy, and there was -- there's going to be a school there. What I'm trying to do is to make sure that a school doesn't go there, houses don't go there, that it becomes something that the people want. And I can tell you that in those 6,000 letters and the responses that came, the overwhelming, absolutely overwhelming response was that they --
MR. HENRY:
Five hundred to seven hundred, you told us.
LEG. BINDER:
Right.
MR. HENRY:
That's not exactly overwhelming of a neighborhood of 13,000 people.

LEG. BINDER:
Well, when 800 people respond to a letter, that is about the most overwhelming response I've gotten to a mailing. And I can tell you --
MR. HENRY:
What you don't understand --
LEG. BINDER:
-- Out of 800 people, they want it.
MR. HENRY:
-- is they accepted what you said in your letter, not knowing that, indeed, there was money available --
LEG. BINDER:
I'm telling you that --
MR. HENRY:
-- to do otherwise.
LEG. BINDER:
That the money that's available is for active use, it's immediately available. And right now, we're in a race, a race to try to save this land. With other oversubscribed money, we'll lose the race.
MR. HENRY:
Now, you were --
LEG. BINDER:
With money that's immediately available and not oversubscribed, we won't.
MR. HENRY:
You were saying now that there is no possible way that this land can be

preserved as open space, there's no money?
LEG. BINDER:
I know that our best chance of --
MR. HENRY:
No, that's not what I asked you.
LEG. BINDER:
Well, that -- but that's what I'm worried about, our best chance of preserving --
MR. HENRY:
That's not what I asked you. I want a yes or no.
LEG. BINDER:
You're not an attorney and I'm not --
MR. HENRY:
Is there or is there not?
LEG. BINDER:
That's -- I'm telling you it's oversubscribed. I don't know if it's -- I don't think it's immediately available, because it's oversubscribed. The program that's not oversubscribed is active use money. And that's why we made that --
MR. HENRY:
It's funny, you ask me to answer questions with yes or no, but I can't get a yes or no out of this man.
LEG. BINDER:
I didn't ask you to say yes or no to anything.
MR. HENRY:
You're asking me questions. So far, you haven't asked me any questions, actually.

LEG. BINDER:
That's right, I haven't.
MR. HENRY:
But I did ask you one and I don't see why you can't say yes or no.
LEG. BINDER:
Because I'm trying to give you an explanation. If you don't want an explanation, then you don't have to take on.
MR. HENRY:
Around we go, around we go.
P.O. TONNA:
All right. I'm going to --
LEG. BINDER:
That's the explanation.

MR. HENRY:
Thank you very much.
P.O. TONNA:
I'm going to step in.
LEG. BINDER:
If it's not good enough for you, that's okay, too.
P.O. TONNA:
I'm going to step in and just say okay. Thank you very much, sir.
MR. HENRY:
No, thank you.
P.O. TONNA:
It's part of the record, and I'm sure -- work with Legislator Binder and I'm sure that you'll be able to work this problem out.
MR. HENRY:
Only if he gives us answers, yes and no.
P.O. TONNA:
Thank you. Okay. How about -- wait. Anybody else want to say anything about Legislator Binder, because I'll bring your card right up to the top. No, I'm only joking. Legislator Joe -- I mean, oh, Chief Deputy Comptroller Joe Poerio. Joe?
MR. POERIO:
I hate to change the subject, but --
LEG. BINDER:
Go right ahead, Joe.
MR. POERIO:
Last Friday, County Comptroller Joe Caputo had a press conference, and for those of you who missed that, he asked me to read into the record what he discussed that day, if you don't mind.
P.O. TONNA:
How many pages is this?
MR. POERIO:
Just very short, two pages.
P.O. TONNA:
Really?
MR. POERIO:
Yeah.
P.O. TONNA:
Okay.

MR. POERIO:
I'll be finished --
P.O. TONNA:
Two pages? That sounds good.
MR. POERIO:
It does, doesn't it?
P.O. TONNA:
You helped him edit it, right?
MR. POERIO:
No, actually I did not.
P.O. TONNA:
Okay.
MR. POERIO:
I argued a few points, but --
P.O. TONNA:
All right. Thank you.
MR. POERIO:
Okay. As you know, that the -- there's an initiative in the State Legislature to bail out Nassau County for a hundred million dollars of taxpayers money. Joe Caputo is against that, and for these reasons, and he has some suggestions that he'd like to offer to Nassau County. Really, I don't know how much direction he has or what he can do, but he is making some recommendations to the State Legislature to put into effect, if possible.
He feels that the State Comptroller must -- and that's being distributed to you. State Comptroller must be put in charge of the fiscal responsibilities of Nassau County.
If any money must be given to Nassau County, it must be loaned to them and they must pay interest on those loans, as it's been done in several other communities.
We have to develop a program to prevent a gifting of $100 million to Nassau County, because we represent 1.4 million people here in Suffolk County, and there should not be a gift given to Nassau County. People who have not been able to budget properly should not be bailed out by Suffolk County residents.
Fourthly, we have been advised through the media that a 5% salary cut has taken place for management employees. We must ensure that that level of pay now be frozen and it should be extended to employees represented by the unions in Nassau County, as well as management. Except for emergencies, there must be a hiring freeze imposed.
Fifth, employees have to agree to defer one hour of compensation per week for the next five years to begin -- to be paid back to them in the Year 2006. This should provide a cash flow benefit to Nassau County

where the pay scale is over a thousand dollars per week average. The deferrals should be increased to two hours per week.
We must encourage employees to go along with deferring their salaries, as previously mentioned, over the next five years. In the Year 2006, they can begin -- they can begin to catch up and take that -- those contributions back.
Seven, the Nassau County Legislature must agree on a 5% increase in property taxes over the next five years, for each year, cumulatively, 27.5% in the fifth year of this action.

Eighth, for the benefit of those of you who are -- and this was at his press conference, Suffolk County has administered its own Employee Medical Health Benefit Plan. The plan -- the benefits of that have been the savings of millions of dollars to the taxpayers. We believe Nassau County has missed its opportunity by utilizing the programs they have had and failing to go self-insured. This is another area that should be visited for future consideration.
Ninth, the media has stated that the County Attorney has left office. If he has not, he must be dismissed. They have not properly administered the workers compensation procedures, nor the unemployment insurance requirements. Therefore the Department of Labor should provide Nassau County with an expert to develop a program for unemployment insurance.
The Workers Compensation Commission should provide Nassau County with an expert to develop procedures to avoid millions of dollars of penalties that Nassau County has paid. And let me just give you an example here. In Suffolk County, we had something in the vicinity of $1,700 in deferred comp penalties last year, as composed to Nassau County -- as compared to Nassau County's $2.3 million in Workman's Compensation benefit penalties. So that's just a job that we're doing here in Suffolk as compared to what's going on in Nassau.
The County Comptroller feels the bond counsel should be dismissed, the financial advisors must be dismissed, and the Nassau County Executive should resign.
P.O. TONNA:
And you stand by that?
MR. POERIO:
I'm just --
P.O. TONNA:
Do you stand by your Comptroller's statements?
MR. POERIO:
I'm just the messenger.
P.O. TONNA:
I know that there is -- I know there are certain legal counsels at the Legislature who'd probably agree, too. But I just -- I just wanted to know, did --

MR. POERIO:
That being said --
P.O. TONNA:
That's just the whole Comptroller's Office, like are you behind one rally?
MR. POERIO:
No.
P.O. TONNA:
No?
MR. POERIO:
The Comptroller asked me to speak for him and that's what I'm doing.
P.O. TONNA:
Okay. Well, I want you to know, there are some open space -- we have parkland right on the Nassau/Suffolk border in West Hills, and I would -- you know, sure that we could work with the -- if you guys want to put big banners --

MR. POERIO:
Whatever you want to do.
P.O. TONNA:
-- and have a big rally right on the border, just in case anybody from Nassau comes over.
MR. POERIO:
If anybody has any questions.
P.O. TONNA:
All right.
MR. POERIO:
Hopefully not, I'll sit down.
P.O. TONNA:
No, no. Joe, we have a number of questions to ask you.
MR. POERIO:
Okay.
P.O. TONNA:
Since you had the intestinal fortitude to come up and deliver this speech for the Comptroller.
MR. POERIO:
It's called continuing my paycheck.
P.O. TONNA:
Yeah, right. But go ahead, Legislator Caracappa.

MR. POERIO:
Yes, sir.
LEG. CARACAPPA:
Thanks. Well, I don't see anywhere in here they ask for the Comptroller of Nassau to be fired.
MR. POERIO:
Well --
LEG. CARACAPPA:
They're sticking together, right?
MR. POERIO:
No, no. In all seriousness -- in all seriousness, as we view Suffolk County, Nassau County's government is set up similar to ours, the Comptroller really has no --
LEG. CARACAPPA:
It was really a joke, actually.
MR. POERIO:
No basis of putting together the budget.
LEG. CARACAPPA:
It was a joke. But more seriously, you know, I appreciate what Joe's saying here. I think --
MR. POERIO:
So do I.
LEG. CARACAPPA:
I think we all do. And I'm not -- I'm not pointing this at you as the messenger, but let Nassau deal with their problems and let Suffolk County deal with what we've been doing since the early '90's. And some of the Legislators here, like Legislator Postal, Legislator D'Andre worked their way through -- and Legislator Binder, worked their way through the hard times of this County.
MR. POERIO:

That's correct.
LEG. CARACAPPA:
And the County Executive and this --
MR. POERIO:
And we did it without -- we did it without bailouts ball and we did it without the State gifting us money.
LEG. CARACCIOLO:
And what about me?
LEG. CARACAPPA:
And Legislator Caracciolo. I'm sorry if I missed others. So let them deal with their problems. We're on the right track here. If they want to look at what we've done over those ten years, they're more than

welcome to try and implement some of the programs. We have --
MR. POERIO:
By the way, we've offered that to them --
LEG. CARACAPPA:
So, you know --
MR. POERIO:
-- to help and assist them in the medical benefits and workman's comp, and all those other things. We've --
P.O. TONNA:
And they denied any help, right, they don't want to --
MR. POERIO:
Well, they did come around a little bit.
P.O. TONNA:
They'd rather burn, right?
LEG. CARACAPPA:
Yeah. So --
MR. POERIO:
They did come around a little bit, but they --
P.O. TONNA:
It's a Nero type of thing.
LEG. CARACAPPA:
With all due respect to the Comptroller, I think it's best for us to read his letter, appreciate it, and let Nassau do their own thing.
MR. POERIO:
Thank you, Legislator Caracappa.
P.O. TONNA:
Legislator Foley, do you want to make any, you know --
LEG. FOLEY:
Yeah, a question, just a question.
P.O. TONNA:
Oh, good, question of the speaker.
LEG. FOLEY:
Joe, has there ever been precedent before where a municipality has been given a gift, or how did they do it? I understand Yonkers, they did it different.
MR. POERIO:
I had a discussion last week with the -- some people in the State Comptroller's Office, and there's some -- there's some overlapping issues. The City of Yonkers, for example, was given bailout money, but that was from the retirement system and they have to pay that back with

interest.
LEG. FOLEY:
They had to pay it back. It's my understanding that any other municipality that has been in, let's say, financially bad times where they had to put together some kind of a package, they've always had to pay it back, and that it's --
MR. POERIO:
Yeah. The only thing is like there's a question about Troy, but there was a Financial Control Board in --
LEG. FOLEY:
Oh, yeah.
MR. POERIO:
-- place and so forth, and so --
LEG. FOLEY:
And the amount of money was minuscule --
MR. POERIO:
And it was small, right. So --
LEG. FOLEY:
-- compared to a large county municipality.
MR. POERIO:
Right.
LEG. FOLEY:
So to the tune of well over $100 million. So it's you're understanding that there's never been anything close to this?
MR. POERIO:
No, there hasn't been.
LEG. FOLEY:
In your discussions with Nassau or at least with Joe's discussions even with the State, did they give any reasons why they would not entertain a payment schedule as opposed to this gifting?
MR. POERIO:
No. No, we have not heard why, just that that was the enabling legislation.
P.O. TONNA:
Okay. Thank you very much.
LEG. D'ANDRE:
Mr. Chairman.
P.O. TONNA:
Sure, Legislator D'Andre.

LEG. D'ANDRE:
Joe, before we get off this subject --
MR. POERIO:
Yes, sir.
LEG. D'ANDRE:
-- I think it must be said here that part of the reason of our success, of course, is having Joe Caputo as our Comptroller.
MR. POERIO:
Yes, it is, I believe.
LEG. D'ANDRE:
However --
P.O. TONNA:

Really.
LEG. D'ANDRE:
However --
MR. POERIO:
In part, yes.
P.O. TONNA:
Okay.
LEG. D'ANDRE:
However, it's the fact that we have Fred Pollert as head of our Budget Review. And --
MR. POERIO:
In part, also, and the Legislature and the County Exec. I give everybody credit.
LEG. D'ANDRE:
And I'd like to remind everybody here that in the case when we borrowed money, we didn't go to Wall Street and pay those high prices, we floated our money on the fact that we put up a quarter percent sales tax as collateral for thirteen years and we saved $300 million. Of course, we can't go there for any gratuities, but who wants gratuities when we could save this kind of money? So just bear that in mind. And, of course, Joe was approving of this, your boss, and that's part of our success. If Nassau had this type of Budget Review that we have, they might not have been in the trouble they're in. But they had a one-man rule, or something to that effect. And we have to say again, I'd like to publicly acclaim our Budget Review Office for their keeping us afloat and keeping us in a proper column. Thank you.
P.O. TONNA:
Right. Thank you very much. Okay.
MR. POERIO:
Thank you.

P.O. TONNA:
I'd say -- thanks, Joe. But, you know, coming up here with the -- we had to have some gratuitous, you know, comment, I'm sure.
MR. POERIO:
Of course. I understand.
P.O. TONNA:
Okay. Bert Seides. Bert, I'm not sure how -- the last name, but was that close?
MR. SEIDES:
You did a good job.
P.O. TONNA:
Yeah?
MR. SEIDES:
Right on.
P.O. TONNA:
Oh, all right. Hey, I'm one for 20. Thank you.
MR. SEIDES:
Okay. I'm Bert Seides. I'm here to speak in support of Resolution 1205, the acquisition of active parkland at the corner of Belleview Avenue and Montauk Highway in Center Moriches. This property is directly across from the historic Terry Ketcham Inn. And I would like to say this journey started first with my approaching John Halsey. John

Halsey recommended that I speak to Steve Jones. Steve Jones gave a very supporting response, thought this was a win-win sort of acquisition. And I went to Brookhaven Town, we got their support for a binding commitment. I had spoken to the Supervisor and the Town Attorney, and we have that.

I would just like to share, briefly, historically, this five-acre site was part of the Havens Estate, which is now the Terrell River County Park and the Ketcham Estate. It is in the Brookhaven Town records that there were Civil War military maneuvers held in this field. The east boundary and a portion of the south property line are adjacent to the Havens Estate County Park Preserve.

This property is historically significant, as it was part of the original 600 acre Havens Estate in 1755 to 1965. During the Revolutionary War, Benjamin Havens plotted against the British from his tavern, which was the Ketcham Inn, which later became the Ketcham Inn -- Ketcham Hotel, and now is on the federal register of historic places. This property is currently owned by {Sena Maffa} and was part of the Ketcham Estate in 1854 to 1912, and this property was used for military encampments and maneuvers during the Civil War.

In the process to bring the usefulness of this property up to current standards with the swell of development in the Moriches, we have approached the Moriches Chamber of Commerce and spoke with Geraldine {Saponaro} and received positive support. Also, Ed Romaine, our County Clerk, has publicly written an article in support of this acquisition.

I have spoken to Bob {McKy} of this preservation of Long Island Antiquities and he has written a letter of support.

We have approached the Center Moriches Public Free Library and spoken to the Director, and she feels this property could become very useful, as this property is less than a city block away from the library.

Our friends at the Yaphank Historic Society have written a letter. The Ad Hoc Committee for the Perpetual Preservation of the Terrell River County Park wrote a letter of support. The Eastport Chamber of Commerce, which is very active in cleaning up Eastport and the Moriches area. The Moriches Audubon Society, which is right across the street, I have their support. I have a letter of support from the East Moriches Property Owners Association, of which I am a Trustee. Our neighboring Mastic Peninsula History Society, the Long Island Wetlands and Water Fowl League have also written letters of support for this property and, of course, the Ketcham Foundation across the street is very interested and would support your acquisition for active use.

LEG. CARACCIOLO:

Question.

P.O. TONNA:

Okay. If you can wrap up.

MR. SEIDES:

Thank you.

P.O. TONNA:

Okay. Thank you. Go ahead.

LEG. CARACCIOLO:

The speaker mentioned the current property owner. Could you tell me how long that property owner has owned this parcel?

MR. SEIDES:

I would have to look up in my records, I have it with me, but I believe it's about ten years or so.
LEG. CARACCIOLO:
About ten years. Okay.
MR. SEIDES:
Yes.
LEG. CARACCIOLO:
And the previous owner, do you have that information as well?
MR. SEIDES:
I -- Yes, I have it in front of me, actually. It was -- historically, there was Terrell and Havens, and then it was B.T. Ross, and then Smith, and {Borakowski}.
LEG. CARACCIOLO:
Okay. So you believe the current owner has owned the property at least for ten years.

MR. SEIDES:
Yes. That's {Sayun Mafa} And Associates.
LEG. CARACCIOLO:
And where are they located?
MR. SEIDES:
They are located in 13 Chainticlare, C-H-A-I-N-T-I-C-L-A-R-E-, Drive in Manhasset. And I have spoken with him on the phone. I have spoken with him in regard to our request for his support for the proposed historic district and he shared support for acquisition of this property, and was aware of the restoration project across the street, and we had a very interesting conversation in this regard.
LEG. CARACCIOLO:
Thank you.
P.O. TONNA:
Okay. Any other questions?
LEG. GULDI:
Yes.
P.O. TONNA:
Legislator Guldi.
LEG. GULDI:
Yeah. Bert, the parcel -- one of the points that I want to make is you've pointed out accurately that the parcels next door to the Terrell River Preserve, which was the former Havens Estate, this was --
MR. SEIDES:
That's correct.
LEG. GULDI:
-- subdivided off before the County acquired the balance of the Havens Estate. That parcel has been -- the Havens Estate, Terrell River parcel has been acquired as open space and is, as a result, in a forever wild designation. Could you please tell us what the situation, with access to public rest rooms, parking, and other recreational facilities for accessing the park is and how this acquisition, as an active recreation acquisition, would benefit the existing parcel?
MR. SEIDES:
Okay. There is no entrance to the Havens Estate. There are no facilities for the Havens Estate. It's desperately needed. This property is adjacent on two sides and would allow the general public to

waterfront property forever. This property has two structures on it, which could be rehabilitated to be a facility for bathrooms and orientation facility and an entrance to a 260 acre property.
LEG. GULDI:
Okay.

00066

MR. SEIDES:
This could be a terrific asset to the community.
LEG. GULDI:
All right.
P.O. TONNA:
Thank you.
LEG. GULDI:
All right. One of the things, Bert, also I'd like to point, are you-- that I'd like you to clarify, because -- so it doesn't become an issue here, and which -- are you familiar with which Legislative district this parcel is located?
MR. SEIDES:
This is in your Legislative district.
LEG. GULDI:
Okay. There have been a number of times where there's conflict between Legislators because of proprietary interests in sponsoring bills out of their district. Are you familiar with any particular reason why Legislator Towle has approached you with this and not myself?
MR. SEIDES:
No. I have to tell you that I -- for ten years, I knew Fred Towle when he worked for Ed Romaine.
P.O. TONNA:
We won't hold that against you.
LEG. GULDI:
Yeah, I'm not going to hold that against you. That's all right. I just wanted to --
MR. SEIDES:
I talk to him frequently. Actually, the Legislative lines shifted a couple of years ago, which did cause a lot --
LEG. FOLEY:
It's all right.
MR. SEIDES:
-- of confusion in the area. It's a shame it's all very close, but I know people call George and people call Fred and, really, we try to work together. And, as a matter --
LEG. GULDI:
It's not a problem. I just wanted to put it on the record here that you actually live in Fred's district; isn't that right, you live in --
MR. SEIDES:
Actually, I live on your district.
LEG. GULDI:
You're in my district?

00067

MR. SEIDES:
Yeah.
LEG. GULDI:
I thought you were on the other side of the line.

P.O. TONNA:
You got to be nicer to him now. He's a registered voter in your district.
LEG. GULDI:
In any event, I'd like the Clerk's Office to indicate that I'm a cosponsor on this resolution. I'd like to move this acquisition along. I don't think that it serves anyone's purpose in being proprietary about this. The parcel, on it's merits, should be acquired and preserved. I'm supporting it, and I thank Legislator Towle for his support.
P.O. TONNA:
Where is it, by the way?
LEG. GULDI:
It's in my district.
P.O. TONNA:
No, no.
LEG. FOLEY:
Montauk Highway.
LEG. GULDI:
It's on Montauk Highway in East Moriches.
P.O. TONNA:
No, no, no, no. Where's the bill.
LEG. GULDI:
The bill is before us, it's on today's agenda.
P.O. TONNA:
All right. So we'll deal with the merits of it later. Thank you, Bert.
MR. SEIDES:
Thank you.
LEG. FOLEY:
All right, George.
P.O. TONNA:
Thank you. I just want you to know that I think you should seek better representation in your district, but, you know, that's a matter of personal priority.
LEG. GULDI:
And, Bert, they move the lines every ten years when they do the

census. They'll get moved next year.
MR. SEIDES:
Okay. You'll keep us jumping.
P.O. TONNA:
Okay. I'd just ask, Linda, are we ready, yet, with the Youth Achievement Awards?
MS. BURKHARDT:
Just about ready.
P.O. TONNA:
Okay. Well just about means one more card, so -- okay. Dan Hickey?
LEG. BISHOP:
We have one more card left?
P.O. TONNA:
No, we don't have one more card left. There's a number of cards left, but 12 o'clock, we break for the Youth Achievement Awards. So, Dan.
MR. HICKEY:

I represent the Department of Social Services, and I just want to speak in support of Resolution 1538, which creates 30 positions in the Department. It addresses clerical and other shortages that we have in Medicaid, Child Support, Family and Children Services. It will help the professionals out on the streets and have clericals do clerical work. It will provide CSW's to transport children in foster care. It will provide telephone response unit workers in the Child Support Bureau to answer enter the telephones. It will provide accountants in that Bureau to post new and amended orders from the court, and it will provide additional Child Support Specialists to deal with the constituents on the phone. And I hope that you all support that today. Thank you.
P.O. TONNA:
Okay. Just wait, Dan. I'm sure there's questions. Legislator Foley, do you have any questions?
LEG. FOLEY:
Yeah.
P.O. TONNA:
I knew it.
LEG. FOLEY:
Commissioner, Deputy Commissioner, you mentioned Child Support Enforcement Bureau. There's five positions slated within your resolution to go to Child Support. Is that --
MR. HICKEY:
Eight.
LEG. FOLEY:
There's eight positions? There's five specialists?

MR. HICKEY:
There are three specialists in this resolution. I created two earlier in the year from interdepartmental transfers. I --
LEG. FOLEY:
That was never brought to the attention of Social Services Committee. But in this particular resolution, there are three Child Support Specialist positions created --
MR. HICKEY:
That's correct.
LEG. FOLEY:
-- correct?
MR. HICKEY:
And a total of eight positions in total.
LEG. FOLEY:
Thank you. Mr. Chairman.
P.O. TONNA:
Thank you very much.
LEG. FOLEY:
Mr. Chairman.
P.O. TONNA:
Yes, Legislator Foley?
LEG. FOLEY:
There's no doubt --
P.O. TONNA:
Any other --

LEG. FOLEY:
There's not doubt that we'll be supporting this resolution. But I would state for the record that there's also another resolution in the packet, or rather, on the agenda, that has broad support, which will -- which is not mutually exclusive, but, in fact, is complementary with the Executive's resolution. Whereas his was an approach throughout the department, this other resolution, I as cosponsor -- as prime sponsor, yourself as co and others as cosponsors, deals exclusively and directly with the issues of Child Support Enforcement Bureau, which we can take up for discussion when the resolution is up for a vote later today.
P.O. TONNA:
Thank you very much, Legislator Foley.
MR. HICKEY:
Thank you.
P.O. TONNA:
I'd ask, all Legislators, please enter the horseshoe. And maybe Ellen,

can whip into place, you know, or just try to get them here?
MRS. MARTIN:
Yes.
P.O. TONNA:
Thank you. LeeAnn, you're all ready to flash works, the whole deal. All right?
MS. BURKHARDT:
You're up.
P.O. TONNA:
I know I'm up. I'm just going to wait for more Legislators to enter the horseshoe. I just think we should do as best -- do I have a . . . Okay. Just any other Legislators, please come to the horseshoe. Okay. This year we initiated a special project called the Youth Achievement Awards. Each Legislator was asked to recognize two high school students from his or her district who have met -- who have made a unique contribution to the community. These students have worked very hard to give back to their community. They stand before you as young people who have helped to make this a better place to live. They're our future and we honor them today to have -- we're honored today to have these students, along with their proud families, to recognize their achievements. And I'd like to call up each Legislator and their award winners to the podium to receive their awards. After the presentation, each Legislator and recipients, including their family members, may proceed to the lobby for photos and a light lunch. Maybe what we'll do is a little change in venue. I think Legislator Guldi had a good suggestion.
LEG. ALDEN:
Can we eat now?
P.O. TONNA:
Maybe -- you can -- Legislator Alden want to eat their lunch first. But anyway, what we're going to do is I know that nine Legislators have participated in the process, and so maybe I would call out the different Legislators to stand up and have your recipients in front of you, and then we'll go one at a time to recognize them. So, Legislator Guldi, you want to name your two recipients and bring them up next to you?

LEG. GULDI:
Mariah Quinn? Yeah, there she is. And Mike Charnoma.
P.O. TONNA:
Right. Okay. Legislator Caracappa?
LEG. CARACAPPA:
Mary Kate Fleming and Daniel, Daniel DiBona, come on up.
P.O. TONNA:
Okay. And Legislator Fisher? We have --

LEG. FISHER:
Brian O'Shea and Marissa Ehman.
P.O. TONNA:
Okay. And -- okay. Legislator Crecca, who is not here today, he will be here later. He had the birth of his son yesterday. He didn't give birth, his wife did. But I will stand in on his behalf, and maybe I can get Legislator D'Andre who represents that town. Tim Artins, John Martins and Brian Cutino? How is that, not bad?
MR. CUTINO:
Good.
P.O. TONNA:
Come on up, guys, right in front of -- right there. And, Legislator D'Andre, could you stand in as the senior Smithtown Legislator to recognize these gentlemen?
LEG. D'ANDRE:
They're real Americans.
P.O. TONNA:
To the real Americans. Okay. I have Paul Cirulys and Janine Sutton? Come on up. Paul, I love your haircut, I just want you to know. I'm very partial to that myself. Okay. For Jonathan Cooper, who, again, is not here right now, because he's taking care of his son, who had brain surgery just this past weekend. I think if Anthony and Erika are here, but I was told that they might not be here and he's going to honor them at his district office opening. Okay Legislator Dave Bishop, do you want to call out yours?
LEG. BISHOP:
Sara Meyer and Nolan Reynolds.
P.O. TONNA:
Okay. And then Legislator Fred Towle, where art thou? Legislator Fred Towle? Why don't we get Legislator Towle? Nick and Amy, are you around? Is Nick Pappas and Amy Patel around?
LEG. TOWLE:
No, they're not. Unfortunately, they're both still at the school.
P.O. TONNA:
Okay.
LEG. TOWLE:
That's what I was checking.
P.O. TONNA:
Couldn't get them out of school, huh?
LEG. TOWLE:
No, I could not.

P.O. TONNA:
Okay. Anyway, let's start with Legislator Guldi, then.

LEG. FIELDS:
Me.
P.O. TONNA:
Oh, Legislator Fields. Sorry. Sorry, Legislator Fields. Okay. Go ahead.
LEG. FIELDS:
We have -- where am I? Patrick Murphy and Katie Conroy.
P.O. TONNA:
All right. Come on up. Okay. And Legislator Guldi, we'll start with you, if you want to bring them to the podium and --
LEG. GULDI:
We're going to take the pictures first? What are we going to do?
LEG. BISHOP:
Why don't we speak out to the audience, rather than --
P.O. TONNA:
Okay, that sounds good.
LEG. BISHOP:
Bring them around.
LEG. GULDI:
Yeah.
P.O. TONNA:
That's a good idea, Legislator Guldi. Why don't you go right there and speak out that way.
LEG. GULDI:
What way?
P.O. TONNA:
I don't care. You want to get in front, in front of your people? Any way you want to do it.
LEG. GULDI:
I'll just do it from the podium.
P.O. TONNA:
There you go. There you go.
LEG. GULDI:
All right. The mike's here, I'm here. When you come -- make a plan and stick with it, would you?
P.O. TONNA:
All right.

LEG. GULDI:
Let's start with Mariah Quinn. Mariah, could you come up, please? I want to present you this plaque as part of the Youth Achievement Awards. Mariah, in addition to being the number one student in her class and valedictorian at Hampton Bays High School, also is -- had accomplishments and contributes in the areas of athletics, specifically tennis, the Youth Corps Mathaletes, the Quiz Bowl, the literary publication, the theater, the mock trials, the Students Against Drunk Drivers, and etcetera. Congratulations, Mariah, and let me present you with this plaque.
MS. QUINN:
Thank you.
(Applause)
(Photograph was taken)
LEG. GULDI:

Now, Michael Chornoma is an Eagle Scout. Michael, from East -- from the Westhampton Beach High School Class of 2000, but from East Moriches. Michael is active in the areas of football, lacrosse, track, Friends of Friends this year, and has had years of participation in various athletic programs, and recently was awarded the highest rank of Boy Scouting for his Eagle Scout Award. And, Michael, some day, I'll tell you the stories I heard from my brother about when he grew up with your father.

MR. CHORNOMA:

Don't dare.

LEG. GULDI:

Come over here for the picture.

(Applause)

(Photograph was taken)

P.O. TONNA:

Thank you very much, Legislator Guldi. Okay. Legislator Caracappa?

LEG. CARACAPPA:

Thank you, Mr. Chairman. I'm proud and privileged to have my two youngsters here today. First, we'll do Mary Kate Fleming. Come on up, Mary Kate. Mary Kate is a senior at Centereach High School. She's a member of the National Honor Society. She's President of the Student Government at Centereach. She plans to attend SUNY Binghampton, the School of Education. She's interested in American government, politics, good for you, and psychology, which she'll need when you're dealing with politics. She loves to play softball. She's involved with the Special Olympics, and organizes the annual food drive. She wrote me a wonderful story about her involvement in the community, where she's done the food drive and Special Olympics, and she's also participating in building houses through Habitat with Humanity. So for this and the many other things that you do in the community, I present this wonderful plaque to you on behalf of the Legislature and myself. Congratulations.

(Applause)

(Photograph was taken)

Secondly, I have Daniel DiBona. Why don't you come on up, Dan? Dan is a senior at Newfield High School, my alma mater, and I graduated back in -- well, that's not important.

LEG. GULDI:

What was your class rank?

LEG. CARACAPPA:

Daniel is going to attend George Washington University in Washington D.C., and major in what else, political science. You should also have a minor of psychology as well. He would like to work in politics, and, of course, become the next President of the United States. Also, he's interested in the arts. He appears in drama and musical productions at school. He also attended Sachem High School, which is in my district as well, for two years and was involved in the Peer Mediation Group. Daniel's done some great things in the community as well, and he's a very benevolent young man. During Christmas time, he sought out some families that were in need of assistance and was able to raise over a thousand dollars to provide those families for their kids gifts on Christmas morning. And he says it -- he says it all

in just a sentence. "It may sound like a cliche, but seeing another person happy and just knowing I've made such a difference is the greatest award I can ask for." And that is so true. And to have it come from a young man such as this is refreshing for all of us. So, Daniel, on behalf of myself and all of my colleagues and the Presiding Officer, I'd like to present you with this plaque for recognition of your achievements. Congratulations.

(Applause)

(Photograph was taken)

P.O. TONNA:

Legislator Vivian Fisher?

LEG. FISHER:

Joe just mentioned that he was going to say something that sounded like a cliche. As a literature teacher, I don't like to use cliches, but there was a line from a movie and a line with which we are all familiar with regards to something that someone said in Boys Town. He said, He ain't heavy, Father, he's my brother." Well, I thought of that line because of the two recipients who come from my district, Marissa Ehman and Brian O'Shea. They were both motivated by the needs of their younger siblings. They understood how difficult it was for their younger siblings, and I'll discuss the needs in a minute, and so they took it upon themselves to make a difference, and the difference that they made has really impacted on our community.

I would like to speak to you first about Marissa Ehman. Marissa? Marissa has a younger brother who has diabetes. And the school that Marissa attends, Ward Melville High School, has a very big trick or treat street celebration for Halloween, and Marissa felt that children who have diabetes, such as her brother, were excluded from this

celebration. And so as her Gold Award project, Marissa turned trick or treat street, or part of it, into a diabetic-friendly environment, introducing sugar-free treats for the kids. This was so successful at Ward Melville that other schools have contacted Marissa to ask her how she organized that. The candy that was left, the sugar-free candy that was left, was contributed to the {Joselyn} Camp for Diabetic Boys and the Clara Barton Camp for Diabetic Girls. As you know, the Gold Award is the female -- the Girl Scout equivalent of the Eagle Scout Award, and Marissa is a Gold Award Girl Scout.

I would also like to mention that Marissa, whom attended a rehearsal last night, where I was with my daughter for many hours, is a soloist at the Stroud School of Dance, a graceful, beautiful dancer. She's a member of the Honor Society and student government at Ward Melville High School. On behalf of all of the Legislature, Suffolk County, and the Three Village Schools in particular, where you made such a difference, I thank you and present you with this.

MS. EHMAN:

Thank you.

(Applause)

(Photograph was taken)

LEG. FISHER:

Brian O'Shea? Come on forward, Brian. Brian O'Shea's younger sister was born with a cleft palate, and Brian saw the need to make a difference for children who have this. And Brian was very active in --

well, you created the support --
MR. O'SHEA:
Me and my mom.
LEG. FISHER:
You and your mom were very active in creating a support group for people who had to learn to deal with this. I do want to mention many of the other -- I know Brian, because he's so active in the volunteer center. When I look for volunteers for the Walk for Beauty, which is in the Stony Brook community, an activity that raises money for breast cancer research, Brian was one of the volunteers who came forward and has been active with the Walk for Beauty for the -- for the three years that you've been in high school. Brian is also -- if anyone here knows swimmers, you know the kind of time investment that that requires. Well, Brian's a varsity swimmer. Brian is also involved in the theater group Players at the high school. Brian is a Long Island Apple Festival volunteer, Our Daily Bread soup kitchen volunteer, Key Club senior, Senior Prom co-chairman, and that's the prom that's given for the senior citizens, okay, not for their own senior prom. Community Youth Services, Holiday Craft Fair volunteer, Habitat for Humanity home builder. You are also involved with -- you're in the band.
MR. O'SHEA:
Right
LEG. FISHER:
Okay. So any one of these would create a busy schedule for a young

person who is also going to be attending Elon College and has a high ranking at a very competitive high school. So I do want to congratulate you, Brian, for all that you do for the community, not just the community that you live, but all in Suffolk County. And I think that you have a real sense of all global issues are local issues, right? So I thank you very much for all that you do. Congratulations.
(Applause)
(Photograph was taken)
P.O. TONNA:
Thank you very much. Legislator Ginny Fields.
LEG. FIELDS:
It's a nice feeling today to recognize the youth for all of the -- all the things that they do in our community in these times, when we don't see enough of it. And so I'm very proud today to first introduce Katie Conroy from Central Islip High School. Katie does numerous things. She is on the track team of Central Islip High School. She works at Old Navy after school. She is the editor in chief for the Central Islip High School newspaper. She serves food at the Central Islip Food Pantry. She tutors children in a peer tudoring program. She's raised money for AIDS research. She's a Eucharistic Minister. She serves communion and is an altar server. She's also in the Honor Society, and she'll be attending New Paltz for education in September.
And I just wanted to read one little spot of her little essay that she sent to me, and she writes, "I am inspired to help other people from watching and reading the news and seeing how so many people are not privileged enough to enjoy life as much as I do. Many times, a simple smile is all it takes to cheer a person up for the rest of the day."
And Katie has a very nice smile. I congratulate you, Katie, and I

thank you for everything you've done and will continue to do. Thank you.

(Applause)

(Photograph was taken)

Patrick Murphy. Patrick is an honor student. He works at TGI Friday's. He's a volunteer fireman. He's the ex-captain of the Junior Fire Department in Central Islip. He's the past president of the Junior National Honor Society. He presently is in the National Honor Society. He's an assistant drum major and helps conduct the band. He also works with the Islip Town Youth Bureau. And Patrick is going to attend Saint Joseph's College for education.

I just want to read one little blurb that Patrick also wrote when he sent me an essay. And he talks about being a fireman, and this really, really -- it really was very nice to read. "What inspired me to become a fireman is my father. He is a member of the fire department for 28 years. When I was ready to join, he told me about the feeling he had when he gets -- when he is called to an alarm and when he helps to save something that someone else finds valuable. To me, it is an honor to follow in the footsteps of my father and other relatives who are all members of the fire department in their community to help preserve the community in which I live."

Patrick, I congratulate you. Thank you for all you do and all you'll continue to do. Congratulations.

MR. MURPHY:

Thank you.

P.O. TONNA:

Thank you very much.

(Applause)

(Photograph was taken)

I'm just in a fill-in for Legislator Crecca, who made sure that he expressed to me his deep regret that he could not be here, but his family, with his new baby and his wife, you know, called.

Let me just tell you about these three young men that Legislator Crecca, Legislator D'Andre and I would like to recognize today. The three Scouts that we're talking about, on March 21st of this year, at 9:45 p.m., at Gibbs Road Pond and Midwood --

LEG. D'ANDRE:

Gibbs Pond Road.

P.O. TONNA:

Yeah, Gibbs Pond Road and Midwood Avenue in Nesconset, Boy Scouts Brian Cutino, Martin -- Tim Martins and John Martins were driving by the scene of a motor vehicle accident. These three young men, on their own initiative, immediately took action. They began giving first aid to one of the victims, who was bleeding from his head and face, and continued until the Nesconset Fire Department ambulance arrived. The Scouts then assisted in directing traffic until the scene was cleared. When asked what made them stop and help in the accident, Brian replied, "It's what any Boy Scout would do." They're a credit to their troop, their school, but most of all, they're a credit to their parents and the community. John is -- also has received his Eagle Scout Award at a ceremony in Nesconset on Sunday, and Brian and Tim are working towards their Eagle Scout badges with projects at the Smithtown YMCA. I'd like

to bring, I guess, all three of you up at one time. Come on right up here. We'll take a nice picture. And congratulations, gentlemen.

(Applause)

(Photograph was taken).

LEG. D'ANDRE:

Mr. Chairman, these are what you call real Americans.

P.O. TONNA:

There you go.

LEG. D'ANDRE:

They're getting ready, they've got haircuts, they're sharp, they're probably Air Force material and not the Marines.

P.O. TONNA:

And Legislator Crecca told me just to express also, he will get an opportunity to thank each of you personally. All right. Thank you very much. Thank you. Congratulations.

(Applause)

Legislator Bishop, you're next up.

LEG. D'ANDRE:

Come on up, front and center.

LEG. BISHOP:

Good afternoon. My mother was a bit of a cynic and she used to say that no good deed goes unpunished. So we made you come all the way out from Babylon down on a rainy day out to Riverhead and then you had to stand around for 45 minutes. But you've done good deeds and you're both excellent achievers. One of the reasons that this program is important is because volunteerism is really the fabric which keeps our society sewn together, and, as Legislators, it's important that we recognize that. And, after all, volunteers help us to look better in the community, because the projects and initiatives that we help to support really only thrive through the volunteers that participate in them. Sara is an example of that. One of the community projects that the Legislature helps fund is the West Babylon Neighborhood Watch Program, which was formed in response to a crisis in a particular neighborhood. She has participated as one of the captains of that program, gets out the fliers, gets out the information that keeps it running past the crisis. That's the trick with neighborhood watch, is they tend to only exist when there's a problem and then they go away. This one has been sustained and has grown, and that's a tribute to its volunteers and particularly to Sara. She's also participated in the -- in school volunteerism, car wash, clothing drives. She's an athlete, track and soccer. And as a junior, who hasn't exactly decided what she wants to do in life, but she's leaning towards something that I know we'll appreciate, which is culinary arts. So we look forward to seeing you again and eating your cooking one day.

Nolan's essay jumped out at me right away, because he used the phrase "making a difference," which was my slogan for re-election.

P.O. TONNA:

We're not going to hold that against you.

LEG. BISHOP:

So, obviously, you're a Dale Carnegie graduate. Nolan is also a bit of a renaissance man. He's involved in a lot. He's a leader in his church in the Lifeteen Program, he's a lector, and so he's very strong on his

spiritual side. In school, he has participated as a board member on the National Honor Society. He's a member of the swim team. He's also volunteered in the community at the -- for children at the hospital, Senior Citizens Prom, Safe Food for Halloween Program. A senior next year, he intends to study elementary education, Legislator Fisher, at New Paltz, so you'll have a colleague in the future. And what job can be more important than education? So these two young people are well

deserving of recognition and I present them to you.

(Applause)

(Photograph was taken)

P.O. TONNA:

Last, but not least. I'd like Paul Cirulys, please. Walt Whitman High School has had a proud tradition of a number of different great sports athletes. We've had Jerry Cooney, the famous prize fighter, we've had Tom Gulotta, famous basketball player, and now we have Paul. Paul, believe it or not, not only is he All State Track in the 800 meters, but he's rated as one of the top ten runners in the United States, and a possible Olympic contender. He's an honor roll student and will be attending the University of Kentucky in September. So, Paul, with all our gratitude and respect, congratulations.

(Applause)

(Photograph was taken)

And I love your haircut. Janine Sutton, come on up, or come on down, whatever you want to say. By the way, I don't know if you notice or know this, I've seen you a number of times at church.

MS. SUTTON:

Yeah.

P.O. TONNA:

Okay. A member of the Students Against Drunk Driving and National Honor Society, the Italian Honor Society, a volunteer for Habitat for Humanity, which is such a great, great organization to get involved in, an altar girl at Saint Elizabeth's Church in Melville, a PLA lacrosse coach. Her athletics include lacrosse, field hockey, basketball and soccer, and will be attending Columbia University in September. With all our debt and gratitude, I'd like to present you with the Youth Achievement Award.

(Applause)

(Photograph was taken)

Okay. I just -- I wanted to thank all of our young award recipients and the Legislators who participated. We're going to have another opportunity for Legislators, the nine Legislators, or eight or nine Legislators who were not able to participate this past time at another meeting. And I just want to say once again, from the Suffolk County Legislature, congratulations. Thank you.

(Applause)

Okay. Come on, we're going to have a little something to eat in the lobby. And I have to vote on a recess, yes. I'll call a recess. I would ask -- I'm going to recess until 2:30. All right? Thank you. And we'll have some photo opportunities with your family members also. Thank you.

[THE MEETING WAS RECESSED AT 12:34 P.M. AND RESUMED AT 2:35 P.M.]

P.O. TONNA:
Okay. Let's do the roll call, Mr. Clerk of the Legislature.
(*Roll Called by Mr. Barton*)
MR. BARTON:
Ten Legislators present.
LEG. CARPENTER:
Here.
MR. BARTON:
11.
LEG. CARPENTER:
Here.
(Not Present at Roll Call: Legs. Towle, Caracappa, Foley, Alden, Crecca, Binder, Cooper)
MR. BARTON:
Mr. Chairman, the affidavits of publication --
P.O. TONNA:
Okay.
MS. BURKHARDT:
We just did it already.
MR. BARTON:
-- are in order and on file.
P.O. TONNA:
We recognized that already? Henry, just tell me what to do. You know I'm a mere shell.
MR. BARTON:
The first introductory -- first public hearing is Introductory Resolution Number 1254 (Adopting Local Law No. 2000, a charter law to implement smarth growth by designating open space of critical environmental concern in connection with suburban renewal at Pilgrim State site.)
P.O. TONNA:
Okay. One card on that? All right. Deputy Presiding Officer, I deputize you to do the card.
D.P.O. LEVY:
First speaker, Guy Germano for Resolution 1254. Ten minutes, Guy.
MR. GERMANO:
I'll try to be briefer than that. Is it on?
D.P.O. LEVY:
Just bring it very close when you speak into it, please. The button should be pointing toward you.

MR. GERMANO:
Can you hear me?
LEG. HALEY:
Okay. You just have to get close.
MR. GERMANO:
All right.
D.P.O. LEVY:
There you go.
MR. GERMANO:
Is it on? Okay.
D.P.O. LEVY:
That's good.

MR. GERMANO:
Deputy Presiding Officer and members of the Legislature, I represent Reckson Operating Partnership, LLP. It is -- Reckson has been designated by the Empire State Development Corporation for the State of New York as the high bidder for the purchase of the Pilgrim excess State property. That property comprises over 340 acres. It contains two-and-a-half million square feet of abandoned buildings, which the State has let go. Those buildings contain thousands and thousands of pounds of asbestos, as well as the tunnels connecting the buildings also contain large amounts of asbestos, which has not been abated. The property also contains a landfill, which is known as the Garafolo landfill. It has not been closed. It is under a consent order, but nothing has happened with regard to that landfill. Medical waste landfill is also in place, at least one, possibly two. There's contaminated drainage areas on the site, none of which has been cleaned up. There are also -- those are just the highlights of what the site contains. I should also point out that this site, the entire site, during the development of the property in the 1930's and subsequent to that, was excavated and cleared. Large amounts of land were pushed up to make way for the roads to create fill areas and high areas for the site. What you see today is largely what has grown back.
We're here today to ask the Legislature to postpone consideration of the measure, of this measure, Resolution 1254. What I'd like to ask is -- point out is that the Legislature, in their legislative wisdom, in an effort to address the issue of smart growth on a Suffolk County region-wide basis, adopted legislation March 14th of this year, which the County Executive signed into law on March 30th. That legislation provides that the Suffolk County Planning Department, Planning Commission, chaired by Steve Jones, is to develop a smart growth for the entire County. I know there was much discussion on the 14th with regard to that proposal. The concept is a good one. The County Planning Department, Planning Commission is going to develop a policy. They are also, as part of that policy, to consider the impact of regional -- regionally important developments, which would include the Pilgrim site, as well as the other State excess sites, as well as other significant properties in their proposal. The Planning Commission is

slated to deliver their proposal to the County Legislature on September 30th. I've also been advised that they will be holding public hearings right on this Pilgrim site, actually, at the Western Campus of Suffolk County Community College to solicit public comment.
I would think that it's in the interest of the County, certainly in the interest of the future developer of this property, that the development of this property be considered in a region-wide -- in a regional manner. It also be considered as part of what is going to be going on in this County in terms of economic -- economic development and open space development for the next century. I'd like to also point out that with regard to this property, when this New York State Legislature passed in 1993 the Community Mental Health Reinvestment Act, Pilgrim was one of the properties which was part of that act. As part of that, the act was designed to identify excess OMH properties to plan for their eventual reutilization in order to provide assistance to the communities affected by the significant reduction of the operations of

the State hospitals within their locale and to achieve the following: Promote local and regional economic development, retain and create jobs, ensure that new uses are compatible with the needs of the mental health consumers, as well, let's not forget that the Mental Health Office is going to maintain a rather large facility right in the center of this property. To incorporate public participation and maximum the States cost -- minimize the State's cost of maintaining and operating surplus properties. And as a result of that legislation, that the Pilgrim site was slated for abandonment and reutilization.
That, basically, will conclude our remarks with regard to this legislation. We just ask that it be postponed pending the consideration by the County Planning Commission, the County Planning Department, of the proposal to create a County-wide smart growth Legislative policy, and that this be part of that policy, which is something that this Legislature has asked to happen and which we think is important, as both Reckson goes forward and as the County goes forward into the next century. Thank you.
D.P.O. LEVY:
Thank you, Guy. We have a question from Legislator Bishop.
LEG. BISHOP:
Hi. Good afternoon. Thank you for coming down today. One of the things that has troubled me in this process is that there is no plan currently before the public on what development that Pilgrim State will exactly look like; is that correct?
MR. GERMANO:
You're right, Legislator Bishop. The reason for that is that a plan cannot be produced until after the property has been purchased by Reckson. That hasn't happened yet. They're under a contractual situation right now. In the previous go-around, before the property was taken off the market, Reckson was under a contractual obligation, written contractual obligation, not to disclose plans. So while Reckson has been attempting to develop an overall plan for the property, it has not been permitted by the State, under its contract with the State, to disclose that plan until after the contract has been consummated. Now, there's no specific plan yet. What Reckson -- I'll

tell you what they have done. They have basically looked at the overall site and its environment, and they're doing a master plan, which most of the time has been spent looking outside the site, going outside the site and determining what is relevant for the site. And specific building developments have not been -- not been produced yet. And, of course, now that property has been reconfigured by the State, whatever we did before, in terms of thinking about where buildings or types of buildings might be placed, is out the window, and that has to be redone, and that process hasn't started. I don't think they're prepared to spend any money at this point in time in the planning of this until after they actually own the property.
So that planning process has not really started as far as the public is concerned, as far as the Town or the County is concerned, and there's going to be numerous opportunities to review the plans as they're developed. In fact, those plans will be developed with the community input, with the input from the County Planning Department, with the input from the Town Planning Department, and from the public as it goes

forward. The process is going on take quite awhile, and full environmental impact statement will have to be prepared.
Just to bring -- just to focus this a little bit, this property is part of the special groundwater protection area for the Oak Brush Plains.
LEG. BISHOP:
Right.
MR. GERMANO:
As part of that, that was done in the early '90's or late '80's. The area was designated as a critical environmental area and requiring an impact statement for any significant development. Obviously, plans to redevelop that property would be significant and require a full impact statement, which would require the participation of the County and the Town and the interested members of the public. So nothing's going to --
LEG. BISHOP:
But the County's participation that you're advocating is merely advisory.
MR. GERMANO:
Well, it's the same as the County's participation would be in any -- in any development. It's advisory --
LEG. BISHOP:
Yet you acknowledge that this is a regional issue, the development of Pilgrim State.
MR. GERMANO:
Well, it's going to have an impact along -- it's going to have an impact for the County. It sits -- it sits in a location which is prominent in the County and it's going to be considered by all -- by all of the important planning agencies, including the Regional Plan Association, so -- and there's no -- there's no -- you know, no one is trying to duck that. That's kind of what's going to happen.

LEG. BISHOP:
The State agency which sold the property, when they received a bid from your group and the other groups, was there a plan attached to it, or was there criteria simply which bidder bid the highest?
MR. GERMANO:
No, there's no -- this was as-is, whereas, take-it-as-it-is bid, dictated to the participants by the State. In fact, they would not accept a bid which was contingent on any particular kind of development.
LEG. BISHOP:
Right. All right. So--
MR. GERMANO:
So it was --
LEG. BISHOP:
And this to me is the troubling notion. You have the State just ten years ago declares it a special groundwater protection area, an area of critical environmental importance, and then an administration later, there's an auction on the property to developers, and it seems like the State is working against itself. This caught my attention. It seems like something that would be ripe as a regional issue for the Legislature to have say in the review process, and that's what this measure is attempting to do.

MR. GERMANO:
Well what this -- if I may, what this -- what this does is separates out this property from the rest of the properties in the County for special consideration. The property is special, but in a very different way, I believe. Number one, the property is provided with access to the Southwest Sewer District, with sufficient capacity for the development of the parcel. The cleanup of the property, the cleanup of the property will, in fact, improve the groundwater situation in the area, and that is something that will happen only as a result of the development. The property contains two-and-a-half million square feet of buildings, so it's already highly developed, in addition to the existing State buildings, which they're going to continue to maintain.
LEG. BISHOP:
But it's that very access to the sewer district that facilitates development. Doesn't that -- there are more restrictive development rules if you don't hook into a sewer district than if you do.
MR. GERMANO:
You could build your own -- the same -- if I may, the same rules would apply if you built your own sewage treatment plant, with a which the County Sewer Agency has permitted every major development that's in an area where they requires. So access to the sewer system is good because it's there and it's an outfall, but sewage treatment could be accomplished to County standards and better with a treatment plant in the same location. The --

LEG. BISHOP:
To me, if I --
MR. GERMANO:
The key to this site, if I may, is that when you want to look at a site, this site, the groundwater will be protected by and Reckson development. We're already planning on sophisticated measures to control storm water runoff, so that first flush, et. al. is protected from going into the recharge, much better than what's currently happening. Right now, the recharge is going into -- that whole site, all that recharge is going into a settlement pond at the south end of pond, which, basically, is contaminated. That has to be cleaned up by somebody. This is all happening today. The development of this site is going to create a situation where it will be better than it is today and better as we go forward, plus, since this site has already been heavily developed, since it has access to the sewer, the Southwest Sewer District, which is unique for a site like this, and it is located really at the crossroads of Western Suffolk, on the L.I.E., Sagtikos Parkway, adjacent to the Northern State Parkway, just south of the Hauppauge -- John V.N. Klein Industrial Park, north of the industrial area to the south, the Heartland, and the additional industrial property, this is a site which can be developed, it can provide the economic growth for Suffolk County, for the community of Brentwood and the Town of Islip, as we go forward into the future, by concentrating development here in a smart way, because that's what we want to do. We want to do a smart type of development, which is going to generate the least amount of traffic, it's going to be -- we're looking for mixed use development. It's the kind of thing that's been recommended for

this site by the State and the State plan that was developed in the mid '90's. This is the place to do it as opposed to the Pine Barrens and places out east, which can't handle it. This is an area --
D.P.O. LEVY:
Okay. Let's try to move things along.
LEG. BISHOP:
Well, I have -- I'm not --
D.P.O. LEVY:
Go ahead.
LEG. BISHOP:
I just want your comment to this. To me, a sewer system is an asset of the public overall, and to a developer, to be sure it's an opportunity for a subsidy, as opposed to developing their own sewer plant. So if the County is to allow a developer to use our sewer system, I think the County should have some say in the development proposal. Currently, it doesn't operate that way, of course. Developers access ours sewers, but only have to deal with other levels of government on for their site plan approvals. And when you're talking about a regional issue, as this is, I don't know if that's a fair way to do it. It would seem to me that the community in which this is sited is in a particular bind. They are, of course, the poster child of a low wealth, high taxed district, so they hunger for a tax revenue. So it may not be in the best interest to the communities that border that community, that particular community, to see the strongest or the most extreme

development there. I don't know what you have in mind. Smart growth to me is always in the eye of the beholder.
MR. GERMANO:
You know --
LEG. BISHOP:
To the developer, every developer in the last two years that I've come into contact with has said that their proposal is smart. Nobody says, "This is dumb growth," you know, "this is a dumb growth proposal."
MR. GERMANO:
Well, it's a nice catchy phrase. Everyone's going to use it.
LEG. BISHOP:
And I would just -- I would like to know what's going to be there --
MR. GERMANO:
You know --
LEG. BISHOP:
-- in order for the County to open up its sewers to the development.
MR. GERMANO:
I think, you know, you'll have all that information before the sewers --
LEG. BISHOP:
And that's what this bill seeks to do. I'm sorry.
MR. GERMANO:
But that information is going to be provided in the normal fashion to the County through the County Planning Department, through public hearings. Every agency, including the sewer Agency, is going to comment on -- will have an opportunity to comment on the SEQRA proposal, which will be part of a master plan proposal. There won't be any -- this is going to -- the development of this property is going to

go forward as a master plan development under the Town of Islips PUD, Planned Unit Development, legislation, district legislation, which they have in place now. It's all going to be out there to be seen and to be commented on, including the sewer component. I think when we're done with this, one and all will agree that this is going forward as a really positive development for the County. And we want to do this in a way in which -- I mean, as recommended in the legislation, which you adopted on March 14th, that the development -- development approvals be known to the developers, and they be definite, and they be predictable, and that's I think contained in the Legislative guidelines that were adopted on the 14th with regard to smart growth, and that's all we're asking for, which is the same as every developer has. We will have more scrutiny, because our project is larger, and we're prepared to deal with that in the fashion which it deserves.
D.P.O. LEVY:
Okay. If you could wrap up, Dave.

LEG. BISHOP:
I'm going to wrap up, also.
D.P.O. LEVY:
And then we have to go to Legislator Postal.
LEG. BISHOP:
To me, that's an argument to pass this bill now, because then you would know the approvals that the County -- that you would have to get from the County, specifically from the Legislature, in order for the sewers to be part of the plan. However, perhaps Mr. Jones, when he speaks, our Planner can explain to me how it can be reconciled that a critical environmental area, a special groundwater protection area is also conducive to further development. I could understand redeveloping what's already there, making it better, but to develop it more doesn't seem to me to be --
MR. GERMANO:
Well, in essence --
D.P.O. LEVY:
Okay. We'll leave that -- we'll leave that for --
LEG. BISHOP:
Something that's going to be deemed to be smart growth.
D.P.O. LEVY:
We'll leave that for Mr. Jones, since it was directed to him, when he comes back.
LEG. BISHOP:
Yes, I'm done. Thank you, Mr. Chairman.
D.P.O. LEVY:
Legislator Postal.
LEG. POSTAL:
You said a couple of things which really motivate me to ask you some questions. You spoke about a plan that was developed -- a plan that was put place for this property in 1994, did you say, or five?
MR. GERMANO:
Well, the State did a -- as part of their site -- their actual shedding of these sites, they commissioned a study. It was done by a prominent --
LEG. POSTAL:

Right. I just want to know the date. I know--
MR. GERMANO:
Yeah. It was in the '90's.
LEG. POSTAL:
Okay. Are you aware of any previous plan for that site that was done in the late '80's?

MR. GERMANO:
I believe there was a -- there was a proposal once to -- there was one proposal which looked at doing assisted living.
LEG. POSTAL:
Yes, and far more than that. A very comprehensive plan for senior citizen housing, with, I guess, different levels of autonomy and graduated increasing levels of care.
MR. GERMANO:
Yeah. That never went forward.
LEG. POSTAL:
Well, it went forward at this Legislature. And I think that there are -- I think probably only Legislator Levy, Legislator D'Andre, and myself were here at the time when we voted to permit that area to have access to the Southwest Sewer District. And, you know, I truly don't remember, maybe my colleagues can remind me, whether we just added that area to the Southwest Sewer District catchment area, I hate to use that term, or whether we actually traded other property in the Town of Islip, which had been in the sewer district, for that property, because there is limited capacity.
MR. GERMANO:
No. What happened, actually, with the sewer district, very briefly, is the State -- the State asked to utilize the sewer district and they built -- and the County granted the State permission to do that, and one of the reasons you did that as because they were going to abandon their leaching -- their 30 acres of leaching beds, 30-plus acres of leaching beds. So the County -- and the County extracted a substantial payment from the State; I think it was over $7 1/2 million --
LEG. POSTAL:
For clarifiers.
MR. GERMANO:
For the clarifiers --
LEG. POSTAL:
Right.
MR. GERMANO:
-- which were necessary to upgrade the entire plant.
LEG. POSTAL:
Right. And I don't disagree with any of that. I remember that very vividly. I voted on that issue. But the vote was, at least to some degree, contingent upon the plan for senior citizens housing. Yes, we got a substantial amount of funding for new clarifiers at Bergen Point, but it was based on the premise that we were going on provide senior citizens housing, independent housing, assisted living, long-term nursing care, at that site, which we felt was very necessary. I think that we made a decision here which was based on that -- the understanding that the land would be used for that purpose, and you certainly are communicating to me that you would comply with -- that

they would be in compliance with that understanding; is that the case?

00089

MR. GERMANO:
Well, you know, I can't speak --
LEG. POSTAL:
I know you can't.
MR. GERMANO:
I can't speak to that, so -- but I just wanted to mention that I believe what the actual contracts say with regard to that issue is that there was a reserve of capacity for a period of years for that purpose, but a portion of the capacity for that purpose.
LEG. POSTAL:
A portion of the capacity.
MR. GERMANO:
A portion of it, right.
LEG. POSTAL:
But, in other words, as I remember, that was the sole rationale for that.
MR. GERMANO:
No, I don't believe that. That's ---
LEG. POSTAL:
What proportion was it?
MR. GERMANO:
I don't know that --
LEG. POSTAL:
I mean, was it 20%, 50%?
MR. GERMANO:
No. I think it was less than that, but it's --
LEG. POSTAL:
Ten percent? I would be really interested and I'd be --
MR. GERMANO:
Yeah. I mean, the number is there.
LEG. POSTAL:
Yeah.
MR. GERMANO:
I just -- I don't recall what the proportion is.
LEG. POSTAL:
Well, you know, I don't have it in front of me either. I'd be interested in getting information about what percentage of capacity was reserved for that purpose, and whether your plans would include a compliance with that capacity, that percentage of capacity, that's all, that's all I want to know.

00090

MR. GERMANO:
Okay.
LEG. POSTAL:
Thank you.
D.P.O. LEVY:
Okay. I think that's it for this speaker. Thank you, Guy.
MR. GERMANO:
Thank you very much. Thank you, members of the Legislature.
D.P.O. LEVY:
Next speaker is Frank Signor.

MR. SIGNOR:
Good afternoon. My name is Frank Signor, and I am he president of the -- excuse me -- Brentwood Civic Association, and I have been asked, also, to represent the Brentwood Chamber of Commerce. Our main concern in any proposal that's before the Legislature is that there isn't any reduction in what we look forward to as an increase in our school taxes.
For years and years and years, the community of Brentwood through the fire department, and the ambulance, and various other things, have supported Pilgrim State Psychiatric Center. And now I think I heard the date mentioned, back in 1994, the study was started, somewheres, '94, '96 by the State and they did ask the community to come in, and they met with the State and the Town of Islip Planning Department over a period of must have lasted for at least a year, and there were written proposals that were developed, which the State does have, and it was part of the sale or the thought process that went into the sale. And it was to develop that property in total for commercial use, so that the benefit would be to the taxpayers, Brentwood and wherever else, Suffolk County as a whole.
We in Brentwood are 100% in favor of whoever, and I guess it's going to be Reckson, even though they haven't actually signed the closing on it yet. But whoever takes over this property, that it be developed. It's already been reduced by quite a bit through the infinite wisdom of our State by a transportation center. Originally, there was a plan, and I did go down and speak with the people at Reckson, as well as several of the other people that were bidding on the property and discussed, and they showed me some of the ideas that they had for the plan. Well, we've already taken 140 acres out of that plan. I think that's the number that the State has taken for a transportation center. Our feeling is that Reckson could have taken that land and done the same thing with it, if it was in the deed as it was sold to them.
We're asking you to leave this property in the hands of those in the the State, in the County, that are already involved in things like this. The Department of Health will have a great say on how this property is developed. We don't want another layer of government to step in, and I'm talking about you folks here. We really don't want you folks to step in and have veto power on how this property is

developed. We in Islip Town have an excellent Planning Department, and they talk to the Suffolk County Planning Department, the Highway Department on every piece of property that's developed. And as far as we're concerned, that's as far as it has to go. You can have hearings and review and everything that you want to do to say something about it, but if veto power on the development is going to be passed along to you folks, it's just one more group of people that are going to slow this thing down. It's been slowed down for years already.
We're asking you to not pass any bill that will give you all veto power on the development of this property. There is enough layers of government that are involved in it now. The people of Brentwood, as your previous speaker said, and several of you may have said, there is no -- there is no great wealth in Brentwood. This is one of the chances that we have looking to the future and we need the tax money desperately. We have a very large and expanding school district,

second largest in New York State outside of the city, and it's getting larger and larger, where we had previously gone from 22,000 down to I guess 11,000. We're up, back up to 15,000 again. And we need to build 105 classrooms on our schools, and we need the tax money that this property will provide to us.
And, as I said in the beginning, we've discussed this in our Civic Association meeting. The last thing I did before I came down here today was talk on to Mike Grant, who's president of the Chamber of Commerce, the school board. Everybody in Brentwood is for developing of this property, not willy-nilly, and it won't be willy-nilly. If you look at some of Reckson's properties around in the Town of Islip already, they're developed very well, in appearance and in health reasons, the sewage and everything else.
I'll close it off.
Please, pass -- don't pass any bill that would slow down the process of developing this property. Thank you very much.
D.P.O. LEVY:
Legislator Alden.
LEG. ALDEN:
Frank, I'd just say, it's kind of a -- it's more of a comment than a question. The discussion we had about PILOT payments and things like that, I called New York State and they verified that there's virtually no money going to the school district from any of the Pilgrim property. There's like one or two little pieces of property that do pay taxes, but it's almost an infinitesimal amount of money. So there's virtually no money going to --
MR. SIGNOR:
Well, I appreciate you checking on that. And our school board works with the State Legislators on a constant basis and they get everything that there is available to get, but there isn't that much out there.
And we are one of the poorest school districts in New York State. And this is an opportunity of a lifetime to allow this to go forward and allow the existing forms of government that would handle another piece of property to make -- to pass judgment on whether it should go forward. Okay? And thank you for your --

LEG. BISHOP:
I just want to clarify that the bill doesn't stop development and it was never intended. And we met and you know that.
MR. SIGNOR:
Yes.
LEG. BISHOP:
Okay.
MR. SIGNOR:
Well, I've never seen the bill.
LEG. BISHOP:
Oh. We've got to get you a copy of the bill.
MR. SIGNOR:
And I'm going by --
LEG. BISHOP:
Okay. It doesn't --
MR. SIGNOR:
-- word of mouth.

LEG. BISHOP:
Yeah. It doesn't stop development.
MR. SIGNOR:
Well, why are we meeting?
LEG. BISHOP:
It would have -- if the developer uses the County sewers, they would have to come here and say why it's a good plan or not.
MR. SIGNOR:
But isn't it -- I'm sorry.
LEG. BISHOP:
And so it would allow the community, in essence, an opportunity to go before a body which is very open, has a history of being the most open governmental body on Long Island, the community would have an opportunity to make their case for or against it at that time to us.
MR. SIGNOR:
But isn't there charges already being charged for the sewer district? Doesn't Pilgrim pay towards the sewer district?
LEG. BISHOP:
Perhaps. But my --
MR. SIGNOR:
Doesn't Suffolk County Community College pay towards the sewer district?

LEG. BISHOP:
I don't know.
MR. SIGNOR:
Does --
LEG. FOLEY:
Nominal
LEG. BISHOP:
Do they?
MR. SIGNOR:
Who said no?
LEG. FOLEY:
Nominal, nominal.
MR. SIGNOR:
Well, they pay. That's the price you can set on a what the price of sewage district is going to be. You don't have to pass a bill to do that, it's already there.
D.P.O. LEVY:
All right. Legislator --
LEG. CARPENTER:
Frank.
MR. SIGNOR:
There's something -- there's something more involved in this. I get the feeling there's something more than is meeting the eye. Ms. Carpenter.
D.P.O. LEVY:
Legislator Carpenter.
LEG. CARPENTER:
Frank, Legislator Bishop said that this would give you or the public an opportunity to speak to this body if they had any concerns about the project. Do you feel that the civic, you in particular and members of

the community, were part of the process when the State did the study?
MR. SIGNOR:
Yes.
LEG. CARPENTER:
And do you feel you that -- you said earlier that went to Reckson.
MR. SIGNOR:
Yes.
LEG. CARPENTER:
Do you have a comfort level, as the president of the Civic Association that represents a lot of the people in the community?

MR. SIGNOR:
Yes.
LEG. CARPENTER:
Do you feel comfortable with Reckson, that they will be and embrace that community input?
MR. SIGNOR:
Yes.
LEG. CARPENTER:
Okay. And I think that's important. Thank you.
LEG. BISHOP:
Frank, that's different than what you -- when we met. You said you that didn't see the plans and that a lot of the community was very concerned that it was --
MR. SIGNOR:
I met with the State and the State developed a written plan for that property. And when you and I met, I said I don't have it, but the State has it, the same -- you'll have to help me with the gentleman's name, Gargano?
LEG. BISHOP:
Gargano, yeah.
MR. SIGNOR:
He had it. He was down meeting with us on Long Island.
LEG. BISHOP:
So there's a development plan that you've seen.
MR. SIGNOR:
Several years ago, yeah.
LEG. BISHOP:
All right. And is that the development plan that's going forward now?
MR. SIGNOR:
I --
LEG. BISHOP:
Nobody knows, that's the point, that --
MR. SIGNOR:
Yeah, but --
D.P.O. LEVY:
Well, the first plan --
LEG. CARPENTER:
But I think --

D.P.O. LEVY:
The first plan, as we know, was thrown out.
LEG. BISHOP:

Right.
D.P.O. LEVY:
And now a second bid --
LEG. BISHOP:
A second bid went out.
D.P.O. LEVY:
-- has come forward and was recently accepted, not only went out, but was recently accepted.
LEG. BISHOP:
Obviously, I wish that the dialogue between the civic and myself had continued, because if I had known that the civic is now opposing the notion of the County sewer, you know, we wouldn't pursue it.
MR. SIGNOR:
I thought that was clear when we met.
LEG. CARPENTER:
Excuse me, if I could. I relinquished time.
D.P.O. LEVY:
Yeah, Legislator Carpenter has the floor.
LEG. CARPENTER:
But I just would suggest to Legislator Bishop that perhaps you should contact the Legislator who represents that particular civic association, because I did know that the civic was supportive of the project and wanted to see it go forward, and perhaps I could have spared you some time.
LEG. BISHOP:
Perhaps you could have contacted me if you had the information and you knew the bill was in. I mean, the point of the measure, if we were to adopt it, would be to have the development plan presented to the entire County Legislature and have the communities that are affected have input in the process. If what you're saying is that you see that as a threat to the development overall, then people will have to evaluate that. But, obviously, when we started this process, I came to you with the -- you know, with the proposal and seeking information, and I used the information that you gave me as a lot of the basis of the measure. So I hope you don't feel that it was, you know, done without your input, it was not.
MR. SIGNOR:
Well, I feel that what you had in mind and what the people in Brentwood had in mind were two different issues.
LEG. BISHOP:
Well, I wish you had invited me.

MR. SIGNOR:
I did say that.
LEG. BISHOP:
All right. Well, we'll work it out. We don't want to do something that's going to be, you know, against the wishes of the people of Brentwood.
MR. SIGNOR:
Well, again, I'm just saying we have so many parts of government right now that have a say so already on this, that we don't need to take it any further. And I just feel, if it comes up and somebody on the Legislature has something against a particular part of it, it's going

to stop right there until that gets straightened out. We have a very good Planning Board in the Town of Islip and the Suffolk County Planning Board will tell you that. They work with them all the time. And we feel that when they meet with Suffolk County, they discuss these things. And, again, you know we need the tax money, we need the tax money now. We don't need it 10 or 15 years from now, we've already been waiting a long time, and we want to see it developed. We've seen -- the Heartland was mentioned to the south of this property and that's been developed ideally.
D.P.O. LEVY:
Thank you, Frank.
MR. SIGNOR:
And we do get some tax money from that. But this is a large track of land and it's our last chance in Brentwood to attract good business and gain some tax revenue to pay for all these classrooms that we have to build for these kids.
D.P.O. LEVY:
Frank, thank you very much.
LEG. CARACCIOLO:
Steve, I have a question.
D.P.O. LEVY:
Legislator Caracciolo.
LEG. CARACCIOLO:
Do you have an estimate of how much would be raised in additional tax revenue, property taxes?
MR. SIGNOR:
I would imagine, depending on the final plan, it would vary. Just like they say, they don't have a -- we've already lost --
LEG. CARACCIOLO:
Well, the minimum, maximum estimate.
MR. SIGNOR:
We lost 140 acres already. Now, that will sit there while the State decides, a different part of the State that sold the land, decides what

-- how and what they're going to develop there or when they're going to develop it. I heard the number thrown out as $3 million in tax revenue. That's not accurate.
LEG. CARACCIOLO:
Would that be school tax revenue or all --
MR. SIGNOR:
School tax from --
LEG. CARACCIOLO:
School, additional.
MR. SIGNOR:
To the school. To the --
LEG. CARACCIOLO:
And what is the Brentwood School District budget right now?
LEG. ALDEN:
Legislator Caracciolo, would you suffer just one --
LEG. CARACCIOLO:
Well, if he -- yeah.
LEG. ALDEN:
The president of the school board's here and he signed a card.

LEG. CARACCIOLO:
Yeah, I saw -- I saw -- yeah.
MR. SIGNOR:
Right. I'd rather he answer that for you.
LEG. CARACCIOLO:
Okay.
LEG. ALDEN:
He might have some hard numbers.
LEG. CARACCIOLO:
No. I'm just curious. I think it's rather substantial. It is, I believe, the second largest outside -- well, the second on the Island, I believe. Is it Sachem is larger?
MR. SIGNOR:
Most likely.
LEG. CARACCIOLO:
Right.
MR. FELICIO:
Not any longer.
LEG. CARACCIOLO:
Not any longer? Really? Okay.

MR. SIGNOR:
See that?
LEG. CARACCIOLO:
Okay. Well, what is that figure, school budget's figure?
MR. FELICIO:
Well, I'm going to come up and speak on that.
LEG. CARACCIOLO:
Oh, I didn't -- I thought you may have spoken already.
D.P.O. LEVY:
Yeah.
LEG. CARACCIOLO:
Thank you.
D.P.O. LEVY:
Tony Felicio will be next on the list. All right. Without any further questions, thank you, Frank.
MR. SIGNOR:
Thank you all very much.
D.P.O. LEVY:
Okay. Appreciate your comments. Next speaker is Tony Felicio. Good afternoon.
MR. FELICIO:
Good afternoon, everyone. We paddled our way out here and we made it. The western end of Long Island is still above water and we're doing fine.
I'm here to bring to your attention the importance of this property at Pilgrim State Hospital. The question was asked before about the -- our budget. Our budget is $178 million and change. It's a large district. We have over 15,000 student in that district. It's very multicultural, very diverse. We have poverty in the community and we depend on State Aid to keep us above water, we depend on tax revenue to help us stay above water. We are the largest district right now on Long Island, and the largest outside the State of New York, outside of

the cities. We try to -- we try to work very hard in regard to lobbying for our State Aid in Albany. And as many of the Legislators know me from the community, they know that we're always out there trying to bring revenue into the district, because we have to find a way on relieve the burden of the tax dollars from our taxpayers.
And I can understand how important it is that environment be kept intact. We're all in favor of the environment and we all believe in the environment. We believe the groundwater should be kept clear and pure. But there's got to be a balance. There has to be a balance where we have our environmental issues taken care of, but we also, we also have to take care of our taxpayers who are struggling with taxes.
I mean, the STAR Program helped very much. Brentwood has worked very

hard with receiving State Aid and being fiscal -- fiscal management in our community, and we've reduced our taxes four years in a row in the Brentwood School District, and -- but that -- we're working at that.
But now this, this project at Pilgrim would be such a boon for the Brentwood community. The figure that you're looking at, I know Frank didn't have the figure right off the top of his head, but the figure you're looking at, you're looking at maybe $15 million coming into the community to help us reduce our taxes, that would help the school district.
I met on the first go-around with this project and we saw plans, we saw plans. We saw plans of an industrial park, we saw plans of a senior citizens complex, and it looked great. Everybody was getting something. Okay. The thing that we have to consider is that we don't want to cripple the entire project. We don't want just to have open space; okay? We need -- we need more than that. We need to bring in the industry. You take Hauppauge. We're right across the street from Hauppauge. They have one of the lowest tax rates in the County because of the industrial park that is there. So that's what we're looking for. Are with selfish? Maybe we are, but we got to protect our taxpayers and that's what we're trying to do. I think that it is very important that our taxpayers get that relief.
Now, I know this is not going to happen overnight. Some of us may not even be here by the time this project is completed and the revenue starts coming in, the tax money starts coming in. You know, I don't know when it's going to be, but we got to start. Okay? Now we have a chance to start this project, because it's on the table. So all I'm asking you is, each and every one of you, if you just think about that, think about the revenue that we need in our community and do not cripple the entire project.
LEG. D'ANDRE:
Mr. Chairman.
MR. FELICIO:
Thank you.
D.P.O. LEVY:
Legislator D'Andre.
LEG. D'ANDRE:
From what I know, Jerry Wolkoff built in Hauppauge in our town.
MR. FELICIO:
Jerry Wolkoff is in --
LEG. D'ANDRE:

He went out of there with a very good reputation.
MR. FELICIO:
Jerry -- yeah. He's in Brentwood, too, Edgewood, the Edgewood, sir.
LEG. D'ANDRE:
I support him 100% because of his reputation in Hauppauge.

MR. FELICIO:
Okay.
LEG. D'ANDRE:
We live much better by having him work in Hauppauge than without him.
MR. FELICIO:
Okay. Thank you.
LEG. D'ANDRE:
Just to give you a little comfort.
MR. FELICIO:
Thank you. Thank you. Thank you very much.
LEG. FOLEY:
Mr. Chairman.
D.P.O. LEVY:
Legislator Foley.
LEG. FOLEY:
Mr. Felicio, it's good to know that up-Island from here, everything's above the water line, as they say. So that's good to know, even though the tide is rising in the Peconic River as we speak. But get back to the point about revenues for your school district and how important that is for your particular school district to help the student achieve in a better learning environment. One of the -- I'm sure you're aware of this, but let me just state for the record that one of the concerns that I have seen expressed or heard expressed throughout the County, particularly with school districts that are looking for increased revenues from their property tax base, and one of the concerns that you must have for the Brentwood property, is the common use of tax abatements to induce businesses to come to a particular area. And what's happened in high tax, low wealth districts throughout Suffolk is that there have been industries brought into those school districts with the promise of revenues, but what's happened is whichever town IDA Board it might be, or the County IDA Board, it's delayed revenues or deferred the revenues that would come to that school district because of the aggressive tax abatement practices. So I know you know it already, but just let me get it off my mind. It's just to be ever cautious about that, be ever ready to be on guard about that, because, otherwise, it's a common practice that we've seen in other areas, and, yes, it has brought industries into an area to bring jobs, but, at the same time, and I've seen it hurt school districts because it's deferred the promises of revenues by as much as ten years. So it's something that, since that's uppermost in your mind, the revenues to the school district, to make sure that whoever does this project or projects over in Brentwood, that they be very prudent in their use of tax abatement inducements.
MR. FELICIO:
Thank you, Legislator Foley, for the information.
D.P.O. LEVY:
Thank you very much, Tony.

MR. FELICIO:
Okay. Thanks very much. Thank you.
D.P.O. LEVY:
I believe that's all for this particular public hearing. Is there anyone else who wanted to speak who did not sign a card? There being none -- Chief Otto?
CHIEF OTTO:
Yeah.
D.P.O. LEVY:
You want to speak on this resolution?
CHIEF OTTO:
I filled out a card.
D.P.O. LEVY:
On this issue? On this hearing?
CHIEF OTTO:
No. I'm sorry.
D.P.O. LEVY:
Okay. I'll make a motion. Well, Legislator Bishop, where did he go?
LEG. FOLEY:
David, you want to close or recess, please?
D.P.O. LEVY:
Sarah, did you want to speak on this?
MS. MEYLAND:
Yes, if you don't mind.
D.P.O. LEVY:
Sarah, state your name and --
MS. MEYLAND:
Thank you.
D.P.O. LEVY:
-- organization for the record, and the Clerk has it.
MS. MEYLAND:
Thank you. My name is Sarah Meyland and I'm the Executive Director of Citizens Campaign for the Environment, and I'm here to speak on behalf of the resolution, the local law being considered today. I was here last time there was a public hearing and I spoke to you about the need to protect both local environmental quality, as well as larger groundwater protection issues. This is a special groundwater protection area. It sits over part of the most important deep recharge areas in Western Suffolk County.
Hearing many of the speakers who have addressed you today and at the

last hearing, I'd just like to make the point that this is a very balanced approach to looking at future growth in Western Suffolk County. It does not stop development, it does not preclude development, it simply identifies the important significance of this area, both for local habitat as well as groundwater protection. It provides for the most thorough oversight of development proposals and projects for this land that really serves the bulk of parts of Babylon and Islip as important groundwater recharge, and the water that originates here will flow to much of the western South Shore communities in those two towns. It also will ensure that any sewer service that is allowed for this future expansion will, again, be

thoroughly reviewed, will ensure that there is adequate capacity, and that the sewer system can appropriately and properly service any growth that occurs on this site. It is really a good way to ensure that the public interest is fully protected as this land makes a transition from present public ownership to some future private use. And so I thoroughly endorse this proposal and urge you to accept it.
D.P.O. LEVY:
Legislator Alden.
LEG. ALDEN:
I just have a question. Are you peeking about the parcel of undeveloped land, or are you speaking about the Pilgrim Psychiatric Hospital land?
MS. MEYLAND:
I think they're both included in the boundaries here.
LEG. ALDEN:
But you made made about recharge and that. The land right now, Pilgrim, have you driven in there? Because it's all developed.
MS. MEYLAND:
It has a number of buildings on it, but the land itself continues to operate as a recharge area, and that won't change, whether it has a present building on it or it has future buildings on it. The geographic location ensures that this is a deep recharge area and, therefore, activities in the future will have a direct impact on the quality of the water that just recharged from the site.
LEG. ALDEN:
Okay. Because I've driven that property and there's a whole system of roads, there's tunnels, there's buildings on almost all the area that has been involved in the Pilgrim Psychiatric Center. So I'll accept your -- you know, your answer, so thank you.
D.P.O. LEVY:
Thank you, Sarah.
MR. MEYLAND:
We have a motion to close by myself at the request of Legislator Bishop, second by Legislator Foley. In favor? Opposed? The hearing is closed.
Resolution -- Public Hearing 1293, authorization of approval of

establishment of rates for Beach Taxi, LLC. We have no speakers on this particular resolution. Motion to close by myself.
LEG. ALDEN:
Second.
D.P.O. LEVY:
Second by Legislator Alden. In favor? Opposed? Motion carries. Public Hearing 1419, calling a public hearing for the proposal to form Suffolk County Sewer District No. 13. We have no cards. I'll make a -- do we have any cards? Anyone -- motion to close by myself.
LEG. FISHER:
Second.
D.P.O. LEVY:
Second by Legislator Fisher. In favor? Opposed? It's closed. Public Hearing Number 1453, a charter law establishing common sense capital project sunset policy.
LEG. CARACCIOLO:

Motion to close.
D.P.O. LEVY:
Motion to close by Legislator Caracciolo, second by Legislator Caracappa. In favor? Opposed? Carries. It is closed.
Public Hearing 1457, a local law to authorize immobilization of "deadbeat" parent vehicles. Legislator Carpenter? Motion to --
LEG. CARPENTER:
To close.
D.P.O. LEVY:
-- close. Second by Legislator Caracappa. In favor? Opposed? Carries.
Public Hearing 1522, a local law to increase fines for violations of Suffolk County Occupational Licensing Laws. Anyone here to speak on this? None? Motion by myself to close, second by Legislator Postal. In favor? Opposed? Motion carries.
Public Hearing 1571, a local law to establish a comprehensive police for County Affordable Housing Opportunities. We have a number of speakers starting off with Sister Rose Sheridan again. Welcome.
SR. ROSE SHERIDAN:
Good afternoon. I have some more material from this morning.
D.P.O. LEVY:
Just give it to the Clerk, please.
SR. ROSE SHERIDAN:
We didn't have enough of these. Yes, good afternoon. I am here, as you mentioned, in support of resolution -- resolution adopting a local law to establish a comprehensive policy for County Affordable Housing

Opportunities Program. At this point, I'm representing Catholic Charities. I'm here to support the resolution. As many folks here may know, our Bishops of United States remind us that decent housing is a right. As teachers and leaders, we have the responsibility to articulate the principles and values that govern the Church's concern for housing. We believe that each individual possesses and inherent dignity and priceless worth, because he or she is created in the image of God. Human dignity and development are threatened whenever social and economic forces imprison or degrade people. We cannot ignore the terrible impact of degrading and indecent living conditions on people's perceptions of themselves and their future. The Bishops continue, "The United States is in the midst of a serious housing crisis. It touches millions of poor families who live in inhuman conditions, but it also involves many middle income families, because ability to provide for themselves with decent housing is becoming painfully tested."
This statement, Ladies and Gentlemen, was made in 1975 in a pastoral letter entitled "The Right to a Decent Home." How sad to note that 25 years later, the picture has not changed, perhaps it may be worse. It is with these needs in mind that we fully support this resolution.
If you were to visit any of the 95 parish outreach centers on Long Island and you were to ask what is the number one need in this community, the answer would be affordable housing. We are proud to say that Catholic Charities has been given the opportunity to provide 1,300 units of affordable housing on Long Island. However, we have 77 -- 6,700 applications on file.
We applaud the wisdom of County Executive Robert Gaffney and Presiding

Officer Paul Tonna in proposing this resolution. We urge the members of Legislature to provide their enthusiastic support. Thank you.
D.P.O. LEVY:
Thank you. Sister, I just want to ask you a question, if you were familiar -- well, before I get to that, I think it's near unanimous amongst the Legislature that we applaud an initiative that will try to lead to more affordable housing. I know that some of us, however, have raised questions as to the details, because people are seeing the project in its generic form due to the heading of the resolution, which says, "Promoting more affordable housing." When had look into the details, there is a part of the plan which allows for the plowing over of virgin undeveloped lots for housing, and there's a feeling amongst many Legislators, while we want to move forward and spend the money for more housing, we'd prefer the policy to be directed toward those areas that are already developed and are in a state of disrepair, where we can refurbish those areas and have other innovations, so that we don't have our housing policies in conflict with our environmental policies. And I don't know if you're aware of that, but I just want to see if you understand our perspective, that what we want to do is, yes, spend this money for affordable housing, but we may want to tinker with this, so that we're not, as a County, going into the development business where we're knocking over trees and now becoming builders on undeveloped land. We want to go toward the developed land. And I'm wondering what your thoughts are regarding that.

SR. ROSE SHERIDAN:
Well, I don't know if my thoughts represent all of Catholic Charity's, but I wear several hats and one of that is we have several committees on the environment and one is in Suffolk County, and I'm very concerned about that issue, and certainly -- I would certainly agree that we would use the sort -- kind of brown fields first before we would move into --
D.P.O. LEVY:
Right.
SR. ROSE SHERIDAN:
-- the green fields.
D.P.O. LEVY:
Nicely said. I wish I thought of that that, that line. Good catch phrase.
SR. ROSE SHERIDAN:
Well, they aren't exactly brown fields, but it's similar to that idea. But, yeah, there may be some need. And Mr. Sanseverino, I spoke with him on the phone about precisely that. He said he had been talking to different environmentalists about this and he thought that they had come to some kind of agreement in a sense. Maybe that's it, the point that we would certainly try to focus on the use of the brown fields idea.
D.P.O. LEVY:
Okay. Just so you know, and I'm glad to get your comments on the record, that's important, because at least we'll be heading in the same direction in this regard. Thank you, ma'am.
SR. ROSE SHERIDAN:
Thank you.

D.P.O. LEVY:
Next speaker, Robert McMillan from the Long Island Housing Partnership. Welcome, Bob.
MR. MC MILLAN:
This is one, if -- this is one, if Larry Levy were here, he'd probably join with me, but --
D.P.O. LEVY:
That and the ball bark. You're two for two in the last week.
MR. MC MILLAN:
Right. Okay. Mr. Presiding -- Deputy Presiding --
LEG. GULDI:
Whatever he is.
D.P.O. LEVY:
Officer.

MR. MC MILLAN:
-- Officer and members of the Legislature --
D.P.O. LEVY:
I've been called worse by Guldi.
MR. MC MILLAN;
-- many of you that I know very well over the years, I thank you for giving me this opportunity.
MR. MC MILLAN:
My name is Bob Mc Millan; I'm Chairman of Long Island Housing -- is it not on? My name is Bob McMillan; I'm chairman of the Long Island Housing Partnership. Long Island's booming economy has contributed to an acceleration in the need for affordable housing. The medium price of a home on Long Island has reached some $200,000, and, as a result, very few young families can save the $40,000 required for down payment and closing costs to buy a home. Affordable rental units are almost nonexistent. As a result, it's become increasingly more difficult for two things, for companies to recruit new employees to come to the Island, and many of our children and grandchildren, including my children, have left the Island for some other area of the country where there is affordable housing. For that reason, the proposals of County Executive Robert Gaffney have recognized the challenge and they should be supported. The proposed bill -- the proposal builds upon existing programs and features a request for $20 million over two years for the purchase of land on which affordable housing can be constructed.
A major part of the initiative has a direct connection with the concept of smart growth. Priority would be given to using the funds for the acquisition of properties where significant infrastructure, like roads, sewers and water systems already exist. In my judgment, but I can't speak for the County Executive, I think farmland would certainly have a very low priority, or should have a low priority in this program. But I do think there are areas, for example, where the Long Island Housing Partnership is now developing in North Bellport, where we were fortunate to come across tax foreclosed properties that the Legislature, in its wisdom, transferred to the Town of Brookhaven, and we are now building on those sites. And I don't think -- and I understand, Mr. Levy, your concern about, you know, just moving into places that are environmentally sensitive. But a place like North Bellport, where we are actually building on what I call scattered lots

that had been tax foreclosed, and they're sitting there empty, with houses on either side, a very similar situation, by the way, in Islip, where we have done a lot of scattered site construction.
So I would hope that if this is going to be tempered, that we take into account your valid observation about the green fields versus the brown fields, which I thought was a great comment, but also take into account that there are these other sites that are in the the center of already developed housing structures, and so we have to I think be very careful on how we amend the proposal.
The other thing that I like about building in the downtown areas is the fact that it revitalizes the areas for shopping. The project that we have underway in Bay Shore and Smith Street, where two blocks have been

taken down, we're revitalizing Smith Street. When that's completed, it will put people back on Montauk Highway where, right now, there's a boarded up store after boarded up store. And I think that we not only get tax revenue, we provide opportunities for people to live, we provide construction jobs, and then I think we put people back on the streets shopping.
In addition, the County Executive's proposal wisely says, if you sell the house, that the amount that was paid for the property has to go back into a revolving fund, and, therefore, the -- in effect, there's a fund in perpetuity to keep building upon.
I believe the County Executive should be applauded for these initiatives. And paraphrasing former Mayor Fiorello LaGuardia, there is no Republican or Democratic way to build affordable homes, it's the right thing to do. That's the end of my statement.
D.P.O. LEVY:
Thanks, Bob. Maybe, if I could just ask you a question, and then I'll go to Legislators Carpenter and Alden.
LEG. ALDEN:
No cannonball comments.
D.P.O. LEVY:
No cannonball?
LEG. ALDEN:
No cannonball down Main Street in Bay Shore comments.
D.P.O. LEVY:
Maybe there's a way, and you make a point about some isolated vacant plots in between others, developed plots, or maybe there's a way to make exceptions where those particular resolutions come back to the Legislature with like a supermajority vote or something that we can at least keep tabs. What we don't want to do is open up the entire floodgates to allow any virgin property to be used for this. So maybe there's some kind of compromise in that regard.
MR. MC MILLAN:
I think you have to really be sensitive to this, not only in the North Bellport area, but there are some sites, for example, that have been empty forever, but they're not farm fields. They may be next to a mall, maybe next to some other run down strip mall, for example. That's another area where I think that these funds could go to. But I would really urge you to be sensitive not to preclude the use of property that it would make sense to build on. We are not here -- and, by the way, one thing we decided a long time ago was the housing

partnership. If people don't want us, we go somewhere else, because we feel that the nature of what we do is not to picket for housing, it's to build the housing and be able to put people in the housing that we build, and we'd rather be working with government than be confrontational, and that's been our approach from the beginning. But I'd be very sensitive to this area, that you don't close off opportunities where the opportunities really should be -- should exist.

D.P.O. LEVY:
Thank you. Legislator Carpenter?
LEG. CARPENTER:
Thank you. Bob, I have seen the two-family housing that was done in Bay Shore, the owner occupied, with the senior residing in the rental apartment. And Jim has said, Jim Morgo, that it's a little problematic in getting approvals for that from the community sometimes. And I'm just wondering if there is anything that we can do, or that you could suggest, or that you could have your -- members of your board advocate for seeing more of that. Because I think if people could see firsthand how extremely effective that is, not only in the first-time home buyer and young person who might otherwise not be able to afford the overhead of a home if they did not have that rental apartment, and then having the senior residing in an apartment where there's an opportunity for a long-term relationship with a young person where they really develop a close bond.
MR. MC MILLAN:
Just take anyone here or anyone that you know to one of the facilities, one of the two-family homes that we built. But, you know, things have changed. When I started the Housing Partnership in 1987, some of my Republican friends in Nassau County thought I was a socialist. Now that's really, if you think of that, that's kinds of a strange term to come up with regard to Bob McMillan. But at the same token, things have changed. And you know what happened? Their children have moved away, their grandchildren have moved away. And you know what? You take a look at the latest poll in Newsday, which was less than a month old, overwhelming support for affordable housing, and that's because -- not because we are inviting people from all over the world to live here, but we're talking basically about our own children and grandchildren. And I want to tell you, if you've never attended one of the lotteries of the housing partnership, show up at one of those lotteries and see the tears streaming down the faces of the people who are fortunate enought to be able to win a home. And, unfortunately, isn't it unfortunate that we have to take a lottery to allow somebody to buy a home?
LEG. CARPENTER:
One more comment, if I could. When you talk about affordable housing, I think, too, in addition to the homeownership, the affordability of rental housing is equally as crucial. Would you agree with that?
MR. MC MILLAN:
The affordable --
LEG. CARPENTER:
The affordability of rental housing.
MR. MC MILLAN:

Oh, rental. I mean, that's what I said in my statement, that rental housing is almost nonexistent, almost nonexistent.
LEG. CARPENTER:
These two-families go a long way to address that.
00109
MR. MC MILLAN:
Yes. And the two-family is a way to go. Again, it takes community acceptance.
D.P.O. LEVY:
Legislator Alden to, be followed by Legislator Caracciolo.
LEG. ALDEN:
I made a statement to Legislator Postal the other day that maybe we need to modify this and take the ranking criteria that we've already established in planning for sensitive -- for protecting sensitive property. And if we excluded any property that would fall within certain parameters that we've already established and allowed development even on other properties that don't fall into our parameters, that might be a way to compromise and actually protect the -- you know, the virgin forest or the -- you know, like the more sensitive type of properties. Would you be supportive of that type of restriction?
MR. MC MILLAN:
You know, Mr. Alden, I'd like to see it specifically, but, basically, I would say yes. I may have my friends behind me ready to clobber me, but I do think, yes, we have to worry about protecting the environment, but let's be sensible about it if there's some property that's sitting there that maybe could develop ten homes. And, by the way, that's North Bellport. I want to tell you the difference. If you have any doubt, go to North Bellport, look at some of the homes we developed. We put a scattered site home, and you know what happens, homes around it get better. People start to pick up the debris, they start to improve their homes. And then now this new section that we're building happens to be on an area that I believe the amendment would preclude, and it's in the middle of a residential area, but it happened that it was never developmed, frankly, because it was in North Bellport.
LEG. ALDEN:
It would have excluded about a third of the property that went into College Wood, also. So maybe some kind of compromise can be worked out on it. Thank you.
D.P.O. LEVY:
Legislator Caracciolo.
LEG. CARACCIOLO:
Hi, Bob.
MR. MC MILLAN:
Hi.
LEG. CARACCIOLO:
How many additional housing units do you believe this $20 million would add to the inventory?
MR. MC MILLAN:
You know, I really would leave that perhaps up to Mr. Jones and the others. But let me tell you, one of the concerns, when you do smart
00110
growth in downtown development, like we're doing in Bay Shore on Smith

Street, it's a major challenge, because even with the cooperation -- and, by the way, we've had the cooperation of the Town of Islip, full cooperation. It's taken us four to five years to get this development off of the ground, even with government cooperation. The result is look at what's happened to building costs, labor costs in the last four or five years, they escalated out of sight and we really got trapped in some very old estimates that hurt us dramatically in getting this development going. Now, it is going again. There have been a lot of supportive efforts on the part of the State Legislature, on the part of the Town of Islip, but I would just say that getting things done quickly is important, but, also, this development in downtown areas, I believe, is very important and it will be very costly.
LEG. CARACCIOLO:
You touched on two issues that are really paramount to the success or failure of this program and that is, A, town participation, because towns control local zoning, local land use, and two, the community's involvement and acceptance. You've mentioned two communities, Bellport, North Bellport, as well as -- I'm familiar with College Woods and a couple of others. What is the current definition of "affordable housing" and what price range are we talking about?
MR. MC MILLAN:
By the way, we also have a major effort underway in Riverhead as well --
LEG. CARACCIOLO:
Right.
MR. MC MILLAN:
-- as you probably know. Right now, 75 to 89,000 is where we come in with most of our units based on a subsidy from the State. Sometimes we've been supported by infrastructure improvements. We didn't need all the infrastructure on Smith Street, but we did need some roads and curbs. And so it's hard to say. It depends on what kind of support we get. But, basically, we're talking 75 to 89,000 for a three bedroom, bath and a half, usually on a slab, living room, dining room, kitchen, and really quite attractive places that, again, tear at your heart when you see people move into them.
LEG. CARACCIOLO:
Right. I've seen some of that -- I saw some of that coverage on News 12 recently.
MR. MC MILLAN:
Yeah.
LEG. CARACCIOLO:
In terms of additions to these basic homes, are they permitted? In other words, once the owner occupies the residents --
MR. MC MILLAN:
Yes. Within zone --

LEG. CARACCIOLO:
-- are they allowed --
MR. MC MILLAN:
Yes. Within the zoning laws, they can add on, they can -- they can do -- but under our deed, they are always on the affordable level, so they must be again sold as an affordable house. Interestingly, and Peter Elkowitz is here from the Housing Partnership, can correct me, I

think from the beginning, we've had one house that the mortgage has been to foreclosed on. And I think that's quite a record, showing that people get into the homes, they -- mortgage counseling, I could go on and on, but mortgage counseling is another critical element of what we do.
LEG. CARACCIOLO:
Is there a prerequisite for means tests in terms of the applicant or --
MR. MC MILLAN:
Yes, yes.
LEG. CARACCIOLO:
There is.
MR. MC MILLAN:
They have to produce tax forms, they have to -- they have to be able to -- based on the affordability guideline. Peter, now what, family of four is 50,000?
MR. ELKOWITZ:
Around 50,000.
MR. MC MILLAN:
Around 50,000 for a family of four. But, yes, you must fit within the means test, yes.
LEG. CARACCIOLO:
And I'm sure you've identified the need, in terms of you said, you know, if you had probably -- you didn't say this, but, obviously, if you had more units, you'd have many more times applicants for them. Do you know what the current inventory you would need to satisfy the demand?
MR. MC MILLAN:
I think Lee Koppelman has estimated, based on some real surveys, that at least 50,000 units would be required on Long Island to meet the current demand, and, really, to stop the growth of illegal two-family homes, which I think should be as much a concern to a community as building an affordable home, where somebody moves into it and pays a mortgage and pays taxes.
LEG. CARACCIOLO:
Right. Thank you very much.
MR. MC MILLAN:
Thank you.

P.O. TONNA:
Okay. Any other questions? Hi. How are you? Any other questions? No?
LEG. CARACAPPA:
Thanks, Bob.
MR. MC MILLAN:
Okay. Thank you very much.
P.O. TONNA:
Thank you, sir.
LEG. FOLEY:
Thank you, Robert.
P.O. TONNA:
Peter Elkowitz? Is that correct, Pete?
MR. ELKOWITZ:
That's correct. Good afternoon, Presiding Officer, members of the

Legislature. My name is Peter Elkowitz and I'm the Executive Vice President of the Long Island Housing Partnership and the Chief Fiscal Officer. On behalf of the members and all those persons assisted by the Housing Partnership, I'd like to thank you for the opportunity to appear to support the County Executive and County Legislature in establishing a comprehensive policy for affordable housing opportunities in Suffolk County. As you heard previously by Bob, Bob's our chairman and founding father of the Partnership, let me just give you a little briefing about the partnership.

In December of 1987, during the height of the last real estate boom, Long Island business, religious, educational and professional leaders joined to form the Long Island Housing Partnership. They did so because they realized that the Long Island community was losing its most important natural resource, its young people. Young people nurtured and educated on Long Island leave, because they cannot afford to live here, and the most expensive item forcing this migration is the cost of housing here in Suffolk County. While LIHP has developed over 500 units of affordable housing since the time and has provided support services to over 1,000 Long Islanders, the high cost of housing still remains a factor, and which has an impact on the shortage of Long Island workers. With the help of its various public and private partners, and Suffolk County has been a significant partner, LIHP helps provide housing for Long Island's young workforce.

Some of the most successful affordable housing development programs administered by LIHP have been on land provided by Suffolk County via the local municipalities. LIHP is also working with Suffolk County on the Employer Assisted Housing Initiative, a creative endeavor wherein the County, employers and LIHP join together to provide down payment assistance and mortgage counseling, thereby making housing more affordable, so that workers can be attracted to be retained on Long Island.

Mortgage counseling is very important in our field, because it retains

people in their homes. We also work with them when there's a problem with default to keep them in their homes. The current Suffolk County proposal builds on your commitment to provide affordable housing by making land available at nominal cost. The housing initiative currently being proposed by Suffolk County will result in many benefits, including an opportunity for Suffolk County, local municipalities and the not-for-profit to work in partnership to create additional affordable housing, an inventory of properties such that they can be placed -- excuse me. An inventory of properties that can be used for both affordable homeownership and affordable rentals, the recycling of foreclosed properties such that they can be placed back on the tax rolls. Revitalization and redevelopment of existing developed and underutilized properties such as strip malls and downtown areas to further smart growth initiative -- I heard that word a few times this morning -- this afternoon already -- and the establishment of a revolving fund, which in turn, will allow for other future affordable units to be developed.

In addition, this initiative, coupled with the $20 million bond, will allow the County to acquire necessary land for affordable housing. As a not-for-profit affordable housing provider, I can tell you from

experience that affordable housing is not only a social good, it is an economic good. By approving this legislation, the County Executive and each Legislator can be proud that he or she has assisted not only those in need of affordable housing, but has also contributed to the strength of the Long Island economy.
Again, I thank you for your support.
LEG. HALEY:
Mr. Chairman
LEG. FISHER:
Thank you, Mr. Elkowitz.
LEG. HALEY:
Mr. Chairman.
P.O. TONNA:
Yes, Mr. Haley.
LEG. HALEY:
A question.
P.O. TONNA:
Sure.
LEG. HALEY:
Hi. How are you?
MR. ELKOWITZ:
Good. How are you doing?
LEG. HALEY:
Could you do me a favor and define "affordable housing"?

MR. ELKOWITZ:
Affordable housing is defined -- normally, they use the HUD guidelines of someone making approximately 80% of median income for -- based on their family size. Okay?
LEG. HALEY:
An example would be?
MR. ELKOWITZ:
Someone coming in -- the median income for the Nassau-Suffolk area is 76,500; 80% of that figure, which is about 56 and some change.
LEG. HALEY:
And that would probably be for a family of four?
MR. ELKOWITZ:
For a family of four.
LEG. HALEY:
That's what we're talking about affordable housing. We're not talking about housing for the poor, we're talking about our average Joe and Jane out there with a family trying to support housing, to get housing in --
P.O. TONNA:
Right.
LEG. HALEY:
-- probably would be what would be the American dream, in a residential, or, you know, out in suburbia in typical subdivisions and the like.
The question -- another question I have is, of the 500 plus houses that you have built to date, have they been Subdivisions, downtown areas, single and separate lots by themself? Give me an overall description of what that is.

MR. ELKOWITZ:
Sure. It has varied. We initially started off on scattered site development on in-fill lots. Our first two projects or programs that we developed were 11 units and 42 units on scattered sites. We continued on to doing some clustering out in Manorville, 72 units. We've done 66 units on a cluster in North Middle Island in Brookhaven. We're in the process of developing 78 units, as Bob mentioned earlier, in Bay Shore. We've done scattered site in Riverhead, five scattered site. We're now looking at 17 additional homes in Riverhead, thirteen of those will be a subdivision, four will be on scattered site. So we vary, depending upon -- in some of our programs, we look at the land that's available and how we can actually develop it for the best purposes intended.
LEG. HALEY:
Okay. And would you -- obviously, there's some subsidies to this as that would be -- would that be the Affordable Housing Corporation?

MR. ELKOWITZ:
There's various subsidies out there. The New York State Affordable Housing Corporation provides up to $25,000 in subsidy per unit. In addition, when the price of land, which is high on Long Island, which we all know, becomes too high to make these homes affordable, we have to go into blending of other subsidies. We've used subsidies such as New York State Division of Housing and Community Renewals housing trust funds or the home funds that are federal funds. We worked on using community development block grant funds. We've worked on going to private sources. Our own members have provided us with the source of funds, as well Federal Home Loan Bank.
LEG. HALEY:
And do most of these subsidies tend to decline after ten years?
MR. ELKOWITZ:
It depends on the subsidy. Most of them tend to decline over a certain earn period. For example --
LEG. HALEY:
That's -- excuse me. That's meaning that the equity that -- the additional equity that's built into -- that was provided for by this grant diminishes over a period of time, so that if they, for instance -- I know the Affordable Housing Corporation over a ten-year period, if they say in that house at the end of ten years, all of those monies that were granted, that they got in the form of a grant, was theirs, is their equity, it's everything. And everybody who's involved in all of these particular programs, in any case, still pay the going rate for property taxes; do they not?
MR. ELKOWITZ:
That's correct. Most of our -- most of our properties, except the North Bellport properties, are fully assessed units. They go back on the tax rolls once the units are complete and a person moves into them and they do pay taxes. The people also who purchase the homes have to be able to support their mortgages and we verify that through having to come into the office and work with them on mortgage counseling. But the subsidies themselves, depending upon the -- in some programs, the amount of subsidy that goes in from that source, depends upon how long the retention period is on the property.

LEG. HALEY:
Good point about North Bellport. So there are circumstances where you not only are providing affordable housing, but you've revitalized some neighborhoods, typical subdivisions, suburbia-type areas.
MR. ELKOWITZ:
Most of the areas, our biggest challenge right now is Bay Shore and revitalizing the downtown area of Bay Shore with housing.
LEG. HALEY:
But, also, outside of what we commonly would refer to as downtown areas.
MR. ELKOWITZ:
Right.

LEG. HALEY:
Thank you.
P.O. TONNA:
I have -- somebody else wanted to go? I have a terrible memory for this. If I'm not mistaken, my reading of the bill, 1571, limits it to first-time homebuyer, right? Just -- I just wanted to ask a question. Is that somewhat restrictive in the sense that I can think of a possible scenario where here is a married couple who divorces, and now a woman has to -- sole source of income, now is raising -- maybe having custody of her child and now she's already owned a home before, but now she's in a different economic situation and she's in a different situation as far as owning a house by herself.
MR. ELKOWITZ:
I'll give you the definition. It's really based upon the funding sources as well. But we look at a person as a first-time homebuyer as not owning a home within the past three years. We have given special consideration to conditions that you're mentioning in a single parent situation, depending upon -- again, the whole intent of someone getting an affordable home is that they couldn't be able to purchase it on the open market in the normal marketplace.
P.O. TONNA:
Right. But I'm just wondering, I mean, this is public hearing point, might we strengthen the language or be able to in the law, in the bill itself, strengthen the language to create those exemptions? I mean, you know, when you read statistically that actually single mothers are probably the one have not -- during this economic boom, have -- you know, their medium income or their income has actually gone down since the 1980's. I would think that we'd want to make sure that -- it just says first-time homebuyers. There is nothing in -- there is nothing in the language of the bill that creates that exemption. A woman just gets divorced, forget about three years --
MR. ELKOWITZ:
Right.
P.O. TONNA:
A woman gets divorced, okay?
MR. ELKOWITZ:
Right.
P.O. TONNA:
She's out on the street. The ex-husband took off to Tahiti, all right, and here she is having to raise two, three kids, she now has to get a

job, she gets her job, she's back in the workplace, but she has no place to live.
MR. ELKOWITZ:
I've got to tell you, we at the Partnership have asked for waivers of that regulation from the funding sources in the past. The flexibility to do that would be much appreciated.

P.O. TONNA:
Well --
LEG. ALDEN:
Paul.
P.O. TONNA:
Okay. Cameron, I'm not an attorney, so, you know, but I'm just saying, you know --
LEG. ALDEN:
Don't start. Don't start. Would it strengthen the bill if we put in, "As defined by New York State Affordable Housing Corporation"?
P.O. TONNA:
Or with the exception of waivers, or whatever? In other words, I just want to make this thing --
MR. ELKOWITZ:
Yes, as defined by the -- we go by the SONYMAE regulation and --
P.O. TONNA:
Let's strengthen the bill, then.
MR. ELKOWITZ:
Yes.
LEG. ALDEN:
So that strengthens the bill with definition, but, also, you would want to see an allowance for waiver, right?
P.O. TONNA:
Yeah, I want --
LEG. ALDEN:
Okay.
P.O. TONNA:
And the County Executive's people, since you're here, you're always here, I know, you're omnipresent, you know, if you're listening, Big Brother back there listening, just make sure that we have a corrected copy, all right, so that we can make -- and I don't -- I don't think there should be a problem with that, right? That doesn't change -- that helps strengthen what we're doing here?
MR. ELKOWITZ:
No. Actually, one of our 72 units, we had almost 70% single families and --
P.O. TONNA:
Right.
MR. ELKOWITZ:
It helped.

P.O. TONNA:
Okay. Thank you.
MR. ELKOWITZ:
Thank you.
P.O. TONNA:

Okay. Any other questions? Okay. Thank you very much.
MR. ELKOWITZ:
Thank you.
P.O. TONNA:
Okay. Marianne Garvin? Garvin? Did I say it right?
MS. GARVIN:
Yes, Garvin. Hi. I'm Marianne Garvin.
P.O. TONNA:
Hi, Marianne.
MS. GARVIN:
Executive Vice President of Community Development Corporation of Long Island. Good afternoon. I'm very grateful for this opportunity to speak with you today. Community Development Corporation is a 31 year old not-for-profit, and we have been doing affordable housing for that entire period of time.
LEG. FISHER:
Marianne, can you put the mike a little closer to you?
MS. GARVIN:
Sure.
LEG. FISHER:
It's hard to hear.
MS. GARVIN:
Is that better?
LEG. FISHER:
That's better. Thank you.
MS. GARVIN:
The corporation right now runs many different programs related to affordable housing, including single family development for first-time homebuyers, and multi-family development for rental housing, using the Tax Credit Program. Just two weeks ago, we had a ribbon-cutting on a 256 unit senior housing development in Port Jeff Station. And we applaud the concept of this law that will enable layering of funding. That's really critical, I believe, to affordable housing. I won't go into -- I had prepared notes to talk about the economy, but I think that's been covered.
As our economy has boomed, the price of land has gone up and the price of putting together a successful affordable housing development has

gotten more difficult. Putting a package together and putting the financing together to make a housing unit affordable is -- has become more difficult, and the addition of this County program, which will allow us to underwrite the cost of the land, is really going to, I believe, make the job of the not-for-profits out there and even the for-profit developers much easier. There is a lot of collaboration that goes into putting an affordable housing program together, collaboration of the public, state, federal dollars, and collaboration between for-profit and not-for-profit developers. The addition of this program will, I believe, enhance the other programs that Peter Elkowitz was talking about. The Tax Credit Program in particular is singled out in the law, and I think that program, which encourages private investment from corporations in the realm of affordable housing, does hot cover the price of the property that is excluded from bases on a tax credit job.

There was some discussion earlier about including vacant land in the bill. I think that that should be included. I think it adds flexibility for the developers out there who are putting these packages together. The Wood Crest Estates that I was talking about earlier in Port Jeff Station was built on a piece of vacant land. It's right on 347. It went through all levels of municipal approvals, which any development would have to go through, and to eliminate that as an option when a plan is being put together I think will -- doesn't really benefit this process. There'll be many opportunities to have environmental reviews, and I think that allowing the option and allowing the County to have the flexibility to include a piece of property is very, very important.

In short, the Community Development Corporation of Long Island urges you to approve this law. We support it strongly. It will be another tool in our arsenal for devloping affording housing, which is much needed for the residents of Long Island.

P.O. TONNA:

Any questions? Go ahead, Vivian.

LEG. FISHER:

Okay. Marianne, you're the first person to mention that it could be partnered with not-for-profits or for-profits, okay, because I know Wood Crest was. And I'm reviewing the bill, because I hadn't realized that this plan also could be partnered with for profits, that is what you said.

MS. GARVIN:

Correct.

LEG. FISHER:

Okay. Thank you for pointing that out.

MS. GARVIN:

Okay.

P.O. TONNA:

Any other questions? Thank you very much. Robert Fey? Thank you, Robert.

MR. FEY:

Good afternoon. My name is Robert Fey and I'm speaking as a member of Long Island CAN. We are relatively new to the affordable housing business. We first got started when the Long Island Developmental Center was sold for redevelopment and kind of got our feet wet on that, because we are well aware of the vital need and requirements for affordable housing all over Long Island. We approached this on a basis that has not been discussed in this room this afternoon and probably doesn't have very much universal application, but in this particular case, it's something relatively new.

The property, under its existing zoning, would permit approximately 200 units to be built. The developer has submitted an application for a zoning upgrade to permit him to build 1,375 units. We take the position that if he wants to get the benefit of this density increase, he has to provide some noticeable return to the community, and we are suggesting and demanding that 30% of the units be affordable, as defined by HUD.

As we got into this and we started looking into other areas of affordable housing and came up with some startling information, at

least startling to us, it may be old hat to most of you, but according to the National Low Income Housing Coalition in their September 1999 report, it states that in Suffolk County, the fair market rent for a one bedroom unit is $906 a month. For a two bedroom unit, it's $1,105 a month. And they say that we should consider an affordable unit to cost no more than 30% of a renter's income. One worker earning the minimum wage would have to work 165 hours a week to afford fair market rent for a two bedroom unit. If there are two wage earners this rate -- at this rate, they only have to work 82 1/2 hours a week a piece. For a worker to afford a two bedroom unit at fair market rent while working a 40 hour week, he would have to earn $21.25 an hour. And the report concludes that -- with the statement that 50% of the renters in Suffolk County are unable to afford fair market rent for a two bedroom unit.

We have heard a lot of talk about affordable housing and its effect on a community, and I would like to expound a little bit on those. A major factor in doing business anywhere is payroll cost, and one of the greatest costs of the labor force is housing. So when affordable housing is not available to labor, they have to seek higher wages, the higher wages affect the cost of production, and when production costs rise to the point of making the product or service noncompetitive, the employer must relocate his business to an area where costs are more reasonable or go out of business. So affordable housing is vital to the economy of the area.

I would like to recite one personal anecdote. Many years ago, I had the wonderful experience of being the Scout Master of Troop 32 in Greenlawn, New York. On April 20th, 1974, we had a Court of Honor where we installed five young men as Eagle Scouts. And I have recently found the paper that explained everything that was going on, and in the back of it, it has a complete roster of the troop. Now, this troop at that time had 2 scouts in it. I had recently tried to find out what happened to the 42 scouts, unfortunately, one is deceased, 24 have

relocated to other parts of the country, 14 still unaccounted for, and, in my estimation, not on Long Island, leaving us with sum total of three scouts still on Long Island. And I find that totally unacceptable, and that anything that we could do to promote affordable housing should be done and done as rapidly as possible.

P.O. TONNA:
That's a good point.

LEG. FISHER:
That's a good point.

P.O. TONNA:
That's a good point.

LEG. ALDEN:
Keep our scouts here.

MR. FEY:
In addition, I have heard some numbers from I guess Mr. McMillan where the number of 7,000 or 50,000 units required to meet the demand for affordable housing, and this is just another reason why we support the inclusion of undeveloped land in this proposal, to reconstruct or repair, or whatever he case may be, the 7,000 or 50,000 units one or two at a time will take too many years. And, therefore, we very firmly

believe that the resolution should be constructed to include the -- okay, should include the use of the money to purchase undeveloped land. Thank you.
LEG. CARACCIOLO:
Mr. Chairman.
LEG. FISHER:
Thank you.
P.O. TONNA:
Thank you, sir. Legislator Caracciolo.
LEG. CARACCIOLO:
Yes. You mentioned, I believe, the Long Island Development property.
MR. FEY:
Yes, sir.
LEG. CARACCIOLO:
That's the property, was that Melville, South Huntington?
MR. FEY:
Yes.
LEG. CARACCIOLO:
Okay. The developer used -- two numbers stick in my mind, one was 250, the other was 1,300 plus.
MR. FEY:
Right.

LEG. CARACCIOLO:
What is the impact and what role does the community play in determining the amount of units, affordable housing units are built in their community and the impact on school districts? Just a few minutes ago, we had representatives here from the Brentwood School District lobbying for or advocating for -- against a proposed piece of legislation, okay, because the argument goes we need the development, this is commercial industrial or primarily office space in their community, because we need the tax base. What's wrong in this State is we have an archaic State school aid formula system and nobody is willing that nobody is willing to address, but, yet, piece by piece, layer by layer, we are considering tinkering and compounding that problem by imposing the will of County government in those towns and communities that are willing to accept some or many affordable housing units without taking into account -- we talk about economic impact? Let's do a complete economic analysis to see what the impact is going to be on that community in terms of property taxes five, ten, fifteen years down the road. You can't do this in abstentia.
Affordable housing, as I've said before, is a notable aim for us to be involved in, but it can't be done in the absence of thinking it completely through and seeing what other types of financial impacts. On one hand, we're helping a family into their -- into private homeownership and that's commendable, but we have to look at the community that these people would be living in and what impact that's going to have on their friends and neighbors in that community. It can't be done, you know, in absence of that.
So I would encourage, Mr. Chairman, that as part of this legislation, that an amendment be made to have that type of economic analysis undertaken, and that type of consideration be given by those who would be responsible in implementing this policy, because no one community

should suffer the burden of maybe having a high density affordable housing project. That's a word people don't like. But when the reference was made to Mayor LaGuardia, it goes back to a time in the late '30's and '40's in the City of New York where housing projects came into existence again ostensibly to help those who could not afford affordable housing at that time. And it served and has served and continues to serve a great many Americans, not only in that great city, but throughout. But, again, I would argue we have to take a broader look at this and not do it in the absence of what other financial impacts one good thing may be creating. Thank you.
P.O. TONNA:
Thank you very much.
MR. FEY:
Well, to get back to your first question, the decision will be made in a forum similar to this consisting of the Huntington Town Council at a date yet to be determined. There will be I'm sure public hearings ad infinitum, and everybody will be given their chance to say, and, hopefully, the Council will make the reasonable and proper decision as they see it.
So far as the effect on the school district, the school district is

reported, I'm just speaking off the top of my head now, has been reported to have already been in contact with several of the players in this equation. The school district has the second highest tax base of any school district in Huntington. 1,375 homes will all be taxpaying properties on a property that I have to assume was not paying taxes, since the State owned it. The study you suggest I think is a -- would be a wonderful thing, if we could get it, you know, done rapidly and accurately, and we would applaud it.
LEG. CARACCIOLO:
Thank you.
P.O. TONNA:
Thank you, sir.
LEG. CARACCIOLO:
And I would just -- I would just point out for the speaker's benefit that in a town like Huntington, where you have very high property values, if you're talking about an affordable housing project, the level of property taxes that will be going to the school district would not be sufficient to pay for the average cost of each child that may be going to that district, because if my memory serves me correct, in a town like Huntington, you're looking at close to or maybe even a little bit higher than the County mean or average for education in this County, which is about $13,000. I don't think you're going to be collecting $13,000 on affordable homes that are going on cost 75, maybe $100,000. I don't think so.
MR. FEY:
Okay. But this is -- the suggestion is, approximately 400 affordable homes and 800 other homes.
LEG. CARACCIOLO:
No. Those are the -- I mean, it sounds like a reasonable alternative, but then to counter that would be that the other homes would be a much higher market value, thus much higher property value, and from the school district's point.

MR. FEY:
I hear you.
LEG. CARACCIOLO:
And I'm saying let's not leave the school districts out of this equation.
MR. FEY:
Oh, no, they're not, they're not.
LEG. CARACCIOLO:
That's all I'm saying.
P.O. TONNA:
Thank you very much. Thank you, sir.
MR. FEY:
Okay.

P.O. TONNA:
Now, you were the Scout Master in the '70's, is that it?
MR. FEY:
Well, way back then, yes.
P.O. TONNA:
What year? I just want to know.
MR. FEY:
In fact, Mr. McMillan's son was one of my scouts.
P.O. TONNA:
What year, from when to when?
MR. FEY:
Maybe from '69 to '74.
P.O. TONNA:
Okay. And which troop in Greenlawn.
MR. FEY:
32.
P.O. TONNA:
Where did you meet?
MR. FEY:
We met for awhile in what is now the library on Broadway. And then after we got dispossessed from there, we met at the Thomas Lahey School.
P.O. TONNA:
Oh, okay. Thank you.
LEG. D'ANDRE:
Mr. Chairman.
P.O. TONNA:
Yes.
LEG. D'ANDRE:
I could accept the way Mr. McMillan explained it, what lands he was going to get, but this gentleman's talking about getting open space is not my cup of tea. I'm paying 10,000 a year now on my house. You bring in that kind of housing, I'll lose my house.
P.O. TONNA:
What?
LEG. D'ANDRE:
Doesn't make sense.
P.O. TONNA:
How does that work, Michael?

MR. FEY:
I don't understand.
LEG. D'ANDRE:
I'm paying 10,000 a year in taxes.
P.O. TONNA:
Okay.
MR. FEY:
Yeah.
LEG. D'ANDRE:
If he brings in the kind of housing he's talking about and we've got to pick up the difference, they send kids to school and we've got to pick up that difference, my taxes are going to keep going up, up where I can't afford them anymore. It's the way it works. But the way Mr. McMillan explained it, if you take these downtown areas or places where there's a lot here and a lot there and put a house on it, it's different than taking open space, which has a low assessment, and you bring in the housing, you're going to cripple the rest of the people.
P.O. TONNA:
Legislator D'Andre, just to ask through the speaker, because this is a time that we ask the public how to -- you know what, we'll debate this, we'll debate this later. I don't think you're right on the math.
LEG. D'ANDRE:
Oh, yes. Mike said it right, Mike's right on the money. See, we've been paying taxes longer than you've been here.
P.O. TONNA:
Well, actually, Legislator D'Andre --
LEG. D'ANDRE:
Yes.
P.O. TONNA:
-- we've been paying taxes longer than you've been here.
LEG. D'ANDRE:
Oh, no. Oh, no.
P.O. TONNA:
Oh, yes. Oh, yes. Longer than you've been here, people have been paying taxes, trust me. Anyway, okay. Thank you, sir.
MR. FEY:
You're welcome.
P.O. TONNA:
We'll talk about it.
LEG. D'ANDRE:
We better.

P.O. TONNA:
We have to explore it.
LEG. D'ANDRE:
You better.
P.O. TONNA:
Okay. Thomas Ruhle?
MR. RUHLE:
My name is Tom Ruhle, I'm with the Town of East Hampton. Nina Stewart is the Director of Housing and Community Development for the Town and myself, as the Assistant Director, are here on behalf of the East

Hampton Town Board and Supervisor Jay Schneiderman in support of this local law of this housing initiative.
Three hundred and fifty years ago, when the King of England gave the patent to the Town of East Hampton to be created, the Town got all the land and it started allocating land out towards people who wanted to settle there and form a community, so we've been in the affordable housing business for 350 years. Our most recent project, which we are -- which we are working with a nonprofit on land, vacant land that the Town bought for the express purpose of being developed for senior citizen housing is being done in conjunction with the Suffolk County Industrial Development Agency, so that the project can be carried out. We've had a long history of working with the County.
Thanks to Legislator Guldi and this entire Legislature, we were able to build five houses on tax default lots that were transferred. And none of our affordable housing projects would not have been possible without Joe Sanseverino and the Community Development Office. We've had a long history of working together with the County to do affordable housing. Affordable housing in East Hampton is a little different.
If you watch CNN or you read the New York Times, you know about our plight. Ours, the Hamptons are a wonderful community that people like to vacation in, and probably many of your consituents like to vacation in them, but it is driving out the local population, who simply cannot afford to live there. It is creating a certain kind of cultural genocide in that the year-round community is being driven out by the second homeowner community. The Town has in the past bought land and done affordable housing projects. We've done over 300 projects in the Town of East Hampton. We've worked with the County. We've worked with New York State Affordable Housing Corporation.
We're here today to ask the County to buy land. And, yes, in a town that probably is one of the more environmentally sensitive towns in the County, we believe you have to include in this proposal land that has nothing on it. We don't have areas really in need of downtown rehabilitation as other areas of the County do, we have to build on vacant land. And we think we're capable of identifying those parcels worthy of preservation and those parcels worthy of development for affordable housing and to leave that out of the project would be a mistake.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

MR. RUHLE:
We have done over 300 projects in the Town of East Hampton. We have worked with the County, we have worked with the New York State Affordable Housing Corporation. We're here today to ask the County to buy land. And yes, in a town that is probably is one of the more environmentally sensitive towns in the County, we believe you have to include in this proposal land that has nothing on it. We don't have areas really in need of downtown rehabilitations like other areas in the County do, we have to build on vacant land. And we think we're capable of identifying those parcels worthy of preservation and those parcels worthy of development for affordable housing, and to leave that out of the project would be a mistake.
D.P.O. LEVY:
Who is we, Sir? I'm sorry.

MR. RUHLE:
The Town of East Hampton; when I say we, I mean collectively the Town of East Hampton. So I think -- all our affordable housing projects -- with the exception of {Camp Hero} Which was the reuse of a government facility, the old Montauk Air Base -- have been done on vacant land. We have been doing this ourselves, we believe this is an excellent initiative by the County Executive, we support it.
The one thing we would point out as a note, the law proposes that things be kept affordable for I believe five years, some of the recaptures. The town of East Hampton on the land we own, we hang on forever, our subsidies do not go away. Counsel has told me we do not violate the Law of Perpetuities but we're basically hanging on forever. And the theory is that our property is so valuable we want to keep it in the resale program. So when the town develops a piece of property that it has subsidized, we have a recapture provision where we get back a certain percentage of the value of the land and we have the right of first purchase and we appraise the property and we have the right to match that. So we try to keep these houses in the Affordable Housing Program. And as the land depreciates, we -- because we've had an interest in from day one, we stay with that appreciation, yet if the person wants to improve their house they reap that benefit.
So we have been doing this and we would love to do more of this with the County, in conjunction with the County, and we support the proposal here today.
D.P.O. LEVY:
Thank you.
LEG. D'ANDRE:
Mr. Chairman?
D.P.O. LEVY:
Legislator D'Andre.

LEG. D'ANDRE:
As an example of what you do out there, and it's laudable, what approximately do you pay taxes on a four bedroom house on one acre?
MR. RUHLE:
Well, that's a tough question.
LEG. D'ANDRE:
No, it's not tough.
D.P.O. LEVY:
It depends where it is, Mike.
MR. RUHLE:
Well, it depends. I mean, it can go from two to $6,000.
LEG. GULDI:
Taxes, that's the tax question. The Legislator meant to ask you what the price for the housing is.
MR. RUHLE:
Well, the price of the housing?
LEG. D'ANDRE:
No, no, the taxes.
LEG. GULDI:
The taxes, okay.
D.P.O. LEVY:
Well, let me just interject.

MR. RUHLE:
About $2,800.
D.P.O. LEVY:
Is this going somewhere?
LEG. D'ANDRE:
Twenty-eight hundred dollars.
MR. RUHLE:
That's what -- yes.
LEG. GULDI:
Well, you have to understand, the tax structure is different on the east end.
LEG. D'ANDRE:
I understand that, but we're paying for that same house over $10,000.
LEG. GULDI:
In tax on the west end; the tax structure is because of the Police District Tax.

LEG. D'ANDRE:
It's hard to believe that we're subsidizing you people out there.
LEG. GULDI:
No, you're not, it's actually running the other way.
MR. RUHLE:
It depends on how you look at it, though.
LEG. D'ANDRE:
Let me tell you, I look at it one way; what does it cost me in my pocket, how many jobs do I have to maintain to maintain my home? And I'm 77 years old.
MR. RUHLE:
Ah, but your taxes are probably more related to your school district and less related to --
LEG. GULDI:
School District and Police District and Sewer District.
MR. RUHLE:
And police and sewers.
LEG. CARACCIOLO:
That's my point.
D.P.O. LEVY:
All right. Maybe we can debate this on another evening.
LEG. D'ANDRE:
Taxes are taxes. The bottom line --
D.P.O. LEVY:
Let's stay to the point.
MR. RUHLE:
No, a tax is a tax, you're right. But we have residents in our community, many of whom do not live there, who pay taxes to us and they also pay County taxes.
LEG. D'ANDRE:
I don't like to be chased to Florida.
D.P.O. LEVY:
Okay, Mike.
LEG. D'ANDRE:
I like Long Island.
MR. RUHLE:

No, I'm talking about second homeowners.
LEG. CARACCIOLO:
I have a question, Steve.

D.P.O. LEVY:
I just don't want this to start getting into the debate --
LEG. D'ANDRE:
I'm a New Yorker, I like New York.
D.P.O. LEVY:
-- of east versus west when we're really on the housing initiative here.
MR. RUHLE:
I was born here, I love it.
LEG. GULDI:
On the housing initiative, Mr. Chairman.
D.P.O. LEVY:
All right. Legislator Guldi, I'll entertain him first, then to you, Michael.
LEG. GULDI:
I want to laud East Hampton as an example of what we can achieve. I mean, we're talking about 350 units of affordable housing and just for perspective, that's out of 19 Election Districts and that's your relative population. They've done that -- the program is a good model that we can use elsewhere, particularly given some of the development pressures in East Hampton are as pronounced or at least as extreme as you'll see anywhere in the Island.
And in terms of the cost factor that you've been able to achieve for an average unit, please describe the unit and put that in the record as well.
MR. RUHLE:
Well, the last single family house project we did, and it was in conjunction with home money from the County and New York State Affordable Corporation money, we sold single family homes for $90,000, around that, for around $90,000. You know, we have been -- ten years ago we could do 40,000, 45,000, but such is reality.
D.P.O. LEVY:
Okay. Mike, you have the floor.
LEG. CARACCIOLO:
How many square foot home is that home you just described, $90,000 purchase price?
MR. RUHLE:
About fourteen hundred, fifteen hundred, two bathrooms, four bedrooms.
LEG. D'ANDRE:
Oh boy, that's a palace.
LEG. CARACCIOLO:
You mentioned that you've done some, could you quantify how many you've been involved in and what the need is and how many additional homes you

would be interested in joining the County in partnership? Because this does require a town or some other partner to participate.
MR. RUHLE:
Okay. We have done -- what would we be interested in doing? Well, we just met with the Town Board this morning to discuss -- the Town Board

is considering acquiring land on their own and we're trying to phase this out. In total we're looking at doing several hundred units, but not initially, we're talking about phasing them. We've already done -- the town has done maybe about 110 apartments and the balance about 200 homes in various incarnations. So we've more or less done, using our Housing Authority also, some apartments and using some non profits, about 150 of those, and the rest would have been single family homes. And we look to do a couple of hundred more over, say, the next ten years.

LEG. CARACCIOLO:

Okay. Now, you're the first one to mention apartments as an alternative affordable housing proposal, could you elaborate on that concept?

MR. RUHLE:

Well, not everyone can afford a single family home, at least initially now or even down in the future, or are they necessarily in the position to buy one, so you do at some point need to create apartments. The need in East Hampton is so critical. We also run the Section 8 Program for the Town of East Hampton. We are not fully leased up simply because our people with vouchers cannot find a place to live. And for that reason and why now we are -- because of our 200 person about waiting list for senior citizen housing, so that's why we're working with the County IDA to build senior citizen housing now, we're looking forward down the road toward building apartments simply because there's a shortage of decent places to live. And not everyone's need is going to be met by trying to sell them a house, because simply, as has been pointed out before, you still have to be able to get a mortgage, you still have to be able to pay for that and some people aren't in that position, so we do need apartments.

LEG. CARACCIOLO:

We heard -- and this is really not a question, I'll just make an observation. When Mr. McMillan was here, I think Bob left, he talked about good locations for affordable housing initiatives should be in downtown areas -- he mentioned North Bellport, I'm not familiar with the area he's talking about -- being near a downtown area that we would like to see revitalized or that the County has initiated downtown revitalization efforts, and he mentioned the College Park --

LEG. ALDEN:

College Woods.

LEG. CARACCIOLO:

College Woods, that's in CI, right?

LEG. ALDEN:

Not near downtown.

LEG. CARACCIOLO:

Not near -- nowhere near downtown. So I would hope if this initiative

is for ostensively to go in that direction, that one of the first things that should be enumerated in the resolution is to identify areas in the County so that we don't go into this blindly and we pass something and then we try to identify where these locations should be, we should do that up front. And the people in those communities -- and that should be published. And people in those communities and school districts should be aware that this is a concept that may be coming to their neighborhood, and that way there's full disclosure and people

know what the County may be involved in in totality.
Thank you.
D.P.O. LEVY:
And I just have one question as well. I know you had mentioned that you guys -- when you said we, in the town.
MR. RUHLE:
Collectively as in the Town of East Hampton.
D.P.O. LEVY:
Right -- would know where to build and where not to build as being appropriate. But, see, the point I'm raising is we would have two County programs possibly at loggerheads with each other, one being the program where we're spending millions of dollars for the purchase of preservation, and then another one spending millions of dollars for the purpose of developing a piece of vacant land. And that's why I think if the County is going to put up that money, it's we in the Legislature that have the right and I think the obligation to at least review the parcels that are going to be incorporated in the program. So somewhere along the line we have to have a review, not only for the purposes of ident -- of notifying the public, but more importantly so that we know that there's not environmentally critical areas that might be plowed over for the purposes of advancing this very noble cause.
LEG. ALDEN:
Steve?
D.P.O. LEVY:
And I'll just ask you to comment on that, and then I'll hand it over to you, Cameron, okay?
MR. RUHLE:
Well, looking at me now you wouldn't believe this, but 80 pounds ago I once road a bicycle from Niagra Falls to Manhattan to support the 1986 Environmental Quality Bond Act, so I could at least say that I sympathize with the need to preserve the environment. In a former hat, in a time ago when I ran for the East Hampton Town Board, I once stood before a business group and said, "I'm an environmentalist; if you don't like environmentalists, don't vote for me," and despite that I actually got elected. But there's a balance in there and it's important and I would not -- I don't think anyone would object to the County playing a roll in review.
What I would just have a problem with, and I think the town would also have a problem with, is the blanket prohibition against using open land simply because we -- for us, that's all we've -- we've got more open

land than we have downtowns that need to be revitalized. Certainly the County should play a roll in it and they should have a review, it's just that I don't think it should be completely precluded as an option and that's using rural land.
D.P.O. LEVY:
Fair enough. Legislator Alden?
LEG. ALDEN:
I believe that project by project, it has to come back to us for approval anyway so, you know, there's a review process right there. I'm just pointing that out. Thank you.
D.P.O. LEVY:
Thank you. Okay, next speaker --

MR. RUHLE:
Thank you.
D.P.O. LEVY:
-- Steve Jones, Planning.
MR. JONES:
Thank you. I'll be brief because I know I can talk in committee as well. I just want to say that this piece of legislation, as Legislator Alden just pointed out, requires that this Legislature approves each and every project that we want to put together with the towns. You will have an opportunity to see how many units, where it is, what the tax impacts are, how many people, what the size of the families are. Also, the bill specifically lays out guidelines on both the income side of the possible buyers and also the marketing side which is the cost of the unit, and these are in conformance with standard guidelines.
I know you have a lot of pieces of legislation to read, but believe me, it's all there in the legislation. This is only a program bill, that's all it is, it's creating a program. You will have an opportunity to review and approve or veto each and every project that we want to put together.
Let me say in reference to two other kind of pieces that are floating around out there that are related to a comprehensive program for affordable housing in Suffolk County. The one is a bill with Legislator Tonna's name on it which is to use Shoreham funds, I think some kind of payments in lieu of for affordable --
LEG. CARACCIOLO:
Pilots.
MR. JONES:
Pilots for housing purposes. We would strongly urge you to have that money be another program source which would go to land acquisition. We would hate to see that money used for office overhead, office rent, typewriters, computers --
LEG. ALDEN:
Raises.

MR. JONES:
-- salaries for housing officials, whatever it might be; it would be a shame to have the money squandered that way. And we would like to see these program guidelines that are in this bill used for the disposition of that money as well.
The other companion piece that's out there has been mentioned a number of times already and that's the Capital Resolution Amendment No. 18 with Legislator Levy's name on it which precludes the use of vacant land for the County to be able to acquire
LEG. D'ANDRE:
Good for you, Levy.
MR. JONES:
I would like to say at the outset that my search for candidate properties in the whole County revealed only one piece of property in the whole County that was actually zoned for affordable housing and that's a 28 acre vacant parcel in the Village of {Amaghansett} In the Town of East Hampton. This would not be allowed -- we would not be allowed to participate in this program being barred from using Capital Funds to buy vacant land. There are plenty of other sites around in

the County, both scattered sites and existing old filed maps or neighborhoods and fairly good sized pieces of properties in and around the downtowns which have never been built on, and we'd hate to see us precluded from putting these kind of projects together.
Let me just say, finally, that we believe that this is a very important initiative on the part of the Legislature and the County Executive and we would like to see it move forward. As I indicated, you will have an opportunity to review each and every project. Keep in mind also that this bill specifically deals with, in a comprehensive fashion, the disposition of property that the County already owns that we got through tax default or other means. And you will again have an opportunity in each and every basis to look and see if you feel like we're disposing of a property that we already own that should go to parks and not to affordable housing, you will have an opportunity to say it should go to parks instead of affordable housing. So we believe this is a comprehensive bill and we would like to see that -- we believe that the prohibition for vacant land is unnecessary because, as I said, you'll be able to review each and every project. Joe Sanseverino is also here --
LEG. BISHOP:
Paul, may I?
MR. JONES:
-- to answer any questions that you have about the income and affordability aspects if you want any answers to that as well.
Thank you.
P.O. TONNA:
Okay. Steve, do you have a list of speakers?
LEG. LEVY:

We just have a couple of more.
P.O. TONNA:
No, no, I mean a list of people who are first.
LEG. LEVY:
No.
P.O. TONNA:
Okay. Legislator Caracciolo, because this morning I dissed you so I'm making it up.
LEG. CARACCIOLO:
For somebody who is Conservative, you should look to your right more often.
P.O. TONNA:
I would argue about the Conservative.
LEG. HALEY:
So would I.
LEG. CARACCIOLO:
So would a lot of others. Steve, has your office prepared for the County Executive or for your own use a preliminary list of properties that you would consider for this program?
MR. JONES:
Yes.
LEG. CARACCIOLO:
Could you share that with the Legislature? And I think that may preempt and preclude a lot of concerns that I know I have and maybe other

Legislators have. And how many of those properties are presently zoned for residential use, you know, within the respective towns?
MR. JONES:
I can tell you that most -- that our initial look throughout the County, most of the properties are previously used properties, most of them are; there are very few that are vacant land but there are some that are vacant land. I would respectfully request that we be allowed to share this list with the towns first because they have to zone the properties properly. I'm not saying, you know, we're withholding it, but I want to be able to give the towns an opportunity to react to some of the initial suggestions that we have so we can widdle this list down. And I would be happy to share it with any of the Legislators, but I would respectfully request an opportunity to review it with the towns first.
LEG. CARACCIOLO:
How long do you think you'll need to do that?
MR. JONES:
I would say over the summer time, maybe while you're on a break I'll do it then.

LEG. CARACCIOLO:
Okay. In terms of what you have identified, how many of the 50,000 -- and that's a bicounty figure, affordable housing units that are presently needed -- how many of 25,000, if that's a fair estimate of what's needed in Suffolk County, would this $20 million for vacant land accommodate?
MR. JONES:
Well, if you take the cost of actual construction, the hard cost of construction and then you take the soft cost as well, you want to be down in maybe like five to $8,000 per unit range for a high density job and for a low density job in the neighborhood of 20 to $30,000 a unit. So if you take $20,000 a unit, you're talking about a thousand units.
LEG. CARACCIOLO:
A thousand units.
MR. JONES:
Uh-huh.
LEG. CARACCIOLO:
And if you were to break that down geographically in the County, starting with the Town of Babylon, how many units would be in each of the five west end towns?
MR. JONES:
Really, based on the past history, I think it wouldn't work out that way. The town of Smithtown, for instance, has steadfastly refused to build affordable housing and the Town of Huntington is having serious problems with being in contempt of the U.S. Supreme Court. So there are a number of towns who -- there are other towns who are more than willing and ready to build affordable housing, but there are some towns who are not, so it can't be broken down geographically that way.
LEG. CARACCIOLO:
Okay. In terms of the towns I represent, Shelter Island, Southold, Riverhead, East End Brookhaven.
MR. JONES:
The program is actually structured to encourage towns to step up to the

plate, so there may be some towns that really will be able to take more advantage of this than others because they're willing to step up to the plate, rezone the properties, put them in order, get a not-for-profit, get a developer to manage -- to build and manage the thank. So it's really going to be -- it's, I guess, a carrot in a way that we can hold out there and get the towns to step up, so it all depends on what the towns want to do.
LEG. CARACCIOLO:
But have any of those three towns indicated to you that they would be willing to participate in this program; Joe? I know Riverhead has to a limited extent.
MR. SANSEVERINO:
Riverhead -- as a matter of fact, we have a project right now in Riverhead and we've done projects with Riverhead in the past, so I

would expect them to continue. In Southold Town also we have built several affordable housing developments with them and speaking with them, they indicated that they would be interested in doing small developments. I don't think you're going to see in some of those towns large scale developments. The last project we did in Southold was 30 affordable single-family housing units and I think that's what you'll see, those smaller type single-family developments.
LEG. CARACCIOLO:
Okay. Steve, as part of your impact analysis will you be providing information based on school district impact?
MR. JONES:
That all gets done as part of the creation of the project. They have to go through the same kinds of reviews and approvals that any developer would this that's appearing before a town, they have to file -- they have to put together social impacts, economic impacts and physical impacts through the State Environmental Quality Review. So all that has to come out.
LEG. CARACCIOLO:
Is it your intention that school districts would be notified about -- have school districts been notified about this initiative?
MR. JONES:
Have they been --
LEG. CARACCIOLO:
This program bill.
MR. JONES:
No, not to my knowledge directly.
LEG. CARACCIOLO:
Okay. But take a school district like Riverhead for example, okay, more than one-third of all the land in the town -- not the town but the school district, Riverhead Central School District, is off the tax rolls, okay.
MR. SANSEVERINO:
One of the things that we try to do when we develop an affordable housing project, especially when we work with the Long Island Housing Partnership, is we will put together a neighborhood committee, if you will, and we do invite the school district to sit on that committee so that they are aware of everything that is going on, we've done that in North Bellport, in Riverhead we do that, we make those overtures to the

school district and we do invite them in because their input is helpful to us.
LEG. CARACCIOLO:
Okay. But let me ask Steve, since this is a County Executive Program bill, would you have any objection to requesting that school districts -- you know, that type of involvement include school districts, where a project may be proposed? I mean, we're talking about having the towns participate, we're talking about having community organizations, I see no reason why school districts shouldn't participate so they know, just

as they do now, when a large scale, residential development subdivision is proposed that there's going to be a substantial impact on property taxes in that community, unless there's some type of equal or more offset in terms of commercial tax base to pick up the difference.
MR. JONES:
We have tried to keep this program very simple; us as a partner, kind of a passive partner buying the land and the town as the more active partner responsible for the zoning and the packaging of the project. I'll have to defer to the County Executive's Office as to whether we should include another player in the process and complicate it more. So I'll just --
LEG. CARACCIOLO:
Well, I would encourage that be done only because often times we hear complaints and we ourselves complain when another level of government, be it the Federal Government or the State, mandate something upon the County that's going to cost us money. We don't really know at this juncture what it may mean in individual school districts. What are there, 127 on the Island; how many in Suffolk County, 65, sixty something school districts? I think they should be made aware of this and they should be made aware specifically if a project is proposed in their school district so that they can have some say into it.
LEG. HALEY:
They do.
MR. JONES:
I can assure you a hundred percent that every school district will know before it's packaged together --
LEG. FISHER:
They do, Mike.
MR. JONES:
-- and before it comes to the Legislature and they will have an opportunity to comment at a number of stages along the way.
LEG. CARACCIOLO:
Okay. Thank you very much.
P.O. TONNA:
Okay. Legislator Fisher.
LEG. FISHER:
I just wanted to make a comment. I checked with {Marion Garvin} Because I had gone to the Woodcrest Ribbon Cutting Ceremonies, and the school districts --
LEG. HALEY:
In my district, by the way.
LEG. FISHER:
In his district but they -- it was right on the other side of the

street.

P.O. TONNA:
Just in case they changed lines.
LEG. FISHER:
They invited me.
P.O. TONNA:
Just in case they changed some lines later.
LEG. FISHER:
That's right, you never know. Anyway, the school district did indeed -- was indeed part of the process; I recalled that, I just double checked to make sure that I was right in my recollection. So the school districts do become part of the process, they are an important part of the process because of the tax structure, so I think that that comes down the line.
But the question I had for you, Steve, was regarding where the sites are. The reason I'm asking is is that I heard almost every other part of Long Island mentioned except for my district.
MR. JONES:
There's a nice piece right across from your office, within less than a thousand feet of shopping, churches, schools, recreation, transportation; a good site for affordable housing.
LEG. FISHER:
Okay.
MR. JONES:
It's vacant land, though, so you need to vote against Legislator Levy's bill.
LEG. FISHER:
So we have to talk about this, okay. Steve, you mentioned that you are hoping that the towns will step up to the plate. I would like to have some idea of the sites that you have earmarked in -- on County properties so that if the town doesn't step up to the plate, we as Legislators who represent different districts might be able to nudge them a little bit if they're not coming forward, stepping forward and taking care of certain areas. I know that I've spoken to constituents in the Port Jefferson area and that downtown area and there is room for affordable housing there of the type that we're speaking about which isn't on vacant land, close to the railroad station where we have some empty homes, and you and I have spoken about tax default areas. So if the town doesn't step forward, I have no way of knowing which sites you've designated and they haven't picked up on. So it might be something for you to think about to let us see the comprehensive list and then when the town does their choosing, we have some idea -- we have some basis to have a dialogue between the Legislator and the town which he or she represents.
MR. JONES:
I would like to correct the notion that the list I did was comprehensive, it was not. It was a first look to see roughly if we

took semi-abandoned shopping centers and a few other sites like that and some sites that people have talked about for years, how many units are we looking at. So it was not --
LEG. FISHER:

But my point is when you develop your full list, I would prefer to see it -- I would prefer to have the advantage of seeing the same list that Brookhaven Town is seeing.
MR. JONES:
Absolutely.
LEG. FISHER:
I don't want to see it after it's been edited by Brookhaven Town and they've chosen which ones they want to target, because -- I would just like to have that information so that there can be a full dialogue and full disclosure on my part, for me as well as for the town so that there can be a complete conversation, okay? Do understand --
MR. JONES:
I understand what you're saying, but there is --
LEG. FISHER:
But, okay.
MR. JONES:
We want to approach it with some sensitivity to the towns.
LEG. FISHER:
Okay.
MR. JONES:
If they get angry at us because we're having a public discussion of sites and they don't like the sites or they feel like they're being pressured and put into a box, they're less likely to rezone properties and support projects than if we were working more sensitively with them. But certainly we want to have a proper discussion of all the possibilities.
LEG. FISHER:
Okay. Thank you, Steve.
LEG. BISHOP:
Am I next?
LEG. HALEY:
No, you're not.
P.O. TONNA:
No, Marty Haley then Legislator Bishop.
LEG. HALEY:
Stand up, Dave. A couple of questions. Steve, when we talk about affordable housing we always have to go back to the definition because, you know, a Legislator passed by me and said they're going to put 3,500 units in Miller Place, and I wouldn't have a problem with that because affordable housing to me is those people making $56,000 a year and

having only four children and not being able to afford a place to stay. Here we are in very good economic times and yet affordable housing seems to be a major issue. Because the first thing that seems to pop up is the value of land and makes it that much more difficult for the average family on Long Island to find appropriate housing. So the question is is it safe to say that in good economic times we seem to have more of a need for affordable housing than in bad times?
MR. JONES:
Yes.
LEG. HALEY:
Yes, based on the typical definition of affordable housing. To talk about what -- to give you a little background on affordable housing and

where it started, it started in the Town of Brookhaven with the Brookhaven Community Development Corporation which was originally -- to give credit to Councilman Gerard. And I presently sit as the President of Brookhaven Community Development Corporation and we've built over 60 some odd houses of affordable housing. And what we have found to do is we found that school districts are always made well aware of all the projects that are going on and that's typical of the Planning Department and the Town of Brookhaven and passing that information on, so they're going to know that.

As far as each town's participation in affordable housing, what we have found is that after Brookhaven Town did their affordable housing thing we found the Long Island Housing Partnership took up the task of providing affordable housing across the County. So what we have done is that we have helped LIHP in obtaining those properties because -- actually what happened is it would go from the County to the town and then to the town or to Brookhaven Community Development Corporation and back to LIHP, because they were more far reaching and better capable of handling affordable housing; and that also includes, by the way, Habitat for Humanity. So Brookhaven Town's approach is to work it through LIHP and the Habitat for Humanity.

Brookhaven Community Development Corporation, actually we're about to fold and we're going to give our last parcel of property and approximately $35,000 to Habitat for Humanity, because we know the affordable housing approach in Suffolk County is probably, in my view, pretty much served with LIHP, and I know some of the towns do some of their own things.

But in the interest of continuing with questions, Steve, most times when we talk about -- everybody's concerned about this program converting thousands of acres to affordable housing; isn't this just really taking an approach to affordable housing which is already in place and just saying the County is now going to partner up a little bit? And if that's the case, what has typically been the lots that you have seen that have been passed on down to the towns and LIHP and Habitat for Humanity?

MR. JONES:

Conceptually, the two major components to make housing affordable are the financing for the mortgage and the land cost, I don't think that's disputed at all. So what we're trying to do with this program is to

deal with the land cost and to make a project possible by dealing with the land cost and subsidizing the land cost for the first home buyer, then we get paid back when it goes to the second home buyer on a per unit basis.

LEG. HALEY:

In other words, you retain some equity. But in any case the school districts, from an assessed valuation perspective, shouldn't be impacted any more than if normal housing had been built there. Because even though there is some subsidization for the land, the assessed valuation will remain the same.

MR. JONES:

I don't know exactly how that happens. Usually when projects stay off the tax rolls there is a payment in lieu of tax that's structured to reflect what the normal tax payments would be.

LEG. HALEY:
Once you sell those properties -- Joe?
MR. SANSEVERINO:
The single family affordable housing that's developed, they typically pay property taxes based on what the town assesses the property at.
LEG. HALEY:
Yeah, it would be market value.
MR. SANSEVERINO:
Right.
LEG. HALEY:
Because we sold 30 homes for about $85,000 thirteen years ago that were worth about a hundred and thirty, but they were assessed at that value and they paid those taxes.
MR. SANSEVERINO:
Right.
LEG. HALEY:
So I know that has an impact on the school districts, they're concerned about that. Besides, just knowing full well that they may have to plan ahead for additional students.
MR. SANSEVERINO:
But most of the developments have been small.
LEG. HALEY:
Right.
MR. SANSEVERINO:
Really haven't been large scale developments.
LEG. HALEY:
We've done pretty much small stuff. Do we have any -- is there anything large in particular looming on the horizon that you're thinking of from affordable housing? This is not like --

MR. JONES:
No, no.
LEG. HALEY:
Okay, thank you.
LEG. BISHOP:
I think I was declared next. First of all, I didn't know that affordable housing started in Brookhaven, it started with --
LEG. HALEY:
It's the center of --
LEG. BISHOP:
-- the GI Bill, it started in Brookhaven. Steve, my question is on this program, it seems to be modeled on what we did with the, downtown revitalization program where we have partnerships between the municipality and the County. Also, the Greenways Program is another one which has a similar thing, you need the municipality to step up --
MR. JONES:
The Greenways Active Recreation?
LEG. BISHOP:
Yeah, right.
MR. JONES:
Yeah, that's true.
LEG. BISHOP:

You need the municipality to step up first, then the County will purchase land and the partnership will develop from there. The problem that I see is that municipalities tend to be the level of government that fights affordable housing the most because that's the level of government most vulnerable to NIMBY pressure; isn't that true?
MR. JONES:
No, no. Some of the towns, as I indicated, are very aggressive with affordable housing and Brookhaven is one of them; Brookhaven, Islip and Babylon are generally the ones that are the most aggressive in affordable housing throughout the whole County. East Hampton has much smaller population, so actually as a function of their population, they're probably doing better than everybody else.
LEG. BISHOP:
Yeah, I was impressed by that.
MR. JONES:
But nevertheless, it varies by town.
LEG. BISHOP:
It varies by town.

MR. JONES:
Yeah.
LEG. BISHOP:
So you're not at all concerned that a program like this would inevitably drive affordable housing to certain areas, affordable homes to certain areas and not to others? I mean, some communities would be taking on the burden or the glory and others would simply sit it out; is that a fair way to do a program like this?
[RETURN OF REGULAR STENOGRAPHER]
LEG. BISHOP:
It varies by town.
MR. JONES:
Yeah.
LEG. BISHOP:
So you're not at all concerned that a program like this would in inevitably drive affordable housing to certain areas, affordable homes to certain areas and not to others? I mean, some communities would be taking on the burden or the glory and others would simply sit it out. I mean, is that a fair way to do a program like this?
MR. JONES:
No. Well, the program is structured as an incentive program for towns to step up to take advantage of it. We're not trying -- we're not trying to do any social engineering here.
LEG. BISHOP:
Because the bill that Legislator Tonna has that I'm cosponsoring also is an incentive program aimed at the developers in a particular site in Melville, which says that if you're going to develop there, you can take advantage of this pilot money that is coming from Brookhaven to the rest of the County and take advantage of an incentive to provide affordable homes in return for subsidized sewer hookups. To me that seems to be on the same page as where you're going. You don't see it the same way, I was wondering why.
MR. JONES:
The suggestion that I made was that we have -- that the money -- that

any money that comes from the County, be it money that we got through a pilot, or money that's gotten through proceeds from capital bonds go to land acquisition. You're going to decide --
P.O. TONNA:
Just so that you know --
MR. JONES:
You're going to decide how you want it --
P.O. TONNA:
Steve, just so that you know, we're going to table the bill today, because we thought that aspect was covered. It was already brought up by Legislator Alden, actually, this morning just to tighten that

language. That language will be tightened, so --
LEG. BISHOP:
On which bill are you talking about?
P.O. TONNA:
On the bill that -- oh, we're talking about two different bills now.
LEG. BISHOP:
Yeah. I mean, we're mixing --
P.O. TONNA:
No. We're talking about the same, we're talking about the PILOT payment bill.
MR. JONES:
1057.
P.O. TONNA:
Yeah, we're talking about that. And that, basically, that language is going to be tightened up. What Legislator Bishop is making reference to is the other aspect, because you're -- what we're saying is in Huntington, it's site specific for the LIDC property. In the other towns where it would be shared, I think what I hear you saying is, is that it should be tightened, the language should be tightened up, so that it goes to land purchasing, not to salaries of the Community Development, or whatever else. Legislator Alden has made that suggestion this morning. Legislator Postal reminded me that she made that suggestion when the bill was circulated a month ago and I think we're going to correct that.
LEG. BISHOP:
Okay. I have another question.
P.O. TONNA:
And then I expect you to come down and say, "I'm in full support of this bill," not that it really matters what you think, but, you know, just in general.
LEG. BISHOP:
Joe, your program is Community Development Program, Suffolk County Community Development. That doesn't operate in certain towns; right?
MR. SANSEVERINO:
That's correct.
LEG. BISHOP:
It doesn't operate in -- I'm sorry. Fill me in.
MR. SANSEVERINO:
It doesn't operate in -- the Community Development Block Grant Program doesn't operate -- I don't have jurisdiction over Islip, Huntington or Babylon. However --

LEG. BISHOP:
Would this program?

MR. SANSEVERINO:
Yes, it would still operate --
LEG. BISHOP:
It would still operate County-wide.
MR. SANSEVERINO:
Yes. And the transfers that go from the County to the town, they'd go through my office most of the time and they'd go out to Islip, Babylon, Huntington. That's not a problem.
LEG. BISHOP:
Okay. Thank you. Thank you.
P.O. TONNA:
Steve, thank you very much. Anybody else, question? No. Okay. I would just ask Legislators, we do not have a quorum. There's one, two, three, four, five, six, seven, eight. We're two short of a quorum, and I'd ask, before we bring up our next speaker, that we -- that I'd ask, Legislators, return to the horseshoe, please. If you want, I can tell you a couple of jokes while we're, you know -- what did the -- no, I'm joking. I'd ask my staff, Ellen, Amy, can you just round them -- try to make them feel as guilty as possible; okay? Guilt works. All right, there, we got one. Okay. This is the guilt meter. Whoever comes in first feels the guiltiest. No, I'm joking.
LEG. CARPENTER:
I went to get aspirin.
P.O. TONNA:
There we go. All right. We're down to nine. One more to go. It's a tough war of attrition, Legislators all over the place.
LEG. CARPENTER:
The speakers are down back there, so I don't think they can really hear.
P.O. TONNA:
All right. Let's -- Bob? Bob Wieboldt from the Long Island Builders Institute. Bob, I'm just trying to get a full house for you, you know.
MR. WIEBOLDT:
Thank you very much.
P.O. TONNA:
No problem.
MR. WIEBOLDT:
It's been a fascinating discussion since swimming over from the parking lot at 2:30. I represent the Long Island Builders Institute. We've got 600 member firms in both Nassau and Suffolk County; the predominance of are in Suffolk. Our members last year built 5,300 housing units in Suffolk County. Of that, there was about 50 that were two-family homes, there were perhaps 100 that were subsidized, and there might have been another 200 that came in under $200,000, and

that's a ballpark estimate.
Now, when Newsday did its poll in March, we all should have woken up a little bit. They ranked, the people that were in a very professional poll, what are your areas of most concern, they ranked affordable housing, out of left field I think, right up there with traffic and

taxes on Long Island, and that's an amazingly high rank. It came in about 15 points higher than environmental ranking, which is a big issue here. Now, what that means to us, and this is something we've been seeing beginning at the business community and other places, is that there's a crisis brewing. The kind of steps you're taking today on looking at this program for the County is something that may well avert down the road five or ten years, another demand, push housing crisis of serious proportion. Our companies cannot grow, because when they try to attract the young kid out of college who's unmarried, there's no place for him to live on Long Island that he can afford to live in. A married couple only making 55 or $60,000 can't afford a new house. People have great ideas, dreams, there's not enough apartments, there's not enough housing. There's not enough homes for our children to stay here and live on Long Island.

I was -- a realtor showed me a house with four bedrooms the other day and described it as perfect for empty-nesters. And I said, "Well, why, with all the bedrooms?" And she looked at me and she says, "Because of all the bounce-backs," you know, with kids coming back in and living with their parents. And we see in every neighborhood throughout this Island packing in and renting of houses, illegally in many cases. We see our farm workers smashed in the houses on the East End all over the place. What we've got is a crisis building up. There's a tremendous need, not for a handful of ribbon cuttings, but for a production program.

I was very impressed hearing about East Hampton with 300 units. The Housing Partnership did 500 and some-odd, but that's since the early '90's. Lee Koppelman says we need 50,000. I don't know where he gets the number. With the new census, we'll be able to figure it out. This program is going to produce a thousand units, maybe more, and then maybe again in five years some more.

The key element, though, is to look at the bill in its technical sense. We think it's a good bill. We've examined the income limits, we've examined the recapture provisions. They will all work with every existing housing program we have right now at the State and local level.

Somebody asked before, "What's affordable housing?" I have an interesting one-word answer to that, occupied. Either somebody can pay the mortgage or the rent, that's a perfect test. When you see a vacant house, it's somebody that probably can't afford it out there.

We have a need to look at this bill in the context of the smart growth resolution passed, as amended last month. The important element is that -- and I think this gets to Steve Levy's amendment, there's a difference in quality between vacant land and environmentally important land over acquifers that have open space qualifications and everything. Lots of parcels are out there that are vacant. They're just empty.

They don't have any special significance whatsoever, but they might fit. I think the true test is that the smart growth policies that we're talking about be a test of where these houses are going to be located. Does it meet all those principles that you adopted in your resolution? That's an important way to look at the differences.

But let's not forget that the County has a counter-proposal. Now, Steve, you've eluded to it twice. Are we diametrically opposed? In a

sense, we are. This County has committed more dollars to buying more open space for farmland, for recreation and for open space itself than any other County in the the United States. There's a limited supply of land on this Island. There's a much more limited supply of approved land ready to be developed. When you go into the market, you become an 800 pound gorilla. It helps to drive up the cost of land to everybody. And what basically happens is, and these are necessary social policies, the open space preservation and everything else, but there's a creature being heard on the other side and that's a human family that needs to get in on a housing side.

So this expenditure of money and this bill, which provides a comprehensive policy for the first time to deal with how the County disposes of its existing parcels, as well as any new monies that they're spending, I think is very important to get that off the ground and going. The only problem I may have with this is it is a simple program, as Steve Jones described it. When you legislate, you can legislate on many things, and this group is known for having a very broad spectrum of concern, but one thing you really can't legislate out of existence is the NIMBY. You can't legislate out of existence opposition in a local neighborhood to a particular project of any kind. Now, we've been finding in most of New York State and around the country, that the way to build affordable housing is never to come in with a large something called an affordable housing project, all right, a big, huge low income, moderate income, what people see as a threat. The best way to do it is to blend it in with existing development. A good example would be an occasional two-family house, or two single-family houses in a block of single family houses that look like single family houses. Small new houses on scattered lots have been passed over in existing neighborhoods that are compatible in size and scale. Blend it in, lose it, in effect, so that it becomes part of the community and not an eyesore, not a -- you know, something that's going to create a real problem.

And I'm -- I think we ought to look at, and I've urged the County people to look at their bill in the context of a partial purchase, where a developer may be involved, the County may be involved in part. It seems that you might be able to go in there and just apply the County subsidy to subsidize units within such a development, but it's not all that clear whether that can work. I mean, sort of what's envisioned here is a lot goes to a not-profit or a town and a house goes on the lot directly -- it goes from public ownership right into the affordable housing program. What happens if somebody's trying to blend 20 units of affordable housing into a 50 or 60 unit job, can it work in that context? I'm not all that sure it can. That's probably our only real quibble.

And, at this point, I'd like like to suggest that the Levy amendment be approached in a somewhat different way. We've urged before, when you went out with the Open Space bond issue, to prioritize, so that you're buying environmentally sensitive lands first. I think a good way to approach this is --

P.O. TONNA:

We did that, right?

MR. WIEBOLDT:

Yes, the exact reverse. Is this suitable for housing? In other words, a land that it's got wetland and real environmental potential is certainly not on the list. It gets a low priority relative to one that has, you know, everything going for it. The second thing is fold in the smart growth principles, because this is only going to be used for capital appropriations next year and the year after. Let's get the smart growth thing on line with this, saying that the priority ought to go to those areas identified for smart growth development, where you have infrastructure traffic, you're close to stores, and everything like that. With those two changes, I think you've got a very strong bill and a very good start on solving a major public problem in this County. I think you're going to be hearing a lot more about it.
I was totally shocked when I saw that Newsday result. Who the heck would have thought that that many people gave a darn about something called affordable housing, particularly when all the people surveyed have telephones and they're all in houses or apartments? In other words, their housing is affordable to them. So it's a concern, it's a concern for their kids, it's a concern for other people, it's things they've been hearing. And when you hear a corporate executive say we just lost somebody who was at the top of his in Raleigh Durham or MIT, because he just didn't want to live on Long Island, he couldn't find a place to live that suited him, that's a very sad thing for our economy, and what's driving our economy right now is job creation and attracting other people. And then when you can't have your kids live here on the Island, that's really sad.
So all I can say, in the interest of time, is that we fully support it, all our companies are behind it. We're actively participating in both the partnership and the CDC programs. We thing they're good, we think there's a lot more of it, and we need a production program and not a ribbon-cutting on an occasional house. Thank you very much.
P.O. TONNA:
Thank you very much. Thank you, Bob. Ed Miller? Oh, did anybody have any questions? Okay. Ed?
MR. MILLER:
Good afternoon.
P.O. TONNA:
Good afternoon, Ed.
MR. MILLER:
My name is Ed Miller, I'm the Executive Director of Habitat for Humanity of Suffolk. And we thank Suffolk County for helping us to

help God's family's need by providing the necessary land.
Habitat for Humanity is a nondenominational Christian ministry that works with families in need to provide simple decent homes. We are currently building in Bellport, East Patchogue, Central Islip, and Islip Terrace. We will be starting homes in the fall in Huntington Station and Quiogue, I believe is how you pronounce it.
LEG. FISHER:
Quiogue.
MR. MILLER:
Quiogue?
LEG. GULDI:
Quiogue, not to be confused with Quogue.

MR. MILLER:
Correct.
LEG. GULDI:
You've got to work on your Algonquian spelling. And I can tell you the difference.
P.O. TONNA:
I knew Jimmy Carter knew the difference.
MR. MILLER:
I just found that out today. Our goal is to eliminate substandard housing in the County of Suffolk. Our house cost is 50 to 65,000, and a family of four needs an income of 20 to $35,000 to pay back a no-interest loan over 25 years. Habitat for Humanity of Suffolk will build a 99,999th of Habitat for Humanity International this September as a blitz build in memory of Roger Metcalf. Roger was the Executive Director of Habitat for Humanity of Suffolk for 13 years and built 50 homes.
Our affiliate works with over 1,500 volunteers each year from the business community, civic organizations, and over 30 high schools, and people of all faiths. We build hope, houses and community.
Again, I wish to thank Suffolk County for helping us to help families in need.
LEG. LEVY:
Thank you.
LEG. FOLEY:
Thank you.
MR. MILLER:
You're welcome.
P.O. TONNA:
Any questions? No?

LEG. HALEY:
Quick question.
P.O. TONNA:
Sure.
LEG. HALEY:
Just -- how are you doing?
P.O. TONNA:
Not about, you know, Jimmy Carter being a Democrat or something --
LEG. HALEY:
No. I think, you know --
P.O. TONNA:
-- And he's involved with the organization.
LEG. HALEY:
-- too bad Bob still wasn't here, because I think we just did a ribbon cutting in front of one of his -- one of his houses. I was trying to define earlier the relationship between the Town of Brookhaven and the LIHP in Habitat for Humanity. Could you characterize that relationship that you have with the Town of Brookhaven?
MR. MILLER:
Currently, the Town of Brookhaven is the backbone of our affiliate right now. Without the Town of Brookhaven's help through the Suffolk County land that we have available in Bellport and East Patchogue, we would be sorely in need of trying to keep our housing program going.

But because of the land that's available to us there, we're able to continue building there and, at the same time, develop properties in Huntington Station and in Islip, and in other areas of Long Island that require roads and/or variances.
Thank you, Martin,, for all the help that you've given and the support that Brookhaven has given us; it's really been a godsend.
LEG. HALEY:
Thank you.
LEG. FOLEY:
Mr. Chairman. Mr. Chairman.
P.O. TONNA:
Yes, Legislator Foley.
LEG. FOLEY:
Just as a follow-up, and I know it was mentioned earlier, but, you know, it's fine that the Township of Brookhaven is giving properties or utilizing properties that were given to them by the County for the expressed purpose for Habitat and other affordable housing initiatives to take place, but these things -- none of this would happen if it wasn't for the fact that these were previously County-owned parcels, and when they were handed over or given to the Town, it was under the expressed conditions set forth by this County that the Town would have

to use these parcels to create affordable housing.
And one of the things that I -- that I'm going to be exploring during the year is the fact that, yes, the towns do a fine -- do a fine job, generally speaking, with giving parcels or creating affordable housing through properties that were given to them by the County, I'd like to explore the option of whether or not the County can also give properties directly to a number of not-for-profit agencies to undertake what they need to undertake in order to create affordable housing. Instead of going through two steps to give it to you, one of the things that I'm going to be looking at is why can't the County give it directly to you, as opposed to have to go through a second or third party before you get your hands on that particular location or that particular property in order to do the fine work that you do. Because what happens in the meantime is sometimes there are those instances when, and I'll say this rather defensively for the County, that when the towns like to beat their chests about creating affordable housing, many times they conveniently either play down or forget the fact that many of these townships wouldn't be in the position to help the not-for-profits if it wasn't first for the fact that this County Legislature and the County government gave properties to the townships under the expressed condition that they're supposed to work with not-for-profit agencies to create some public -- create some housing opportunities. So it's something that I'm going to be looking at.
MR. MILLER:
I appreciate that, and it's one of the reasons that I decided to come today. Being new to habitat and Roger passing away last September, I'm very thankful to the County and the support of the County, you know, through -- you know, through their programs of affordable properties to the towns. Without this, our affiliate, Habitat, would not exist and the County wouldn't be able to serve the families that we serve. We are the only program that can serve those families in great need, 20 to

35,000 family of four, and we plan on continuing that. And, again, I thank the County for all their support.
P.O. TONNA:
Thank you very much, sir. Any other questions? Thank you. Neal Lewis? How are you doing, Neal?
MR. LEWIS:
Very good. Good afternoon, Presiding Officer, and all the members of the Legislature. I'm speaking on behalf of the Long Island Neighborhood Network of which I'm the Executive Director. And I want to point out that as an environmental protection group, we feel it's important to go on the record in support of the effort to address the need for affordable housing, and we think that this initiative strikes the proper balance in terms of the kind of approach that is needed. We're very supportive of smart growth principles and believe they provide, basically, the outline of how to address the affordable housing needs, at least to some extent. It's certainly the case that while $20 million is a significant sum of money, it still comes up far short of the demand.
I think Bob Wieboldt did a very good job of outlining the aspects of smart growth principles that we would agree in support of the notions

that you don't want to have large numbers of affordable housing in one large development, for example, that, instead, your goal is to mix it to a blend of other market rate housing units, that to the extent that it's possible, you want to put a priority on downtowns and areas where infrastructure does exist, that you want to serve centers and build up centers, so that you can serve transit needs, which are better facilitated in downtowns and other centers.
I think the fact that the Legislature has an opportunity to review the specific sites as they come down the line would, hopefully, provide a mechanism to ensure that the broader goals that I mentioned in terms of these smart growth principles can be addressed in ensuring that properties are properly prioritized and that green areas that are open are not the ones that become the ones that are the targets for the development, but that a focus is put on areas where there is existing infrastructure and there is this need to redevelop in downtowns and such.
So, in essence, we would say that it does appear to strike that kind of proper balance as it's presented at this stage and we'd like to indicate our support for it. Thank you.
LEG. FOLEY:
Thank you.
LEG. FISHER:
Thank you, Neal.
P.O. TONNA:
Thank you very much. Okay. Let me just make sure. I'm going to make a motion to close.
LEG. CARACCIOLO:
Second.
P.O. TONNA:
Second by Legislator Caracciolo. All in favor? Opposed? Closed. Okay. By the way, I just -- you know, I guess it's a prerogative of the Presiding Officer. I just want to thank those people who have come

down to speak on the issue of affordable housing. I know it's been a long day. There's a lot of other issues that we're here to speak about, but thank you very much, and we need your support.
Okay. Setting the date of June 19th, 2000 at 2 o'clock in Hauppauge for the following public hearings.
LEG. FISHER:
Motion.
P.O. TONNA:
How do I do that? Yeah, motion by Legislator Fisher, seconded by Legislator Caracciolo. All in favor? Opposed? We're set with that.
LEG. CARACCIOLO:
Just setting the date. There's no vote.

P.O. TONNA:
Okay. We set the date. The date is set. We have a date. Okay. All right.
LEG. GULDI:
What some guys will do to get a date.
P.O. TONNA:
What I'll do to get a date. Okay.
MR. BARTON:
Mr. Chairman, that's the date for the hearing on the Community College budget. You also need to set the date for the public hearings at the next meeting, June 27th.
P.O. TONNA:
Say it again.
MR. BARTON:
June 27th.
P.O. TONNA:
Okay.
MR. BARTON:
You have to vote to set that date.
P.O. TONNA:
Just tell me what I'm supposed to say, Henry. I would like to set the date of June 27th for the?
MR. BARTON:
Public hearings.
P.O. TONNA:
Public hearings.
MR. BARTON:
At the next general meeting.
LEG. FOLEY:
The following public hearings.
LEG. CARACCIOLO:
Following public hearings.
P.O. TONNA:
Following public hearings. Here they are. Okay. Public hearings, and then I have to tell you all the public hearings. Number 1579, 1584. Are those -- am I right with you, Henry?
MR. BARTON:
There you go, sir, yes.
P.O. TONNA:
1587, 1588, 1615, 1652. All right? I'm fulfilling my job here? Okay.

Now, all said, motion. Second by Legislator Guldi. All in favor? Opposed? Approved. Now let's go to --
LEG. GULDI:
Consent Calendar.
LEG. FISHER:
Public portion.
LEG. GULDI:
Consent Calendar. Motion to approve the Consent Calendar.
LEG. FISHER:
Public portion.
LEG. CARACCIOLO:
Second.
P.O. TONNA:
Back to the public portion. Okay. Thank you. I need a lot of handling, you can see this. You should see me at home. Okay. Elsie Owens, are you around?
LEG. GULDI:
Elsie had to leave.
P.O. TONNA:
Okay.
LEG. GULDI:
She -- with her apologies, she --
P.O. TONNA:
Okay. But I know she's a wonderful woman, she would have had some great things to say. Chief of Staff Alan Otto. Alan, here you are. Chief of Staff of what, Alan?
CHIEF OTTO:
Sheriff.
P.O. TONNA:
The Sheriff? I'm joking. I'm joking. There you go.
CHIEF OTTO:
Yes.
P.O. TONNA:
There you go
CHIEF OTTO:
Presiding Officer --
P.O. TONNA:
Is it working?

CHIEF OTTO:
Now it is.
P.O. TONNA:
Okay.
CHIEF OTTO:
Presiding Officer, Ladies and Gentlemen of the Legislature, good afternoon. I'm here today to request to have two resolutions to be brought out of committee to be voted on today. Resolution 1549 was primed in Public Safety and it renovates the Yaphank Kitchen, increases the perimeter, and it renovates ancillary services. This project is 14 years old and cannot be delayed any further. On the kitchen alone, the kitchen was currently designed to house and feed 270 inmates. That's 810 meals a day. One day in 1999, we prepared over 2,040 meals.

LEG. BISHOP:
Mr. Chairman, I think this is noncontroversial. I would just make a motion to take it out of committee.
LEG. BINDER:
To discharge.
LEG. BISHOP:
To discharge, motion to discharge at this time.
P.O. TONNA:
I don't want to go down this road.
LEG. BISHOP:
It will be -- I assure you, that is not what he is --
P.O. TONNA:
Legislator Bishop, once we open up this floodgate, we're never going to get to the agenda. He has his right to finish his statement and then we're going to go --
LEG. BISHOP:
No. We're going to --
P.O. TONNA:
What?
LEG. BISHOP:
We can expedite. It's going to be -- I'm familiar with --
P.O. TONNA:
Okay.
LEG. BISHOP:
-- Chief Otto and he's very thorough. And we -- this is--
P.O. TONNA:
Chief Otto, how long is your statement?

LEG. BISHOP:
It's thorough, believe me, I've heard them.
CHIEF OTTO:
The statement is just about complete. However --
P.O. TONNA:
Okay.
CHIEF OTTO:
-- something did happen yesterday and it was an inspection by the Commissioner of Corrections, who have asked me to read a statement into the --
P.O. TONNA:
Well, how about this. How about we compromise, okay?
CHIEF OTTO:
Fine.
P.O. TONNA:
If I can keep Legislator Bishop, you know, with this discharge petition at bay and I -- you finish your short statement --
LEG. BISHOP:
We can be done with it. It would have been done by now. It's not a controversial --
P.O. TONNA:
No. But then I have -- I have ten other Legislators who would like to discharge their petitions because of all of these --
LEG. BISHOP:
Those are budget bills. This is --

P.O. TONNA:
And then, instead of reading the lengthy statement into the record, why don't you just submit it to the Clerk and let them type it into the record later. How -- is that a good compromise?
CHIEF OTTO:
Absolutely.
P.O. TONNA:
All right. So finish that almost finished statement.
CHIEF OTTO:
Okay. On Resolution 1549, okay, it's 14 years old, we must continue with it today. It needs to be voted out of committee today.
P.O. TONNA:
Thank you. It's out of committee, right?
LEG. GULDI:
No.

LEG. BINDER:
We're trying to do that.
LEG. BISHOP:
We're trying to do that, Paul.
P.O. TONNA:
Okay. Go ahead.
LEG. GULDI:
We need it circulated, so we can make a motion and vote to discharge.
P.O. TONNA:
Go ahead.
CHIEF OTTO:
And, also, Resolution 1564, which was primed in Ways and Means, has the -- gives the authority for the Sheriff's Department to lease space for the Internal Affairs, Medical Evaluation and Torts. As you know, these commands, along with the Civil Bureau and the Academy Bureau, we're supposed to be slated to be put into a new building, $4.5 million building, which was approved by the County Executive and amended by the Budget Review, who requested that the Infirmary be used for the Civil Bureau and the Academy Bureau. Because of that project, the Internal Affairs, Medical Evaluation and Torts --
P.O. TONNA:
You promised you were going to be short.
CHIEF OTTO:
Here it comes.
P.O. TONNA:
You're making a liar out of me here.
CHIEF OTTO:
Was pulled out of committee, it was pulled out of the project. Okay. It took a year-and-a-half. We had the lease space. I worked with leasing with Space Management, and for some reason, the lease was tabled and we'd like to have it be brought out of committee.
LEG. BISHOP:
The first bill number is what, 1549?
CHIEF OTTO:
The first one is 1549.
P.O. TONNA:
Okay.

LEG. BISHOP:
1549.
P.O. TONNA:
There's a motion by Legislator Bishop to discharge.
00159
LEG. BISHOP:
We have to get a copy of the bill distributed.
P.O. TONNA:
Oh, yeah? Okay.
LEG. GULDI:
It needs to be distributed.
LEG. BISHOP:
Discharge.
P.O. TONNA:
You can discharge. It has to age for an hour, right?
LEG. BISHOP:
Motion to discharge.
P.O. TONNA:
By the Chairman of the Public Safety, who has that right.
LEG. BISHOP:
I have that right.
P.O. TONNA:
Second by myself. All in favor? Opposed? It's discharged.
LEG. GULDI:
Point of order. It has to be distributed to be discharged under our rules, isn't that correct?
P.O. TONNA:
No. It has to age for an hour.
LEG. GULDI:
Okay.
LEG. LEVY:
Before you can vote.
LEG. GULDI:
Fine. Thank you.
P.O. TONNA:
Okay. When -- okay. So you got one.
CHIEF OTTO:
Okay.
LEG. BISHOP:
The other one is controversial. Take it up at committee.
LEG. GULDI:
The other one I don't believe is controversial, because I think it was tabled in committee, Mr. Levy, at my request, because I asked questions about the equivalent spaces. And I asked Captain Otto these questions
00160
in the hall with respect to the valuation of the lease premises versus the equivalent spaces. Those questions -- your response to my question as to those values was, please?
CHIEF OTTO:
Okay. Again, I didn't negotiate the lease. That's the County Attorney, okay, and the County Attorney negotiated a lease to have the 3,000 square feet to include the walls and the structure as the way the commands want it, in fact, complete, whereas I believe the -- any other

alternative would be an empty shell.
LEG. GULDI:
Great. All right. That sufficiently answers my question. Mr. Chairman, Legislator Levy, would you entertain a motion to discharge this from committee at this point?
LEG. LEVY:
Yes.
LEG. GULDI:
Then I'll make that motion to discharge. What's the bill number, Alan?
CHIEF OTTO:
1564.
LEG. GULDI:
1564. Second by?
P.O. TONNA:
Well, the way -- I'm not voting for anything unless the Chairman of that committee --
LEG. GULDI:
Yeah. Well, that's --
LEG. LEVY:
I already stated that's fine.
P.O. TONNA:
All right.
LEG. GULDI:
Stay with us here.
P.O. TONNA:
So you want to second it, Legislator Levy?
LEG. LEVY:
Yes.
P.O. TONNA:
Okay. Motion and a second. All in favor? Opposed? All right. It's discharged and has to age for an hour.
LEG. GULDI:
Okay. Thank you.

P.O. TONNA:
All right. How are you doing? Good? Now, give that statement over there.
CHIEF OTTO:
Will do.
(A letter from James E. Lawrence, Director of Operations of the State Commission of Correction to Alan Otto, Chief of Staff of the Suffolk County Sheriff's Department, is on file at the Office of the Clerk of the Suffolk County Legislature.)
P.O. TONNA:
All right. Thank you very much. Okay. I have a few more. Before I go to a few more cards, I just -- we have a few more discharges from the committee chairpeople who want to get some things out of committee. Go ahead.
LEG. FIELDS:
I would like to discharge 1550 and 1551 out of committee.
P.O. TONNA:
Which are?
LEG. FIELDS:

They're both from the Health Department regarding -- I don't know. Paul, do you know?
MR. SABATINO:
1550?
P.O. TONNA:
1550 and 1551.
LEG. FIELDS:
1550 and 1551. We discussed them last week.
LEG. BISHOP:
What are these bills?
MR. SABATINO:
No, it can't be 1550.
LEG. FIELDS:
1550 and 1551.
MR. SABATINO:
One is a computer and one is equipment. I just don't remember which one is which. Fifty --
P.O. TONNA:
1550? That was a good year, by the way, 1550.
MR. SABATINO:
Fifty is the health center equipment. They had to subtract the $45,000

for shelving, because it's 5-25-5, that was done. And 51 is the bill that deals with the computer system that had to be modified to pick up a Budget Review recommendation in terms of breaking out the accounts. So --
P.O. TONNA:
Those were all done?
MR. SABATINO:
Yeah, this was --
P.O. TONNA:
That was all --
MR. SABATINO:
You know, what happened was in the committee, it was tabled pending those changes being made. The changes were made in a timely fashion.
P.O. TONNA:
Okay. So --
LEG. FOLEY:
Second the motion.
P.O. TONNA:
Second by Legislator Foley. All in favor? Opposed? Discharged. And I ask now that those bills be distributed. Okay, great.
Okay. Back to the public portion. William Maggi? Okay. Neal Lewis? We already -- okay. Neal, you're up again, huh?
MR. LEWIS:
Thank you. I'm back. This is not an item that's up for action today, but it's an important enough item, thank you, that I thought it would be worth mentioning today in anticipation as we look to your next meeting and the normal committee process that it would go through. I want to certainly make myself available to discuss this with Legislators that are interested and want more information during the next couple of weeks. The item has to do with settlement of a lawsuit against Suffolk County that myself and the organization I represent,

the Long Island Neighborhood Network, had successfully brought against the County regarding the golf course proposal that the County had initiated back in August of '94. So this is actually an item that goes back six years, if you look at the whole process, almost six years. And my first point is to urge that it be acted on as quickly as possible through your normal process. I'm not suggesting a Certificate of Necessity or anything like that, but, nonetheless, I hope that it could be acted on quickly before your Legislative recess for the summer, or anything like that.
I would like to quickly outline what the resolution of this case would entail. There's a settlement that you have copies of that have been laid on table today. It outlines for you a program for two golf courses at Yaphank, including one that would be a signature golf course that -- (The Presiding Officer banged the gavel) Thank you. You should have --

LEG. FOLEY:
Sorry, Neal.
MR. LEWIS:
Are you asking, that you don't have? You should have that.
LEG. LEVY:
No. We're just trying to shut everybody up.
MR. LEWIS:
Oh, okay. I have that New York way of speaking. I can speak quickly, if we have to. So the plan for these two golf courses provides for an organic maintenance plan. This would be a plan to design, construct and maintain golf courses without the use of synthetic chemicals. This is arguably the first golf course on Long Island, the first golf course in New York State, almost assuredly, and possibly the very first in the country that will be designed, built and maintained to organic standards. Yes, you've got a question.
P.O. TONNA:
Where is this? Just--
MR. LEWIS:
This is being laid on the table today --
P.O. TONNA:
Right.
MR. LEWIS:
-- and would go through your normal committee process and hopefully be acted on at your next full meeting.
P.O. TONNA:
Oh, where? What golf course?
MR. LEWIS:
Oh, Yaphank. I'm sorry.
LEG. TOWLE:
That's Legislator Towle's district.
MR. LEWIS:
Okay, yeah. The two 18 holes in Yaphank. The site is right next to the Brookhaven Landfill, or within eyesight of the landfill. It's behind the Grucci fireworks testing property. It's next to a sewage treatment plant and it's got a high tension power line running through it. It's a forest that has already been logged once before, so you're not talking about old growth forest. If there's any -- it's not Pine

Barrens and it's not Special Groundwater Protection area. So if there is ever a site --
P.O. TONNA:
Okay. Hold it one second again.

00164

MR. LEWIS:
Sure.
P.O. TONNA:
Ladies and Gentlemen, I think I've hit the gavel a couple of times and I've asked. Believe it or not, seven people whispering makes it a roar and there is a speaker in the general public and I'd ask that we be a little quieter. Thank you.
LEG. FOLEY:
Mr. Chairman.
MR. LEWIS:
Okay. Thank you.
P.O. TONNA:
Let him finish the statement.
MR. LEWIS:
Okay. Yeah, on that point of the site, I think just if there was ever a site that we could all agree was a good site for building a golf course, from an environmental point of view, this would be such a site. And I think, frankly, rather than being concerned about the negative impact that golf courses often present to a site, this golf course would actually improve the site. There's illegal legal dumping going on there currently. This, I think, would be a very good use of County Property in addition to the fact that we're providing a recreational service for County residents.
The plan calls for, as I said, the organic maintenance plant, the use of compost and other organic soil amendments before the course is built, and this is a key thing that was -- the thrust of our lawsuit was we wanted to do it right from the beginning, and the County is now in full agreement on that point. We would also have a number of things that would make sure it's done right, such as ongoing monitoring wells of the groundwater to ensure that there's no pollution at this site. Very innovative soil tests of microbial activity in the soil, which would also help to supplement the program. We have an involvement of environmental expert who would be employed by the County and responsible to the County, but would, in essence, be funded by the private vendor that's going to be building the site, which is, again an innovative aspect of this agreement. We would also have an oversight aspect, where an environmental review board or committee would oversee a number of these aspects all being implemented properly. There is a last resort protocol for the use of synthetic chemicals and --
P.O. TONNA:
Okay. Just--
MR. LEWIS:
Okay.
P.O. TONNA:
Anybody have any questions?

00165

LEG. D'ANDRE:
Yeah. Would you let him finish what he started to say?

P.O. TONNA:
You have to ask the question so he can finish it.
LEG. D'ANDRE:
He was interrupted.
P.O. TONNA:
He's interrupted because his time was up.
LEG. CARACCIOLO:
I have a question.
P.O. TONNA:
Ask the question.
LEG. D'ANDRE:
Could you please repeat the part about the synthetic --
MR. LEWIS:
I was looking to you when I got to that point, because I knew you were interested in it. There is a last resort protocol for the use of synthetic pesticides, but it's under a strict protocol. First of all, there's a prerequisite about applying the organic program, so that you would use the organic methods to control disease and pests. There would also be a role for the Parks Commissioner, because I understand a private vendor would be running this, so the Parks Commissioner has a role in approval of any chemicals. There would also be a requirement that if there is a disease that they did have to use chemicals for, they would do a soil sample, so that we can learn from that experience, so we can know precisely what was the problem and, hopefully, avoid it in the future. And the committee that I had mentioned would be convened shortly after the incident, so, again, we can learn what went wrong, what failed, and, hopefully, avoid the use of chemicals in the future. And, lastly, there would be a requirement to remediate the soil with various organic mechanisms to get the soil back to its healthy state after there was that limited use of chemicals. So there is that protocol, but it's a strict protocol.
LEG. D'ANDRE:
Let me say this to you, soil seldom goes bad. For instance malathion, an organophosphate, doesn't last more than 25 days in the soil or in water. So it's just how tricky it is. But I'm not adverse to using organics if it makes you comfortable and happy. Okay.
MR. LEWIS:
Good.
P.O. TONNA:
Legislator D'Andre --
MR. LEWIS:
We've come a long way in the five years.

P.O. TONNA:
Yeah. We have an organic approach to running the Legislature. Legislator Caracciolo.
LEG. CARACCIOLO:
Neal, is this an SPGA area?
MR. LEWIS:
No, it is not.
LEG. CARACCIOLO:
It is not. Then what is the emphasis on preserving the groundwater underneath it --

MR. LEWIS:
Well --
LEG. CARACCIOLO:
-- if it's already possibly polluted by the Town landfill.
MR. LEWIS:
Possibly.
LEG. CARACCIOLO:
And there are some who have suggested that is the case. Then why the emphasis on this site for an organic golf course?
MR. LEWIS:
Well, I think there's two questions there. I thought your first question you were saying was why do the soil -- the water monitoring at this site, considering that it's not this SGPA. First of all, from an environmental point of view, we would regard all of Long Island sites virtually as potential groundwater recharge, even if they're not the critical recharge area. So on that level, we do have a concern. But, you're right, that there's the potential for contamination already at the site. So part of the thinking was we probably want to get a handle on what is there anyway, and so there's a sense in which the Health Department would play a role in establishing this water monitoring program.
The other aspect of it is part of what we're doing here I think is establishing a model that both could be applied if any additional golf courses the County wants to build in the future, or, frankly, other players, such as private courses or other counties or other municipalities. And I think to the extent that this is an ideal model that could be shown to others, we would want to include the water monitoring as part of that. The most recent water monitoring program that the State and Suffolk County Health was involved in, one of the things they ran into was the fact that a lot of the private courses would not allow them on their property, so they had to do the monitoring across the street or down the block. So we think it's important to have it as part of the model, that there's water monitoring right at the site, and that was the thinking that went into that.

LEG. CARACCIOLO:
Thank you.
P.O. TONNA:
Thank you. Okay. Any other questions? So you're going to have a full-time person. Your suggestion is to have a full-time person like a pesticide policeman --
MR. LEWIS:
Well --
P.O. TONNA:
-- who's going to sit there with the two golf courses just --
MR. LEWIS:
I didn't say full-time. I didn't say the word "full-time".
P.O. TONNA:
Okay. How about very part-time?
MR. LEWIS:
Well, the person would be --
P.O. TONNA:

How about per diem?
MR. LEWIS:
The person would have expertise. That's the key thing. They would be a consultant and they would have expertise, and there would -- they also they would be working both with the Parks Commissioner and with this committee on this whole oversight.
P.O. TONNA:
All right.
MR. LEWIS:
So we think that elevates the level of professionalism of this whole operation.
P.O. TONNA:
Right. But we don't have to have a full-time person.
MR. LEWIS:
Absolutely not.
P.O. TONNA:
You don't have to give them a badge or anything, okay? I could just see.
MR. LEWIS:
The environmental police.
P.O. TONNA:
I can't -- that's weed killer. No, I'm joking. Okay. Thank you. You have another question?

LEG. CARACCIOLO:
Yeah. What about the other county golf courses?
MR. LEWIS:
Well, I think -- I think the other County golf courses have their own program and this is separate from that, this is not necessarily identical. We did try and make it as similar as possible, but there are some areas where there's differences. We used an organic maintenance protocol in the language here, for example, because there's already an organics maintenance plan for the Parks Department. So as is presented to you for your review and decision on this settlement, this is a separate document, that's a separate settlement just for the Yaphank site. But I think, as we look to the years in the future, I think there's going to be probably a meshing of a lot of what we're doing here and a lot of what's already going on at the other golf courses.
LEG. CARACCIOLO:
Okay. Thank you.
P.O. TONNA:
Thank you very much.
LEG. D'ANDRE:
Mr. Chairman.
MR. LEWIS:
Thank you. Look forward to seeing you.
LEG. D'ANDRE:
Mr. Chairman.
P.O. TONNA:
Yes. You have a question, Legislator D'Andre?
LEG. TOWLE:
I have a question, too.

P.O. TONNA:
And Legislator Towle.
LEG. D'ANDRE:
I have a question.
P.O. TONNA:
Okay. Let's start with Legislator D'Andre.
LEG. D'ANDRE:
Question and a statement. What's going to come in the future scientifically, forget about it. They'll have things that you can't even imagine today. But the golf course is a perfect thing to have on possibly contaminated ground, because it takes nothing from the ground. It may purify, it may bring sanity -- sanity, spell sanity.
P.O. TONNA:
Sanitation.

LEG. D'ANDRE:
Sanitation to the soil and, yet, you're keeping away from harsh chemicals. That exchange is good. I mean, as long as no farm material is grown there, you know, produce --
P.O. TONNA:
Right.
LEG. D'ANDRE:
-- it's a good, good marriage.
P.O. TONNA:
And if it's really toxic, I can always bring my golf swing and blame that on it, you know. But, anyway, okay.
LEG. D'ANDRE:
No. I think it's a good idea. It's worth a try.
P.O. TONNA:
All right. Legislator Towle.
LEG. TOWLE:
Thank you, Mr. Chairman. Neal, obviously, I know you've been intricately involved with this whole issue from the very get-go. You're, obviously, very comfortable with this arrangement and settlement.
MR. LEWIS:
Yes.
LEG. TOWLE:
Are they bringing that over on a CN or just a regular resolution?
MR. LEWIS:
A regular resolution. Again, we want to make sure you had full time to consider it, although I do want to express some urgency and hope that it can be acted on, you know, within that regular process as quickly as possible, because we do want to get this moving forward and, certainly, the summer's coming up, you know.
LEG. TOWLE:
Okay. One of the questions I'd ask you is, obviously, as I said, you've been intricately involved. How do you feel that those people that are, you know, bidding on the RFP, whenever that gets put back out, are going to be impacted as far as this settlement is; do you think that's going to be a positive or negative for them?
MR. LEWIS:
I was --

LEG. TOWLE:
What kind of conversations have you had with some of the people in --
MR. LEWIS:
Well, I would go by -- even more so than anything, I've been told

personally, I would go by the statement that was made publicly. It's now about two months old, but I'll make sure I fax a copy of the article to -- or mail it to all of you. There's an article where, towards the end of it, the statement is made by one of the companies that bid on the project the last time that they were really very excited. I don't want to use the exact words that that individual made, but he indicated he felt this was the direction that the industry is going to be moving, and he was very excited about the prospect of bidding on this project and, you know, potentially being involved in something that's on such cutting edge as it is, so -- and that's a guy that's involved in building golf courses all across the country. So I think that public statement, which was printed in Newsday, is a very positive indicator of how this would be received when we go out to bid. Privately, I think that it's very clear that the last several years, time has worked to the advantage of the environmentalists on this. There's a lot more organic products and there's a lot more willingness of golf courses to use organic products, so I think the time has worked to our advantage. I suspect we'll get at least the two bids you got the last time, perhaps more, hopefully, this time.
LEG. TOWLE:
Okay, thank you.
P.O. TONNA:
Thank you very much. Any other questions? Okay, thank you very much. Patricia Lynch? Going once, going twice, sold. Okay. Jeanne Alicandro, M.D.. All right. And then after that, Lee, you're up and you're last, but not least. All right. Thank you.
DR. ALICANDRO:
It's Jeanne Alicandro; I'm Medical Director for Suffolk County EMS.
LEG. FOLEY:
Speak closely into the mike, Doctor.
DR. ALICANDRO:
What did you say?
LEG. FOLEY:
Speak closely into the microphone.
P.O. TONNA:
Thank you very much. Wait. Can we hear you? Go ahead, try again.
DR. ALICANDRO:
Jeanne Alicandro is my name.
LEG. FIELDS:
Still can't hear it.
DR. ALICANDRO:
Okay?
LEG. D'ANDRE:
Closer.

P.O. TONNA:
Did they shut it off?
LEG. FOLEY:

No, it's on.
DR. ALICANDRO:
No. I'm just not speaking loud.
P.O. TONNA:
Okay. There you go.
DR. ALICANDRO:
Okay. I'm Medical Director for Emergency Medical Services in Suffolk County, and I wanted to speak to Resolution 1423 regarding placement of a Medevac helicopter at Gabreski Airport for the summer months to service the East End of Long Island.
Just thanks to Ms. Fisher and the Public Safety subcommittee for addressing this issue, which I feel is one of medical necessity and public safety for -- at its core. Historically, trauma systems evolve following the recognition --
P.O. TONNA:
Everybody, it's hard enough to hear the doctor without any talking. It's really difficult with talking. Thank you.
DR. ALICANDRO:
In any case, once it was recognized that traumatic injuries, the outcome is based on timely intervention in shock states, head injuries, etcetera. Trauma systems were implemented to try to ensure that all citizens had timely access systems to trauma care, which means timely intervention operatively to stop the shock process or evacuate cerebral hematomas. These systems involve pre-hospital providers, the hospitals themselves, emergency departments and operating rooms, and there are guidelines put forth to sort or triage patients pre-hospitally to decide who deserves trauma center attention or is in need of that attention. All patients deserve this access to timely trauma care. Functionally, the residents of the East End do not have timely access to this care because of the time delay involved in the Medevac arriving to the East End. The population in the summer months expedientially increases, as they'll tell you.
P.O. TONNA:
Sure.
DR. ALICANDRO:
The providers out there are telling me that their transport times also expedientially increase because of traffic and lack of egress. It can take them an hour and a half to get to a hospital from Montauk Point, for example. No trauma centers currently exist on the East End, which means there is no hospital, although they're fine hospitals, they have no dedicated resources for immediate operative intervention other, in-house operating room staff, anesthesiology, dedicated surgeons immediately available, and subspecialty care. The facilities are not there.

Since these entities are time dependent, it makes sense to deploy the craft out east. The providers out there are excellent and they make very good access decisions on when to access the Medevac. They're faced with criteria they need to follow based on hypotension, altered mental status, and things of that nature in deciding who to send to a trauma center. They also need to factor in time and the time of arrival of the Medevac as part of their decision-making process. If it's going to take more than 20 minutes or so, they're not going to wait for hat

craft to arrive, but are going to proceed to the local hospital. The patient will then be secondarily transferred to a trauma center for their trauma care and that adds quite a great deal of time to what is ideally one hour before operative intervention in these cases.
I just wanted to clarify a few questions that have been raised. One is that the West End will be left underserved if a Medevac is placed out east. The current situation, even if there are three aircraft stationed at Islip, there's one paramedic, so you have one Medevac no matter how many craft are there. With the deployment of a Medevac helicopter out east, you will have a dedicated craft on the West End, because they're going to supply another paramedic from Stony Brook at no cost to the County. You'll have a dual -- dual function Medevac system, so that the West End should actually be covered more than it is now. Currently, if a Medevac is sent to the East End for interfacility or for a trauma patient, they're gone for about an hour and the West End is, indeed, left uncovered during that time, currently. Okay.
P.O. TONNA:
Okay. Just to --
DR. ALICANDRO:
Yep.
P.O. TONNA:
To wrap up, just --
DR. ALICANDRO:
Okay.
P.O. TONNA:
Thank you.
DR. ALICANDRO:
Three craft, we acknowledge, need to be available. The A-Star, which is going to be back in service, is a Medevac ship and is used for that purpose currently. And I'd just like to also point out that Southampton Town Chiefs, Southampton Volunteer Ambulance, Westhampton Town Volunteer Ambulance, Southold Town Fire Chiefs, and the Fire Rescue and Emergency Services Commission, made up of various chiefs, councils, also support this resolution. I thank you for your attention.
P.O. TONNA:
Thank you very much. Hold it. Wait. Don't -- anybody -- Dave, any questions? This is in Public Safety right now?

LEG. D'ANDRE:
Nope.
P.O. TONNA:
Where is this?
LEG. D'ANDRE:
Yes.
LEG. FISHER:
Yes, it is.
LEG. TOWLE:
It's on the floor.
P.O. TONNA:
It's on the floor, okay. Thank you very much, Doctor.
LEG. FOLEY:
It's ready for takeoff.

P.O. TONNA:
It's ready for takeoff? Okay. Thanks, Doc. Okay. Lee?
LEG. FISHER:
Just before she leaves, I just wanted to thank her.
P.O. TONNA:
Oh, just before she leaves.
LEG. FISHER:
Jeanne, Dr. Alicandro, I just wanted to thank you. You've spent many hours here patiently waiting to speak. Thank you.
P.O. TONNA:
Thank you.
DR. ALICANDRO:
Thank you.
P.O. TONNA:
Okay. Lee, come on up. Talking about patience, I mean, you've been here.
MR. LUTZ:
Yes. But those of you who have been here awhile know that I've waited longer than this before. Unfortunately, the only reason I wanted to speak was to fill in a couple of blanks and clarify some of the things that were said about seven hours ago. So I hope you can all remember what was said seven hours ago.
Lee Lutz, member of the Campaign Finance Board. And I want to make three quick points regarding some of the things that were discussed earlier on Resolution 1356, having to do with implementing the funding program for our Campaign Finance Program here in Suffolk County.

First of all, the program -- the proposal that you have in front of you is not exactly what the law called for, but as close as we could come up with to what the law called for, that would -- that we felt had a chance of actually working. And my second point ties into that first, and that is to clarify the position of the Board and some of what went into its conclusions.
We instituted or instigated two meetings with the Receivers of Taxes of the ten towns. It was on our initiative that two meeting were held, the first one -- the first one with the Head of the Receivers of -- Town Receivers of Taxes Association of the ten towns, and several representatives of several other --
P.O. TONNA:
Lee, hold it one second. Just one second. Okay. It's been a long day, we all know that. Just we have our last speaker. Lee, continue.
MR. LUTZ:
Thank you. And the second one in which also their counsel all attended. There were many objections to the initial idea, some of which, frankly, the Board agreed with, some of which we did not. However, when we came up with this alternate proposal, the insert that we're proposing now, they agreed that that would work and was doable. And, of course, it was pointed out the fact that Southampton Town, in fact, already does it. They've been doing it for a number of years and that was mentioned earlier this morning. So, in effect, the proposal in front of you is largely at the suggestions or over -- taking into account the objections of the Receivers of Taxes of the ten towns. We're trying our best to work with them and, at the same time,

implement a program that will work.
And then, just very quickly, and I do not recall who it was who made the comment, the Board is, in fact, also trying to examine, as our law states and gives us the authority and obligation to do other means of funding the program, and, undoubtedly, you will be hearing from us in the future regarding some alternative proposals. For the time being, we need to get this program underway and we ask that you give us the authority to move forward, so we can make this thing work.
LEG. LEVY:
I think -- quick question.
P.O. TONNA:
Legislator Levy.
LEG. LEVY:
I just want to make sure you understand this, Lee. You're saying that the Board had met with the Receivers of Taxes.
MR. LUTZ:
On two separate occasions --
LEG. LEVY:
Right.

MR. LUTZ:
-- at our initiative.
LEG. LEVY:
And, initially, you were proposing that there be a checkoff on the property tax bill. They said that that was unworkable. You acquiesced, came up with another idea that was pretty much promulgated by some of the town people themselves with the idea of this enclosure --
MR. LUTZ:
Right.
LEG. LEVY:
-- and they seemed to be on board with that.
MR. LUTZ:
They indicated that that was workable. They didn't -- I don't want to speak for them --
LEG. LEVY:
Right.
MR. LUTZ:
-- and say they liked the idea.
LEG. LEVY:
Right.
MR. LUTZ:
The fact of the matter is they don't like, if they can help it, to do anymore than they have to.
LEG. LEVY:
Right. I don't think they want to do it, which really brings about their letter, saying they don't want to do it.
MR. LUTZ:
Yes.
LEG. LEVY:
But the fact is you met with them and this was a compromise that they had said is workable.
MR. LUTZ:

That's correct.
LEG. LEVY:
You went with it, so you're not trying to shove it down their throat, they're pretty --
MR. LUTZ:
By no means.
LEG. LEVY:
Okay.

MR. LUTZ:
It is largely in response to some of their objections to the initial idea.
LEG. LEVY:
I'm glad to see you worked with them, that's appreciated.
MR. LUTZ:
We're trying to work with everyone to make a program work.
P.O. TONNA:
Okay. Legislator Alden and then Legislator Postal.
LEG. ALDEN:
Hi. Did you receive a copy of the memo from Suffolk County Tax Receivers Association dated --
MR. LUTZ:
I saw it briefly this morning.
LEG. ALDEN:
All right. Can you comment on their -- they've got three major concerns.
MR. LUTZ:
There were three concerns, and if you could perhaps read me the concerns and then I will respond, if I can.
LEG. ALDEN:
One is, "Due to the increase in enclosures in the mailing of the tax statements, many towns will experience an increase in postage. Will the County cover the cost of the additional postage?"
MR. LUTZ:
That's hardly our decision. That's a consideration this Legislature would have to take up. We are proposing to insert and we have provided samples, an item which is, I believe, less than an ounce in weight, so in and of itself is not likely to increase the postage that will be -- have to be expended, but that is an issue that is -- needs to be addressed by this Legislature, not by us.
LEG. ALDEN:
Okay. They also state that, "We're requesting an opinion from the New York State Office of Real Property Services as to the legality of the enclosure with the bills."
MR. LUTZ:
Their counsel was at our second meeting and indicated in questions that we asked directly of him, when the question of legality came up, that as far as he knew at that point, and he had not researched it, that it could be done, what we were proposing to do. We pointed out, in fact, that the Town of Southampton is already doing it. So, to the best of our knowledge and to the best of his knowledge, at that point, there was no problem legally in doing what we were proposing.

LEG. ALDEN:
The third --
MR. LUTZ:
And we've have had no further contact and he has not attempted to contact us since, so if he's discovered anything, he hasn't told us.
LEG. ALDEN:
I mean, the third thing they asked about is they're concerned that the -- because we're putting an enclosure in there and the money is supposed to go to a different place, that a lot of people will send their tax bills to the County, or the tax payments to the County, rather than sending them back to the town; have you addressed that?
MR. LUTZ:
Well, yeah. We've addressed that by the design of the proposed insert that we've come up with. It is, in fact, an envelope which will be preaddressed to the County Treasurer on which the citizen, who proposes to make a donation to the fund, will affix a first class stamp and mail it.
LEG. ALDEN:
See, somebody spoke earlier, though, said about the attention span is very low, and that one of the reasons why you wanted it included with the tax bill is so that it would get opened and read. So if there's a low attention span, then wouldn't it make sense that this concern is valid, that now that you're going to end up with payments that legitimately should go to the town are going to end up in the Suffolk County Treasurer's Office?
MR. LUTZ:
In response to that possibility, we included in the provisional wording that we provided you of what we propose to write on that insert a specific, in bold and capitalized statement that said, "Do not send your check to the Receiver of Taxes," or "Do not send your check with your tax payment," or something to that effect. I don't remember the exact wording, specifically to address that concern. Is it possible that someone will do that anyway? Sure. I think it's a very remote possibility, but, of course, it could happen, and if it does, I would certainly hope that the staff and the various ten Town Receivers of Taxes offices would know enough to take a check made out to the Suffolk County Campaign Fund and forward it. I don't think that's a big problem, I think that's a very, very minor problem which they have brought up. I don't consider it to be significant.
LEG. POSTAL:
Paul.
P.O. TONNA:
Legislator Postal.
LEG. POSTAL:
Lee, when you met with the Tax Receivers to propose that an insert be mailed with the tax bill, was it specifically in a flier or an informational piece and an envelope? Because I was contacted by the Town Receiver of Taxes in Babylon and Supervisor's Office and they felt

that there would be problems involved in having a notice and an envelope. They suggested that -- they felt it would be workable with a notice instructing people, rather than the notice and the envelope.
MR. LUTZ:

Yeah. Well, first of all, your premise, we did not meet with them to propose the insert idea, we met with them to discuss the idea which is in the law, which is for a tax checkoff, and quickly came to the conclusion that that was not a viable system. One of the alternatives then discussed was an insert. Specifically, we proposed using an envelope insert in order to make it easier and clearer, that, in fact, the separate check would be made and sent to a separate location. Just as there is a return envelope in at least every tax bill that I've ever received by mail, there's a return envelope in there preaddressed to the Receiver of Taxes. This would be an envelope in that same package preaddressed to the Suffolk County Treasurer.
LEG. POSTAL:
Would it be -- do you think it would be as workable? I know it wouldn't be as convenient to have an instructional insert rather than envelope in with the taxes.
MR. LUTZ:
The envelope is, in fact, and I don't have one with me now, but you've gotten them in the -- every one of you has gotten them in the mail, you probably get them every week, they are request for money from non-profits, from charitable organizations. They are an envelope with a notice attached to it. It's perforated. You read the notice, "Yeah, I think that's a good idea," you rip-off the perforated notice, you put your check in the envelope and mail it. That is what we're proposing and that is the sample that we gave to the committee for their information.
LEG. POSTAL:
And you said that that's --
MR. LUTZ:
We don't think that that's confusing, we think that's the simplest way to do it and the method that's most likely not to confuse the average person who opens this envelope and chooses to make a donation.
LEG. POSTAL:
And you said that weighs less than a half ounce, I think you said, or --
MR. LUTZ:
It's less than an ounce, as I understand it.
LEG. POSTAL:
So that it doesn't --
MR. LUTZ:
That's what I was told by the printing companies.
LEG. POSTAL:
It doesn't affect the amount of postage?

MR. LUTZ:
It could, and that point was made by the Receivers of Taxes. If whatever's already in the envelope is just barely under the next category --
LEG. POSTAL:
The level for the -- you're right.
MR. LUTZ:
-- then it could make a difference, yes. It might increase the postage, no two ways about it. It might not is my point. And I did hear a number earlier this morning tossed around I think of 40 cents,

or something. Mr. Alden, did it -- it may have come from Mr. Alden, I don't remember for sure.
LEG. POSTAL:
I think it said something about doubling the postage, but --
MR. LUTZ:
Yeah. That's -- I don't think that's a realistic number. First of all, they're all using bulk rate mailing anyway, so I don't think that's a realistic number.
LEG. POSTAL:
But, you know, it just seems to me that the course of the envelope, you know, purchasing the envelope, having it printed and the postage, you know, I mean, it certainly sounds like a workable solution. I mean, the issue I think is who should pay for that and I know that's not the concern of the committee.
MR. LUTZ:
Well, in terms of the preparation, the purchase and preparation of the envelopes, that is the County. That is part of the proposal in front of you, that you will pay for that. In fact, that is -- we've gotten several estimates from a couple of envelope companies, and this is a very specific area of printing and most printers don't do it. I know, because I went to a lot of printers and it took me awhile to track down some who would, who actually handle this sort of thing. We've got estimates of between ten and $20,000 to print 550,000 of these things. It's a tiny price, and, certainly, in terms of County budgetary items, $20,000 is not a significant number.
LEG. POSTAL:
No, I'm not concerned about -- I think that there's misunderstanding, or maybe there's -- you know, I don't know whether it's real misunderstanding or deliberate misunderstanding, because I know, again, I could only speak for the Town of Babylon, but they were concerned about the cost of purchasing and printing the envelopes as well.
MR. LUTZ:
Well, they're not purchasing or printing the envelopes.
LEG. POSTAL:
Yeah. They don't care if the County --

MR. LUTZ:
That's right.
LEG. POSTAL:
-- is willing to incur the cost, you know.
MR. LUTZ:
Yeah, yeah. We're not asking and I don't think it would be appropriate to ask the towns to purchase them and print them.
LEG. POSTAL:
Yeah, I agree.
MR. LUTZ:
And that's part of the bill that you're considering, that the County would do that. All we're asking them to do is put it in the envelope that they're going to mail anyway.
LEG. LEVY:
Nicely said.
LEG. CRECCA:
Mr. Chairman, if I may. I just have a question.

LEG. LEVY:
Oh, I guess, yeah.
P.O. TONNA:
Yes.
LEG. CRECCA:
My understanding is, first of all, that doesn't -- we don't know what the labor cost is to the towns either, because you don't provide the envelopes, but they still have to get them inside the other envelopes that they're mailing out, that's number one, one question I have for you. The second question is, you know, I can -- I know -- I happen to know the Town of Islip's numbers. They're talking about 50,000 pieces of mail. Even at bulk rate, if it does jump them over at 20 cents each, you know, you're talking around $10,000 increasing to a town's budget, which is significant, you know.
LEG. FOLEY:
It's only if everyone responds.
LEG. CRECCA:
So, you know, I mean, you are talking increasing the numbers, plus the labor. I don't know if you've ever stuffed envelopes, but even -- it's not automated, you know, for most towns.
MR. LUTZ:
We were -- actually, the Receivers indicated that, in fact, they -- I don't know if they all do, but, apparently, at least most of the Receivers use an envelope stuffing service as part of their putting together the package that gets mailed.

LEG. CRECCA:
I understand. But I still pay for --
MR. LUTZ:
So it's a matter on --
LEG. CRECCA:
But they still pay for that, that's what I'm saying. You pay --
MR. LUTZ:
Well, of course. Of course.
LEG. CRECCA:
-- how many pieces you have and the --
MR. LUTZ:
Yes.
LEG. CRECCA:
-- and everything else like that.
MR. LUTZ:
And if they're stuffing four pieces in an envelope or five pieces in an envelope, there's a difference in cost, I'm sure. I'm also sure it's not a great deal of money.
LEG. CRECCA:
Obviously, we shouldn't -- we're passing -- we're still -- no matter how you look at it, we're passing cost on to the town. Whether it's 10,000, 20,000, or $30,000, it's a cost we're passing on to the town and not a part of town -- town government's function.
MS. BURKHARDT:
Mr. Presiding Officer?
LEG. LEVY:
He's not here, is he.

MS. BURKHARDT:
No, he's right there.
LEG. CARPENTER:
I just have a question on -- Lee, did you have an opportunity to check with the ten Town Receivers about the size of envelope that they send their mailing out, to make sure that the envelope, the 550,000 that we print are, in fact, usable by each of them?
MR. LUTZ:
We have not done that coordination, yet. It will be done immediately upon the fact that we know that we're going ahead, and will not -- within a week, we can have all that information that we need. We already discussed that in both of our meetings with the Receivers in order to coordinate, because some of the towns do use different size envelopes, and that will be all coordinated.

LEG. FOLEY:
Speaking of envelopes, if I may for a moment, maybe inject -- try to inject a moment of levity, I hope you've used some of your own personal envelopes to tell your friends and family that -- I understand that you're a first-time grandparent as of last several months. So, Lee, congratulations on being a new grandfather.
MR. LUTZ:
Thank you very much, Brian.
LEG. CARACAPPA:
Congratulations.
LEG. FOLEY:
And the towns aren't going to have to worry about paying for that postage, I'm sure.
MR. LUTZ:
No. Those announcements were already sent out and postage already paid.
LEG. LEVY:
Okay. Thank you, Lee.
MR. LUTZ:
Thank you.
LEG. LEVY:
Thanks for staying.
P.O. TONNA:
Okay. I'd like to have all Legislators, please, come to the horseshoe. Okay. I'm going to ask for a five-minute break. Okay? We're back here ready to rock and roll. If anybody has any questions about the Capital Budget, I would ask that you facilitate this in these five minutes.
[THE MEETING WAS RECESSED AT 6:05 P.M. AND RESUMED AT 6:25 P.M.]
P.O. TONNA:
Okay. All Legislators, please, come to the horseshoe. Okay. Roll call, please. I just want to give Legislator Guldi a second, and wherever Legislator Towle is. There you are
LEG. TOWLE:
Right here.
P.O. TONNA:
Okay, great.
(*Roll Called by Mr. Barton*)

MR. BARTON:
18.

P.O. TONNA:
I'm present.
LEG. CARACAPPA:
Let's go.
P.O. TONNA:
Okay. Just, first of all, Legislator Towle, you have a motion?
LEG. TOWLE:
Yeah, I do, Mr. Chairman. I want to make a motion to discharge 1474 out of the Budget Committee, with the permission of the Chairman. It was an error that was done for some money from the original omnibus from last year and I need to correct it, if I could.
P.O. TONNA:
Okay. Motion by yourself, seconded by Legislator Bishop, who's the Chairman of the Budget Committee.
LEG. FOLEY:
What's the bill?
P.O. TONNA:
This is the William Floyd --
LET. TOWLE:
William Floyd School District Funding.
P.O. TONNA:
Yeah.
LEG. TOWLE:
The bill's being handed out now.
LEG. BISHOP:
The only issue is whether it's a technical change or not. The Budget Committee was under the impression that it was not. Legislator Towle maintains that it is. If it is, then there's no problem, obviously --
P.O. TONNA:
Okay. So who do we want to ask.
LEG. BISHOP:
-- because it was budgeted for in omnibus.
P.O. TONNA:
Who do we want to ask?
LEG. BISHOP:
We want to ask the Budget Review Office, perhaps.
P.O. TONNA:
Okay. Budget Review?
MR. POLLERT:
Yes. It's a technical.

P.O. TONNA:
There you go.
MR. POLLERT:
It reallocates the funds.
LEG. BISHOP:
And okay. So then we're fine with it.
P.O. TONNA:
All right. There you go.
LEG. BISHOP:

Forge ahead.
P.O. TONNA:
All right. All in favor? Opposed?
LEG. LEVY:
Let me -- let me -- let me--
LEG. BINDER:
What, what, what, what?
LEG. LEVY:
Was this money from --
LEG. CARPENTER:
Just to discharge.
LEG. TOWLE:
It's just to discharge first.
LEG. LEVY:
Yeah. Well, just before that. I think I'll be answering you a favor.
P.O. TONNA:
On the motion to discharge, Legislator Levy.
LEG. LEVY:
Fred, this wasn't money from contingency, obviously, it was money that was originally from Family Service League and now it's going to William Floyd Schools?
LEG. TOWLE:
No.
MR. POLLERT:
That's correct
LEG. LEVY:
How did -- No. That's what the bill said.
LEG. TOWLE:
It was originally contingency money.

LEG. LEVY:
Right.
LEG. TOWLE:
There was an error when it was put in the budget under the Family Group, I believe, is where the error came in. It was originally targeted for the William Floyd School District out of the allotment that we each got for each district.
P.O. TONNA:
No. Can I say something?
LEG. LEVY:
But this says $75,000. How can this --
P.O. TONNA:
It wasn't contingency money. This was money -- this was money --
LEG. TOWLE:
Omnibus.
P.O. TONNA:
This was omnibus money.
LEG. TOWLE:
Omnibus money.
LEG. GULDI:
Omnibus money.
P.O. TONNA:
Okay?

LEG. TOWLE:
Omnibus.
LEG. LEVY:
All right.
P.O. TONNA:
Omnibus.
LEG. TOWLE:
My correction.
P.O. TONNA:
That's the key magic word here, omnibus.
LEG. LEVY:
Okay. This was omnibus and this was $75,000, but it was earmarked for the Family Service League, and now that's being switched over to William Floyd.
MR. POLLERT:
Right. The budget narrative to the omnibus bill said that it was for a

truancy program in the William Floyd School District through the Family Service League, but the funds were now going to be dedicated to the --
LEG. LEVY:
So it's the same program.
MR. POLLERT:
It's the same program.
LEG. LEVY:
All right, fine.
LEG. BINDER:
Wait, wait. Mr. Chairman.
P.O. TONNA:
Okay. Hold it one second. Legislator Levy, you're done, right?
LEG. LEVY:
Yes.
P.O. TONNA:
Legislator Binder.
LEG. BINDER:
My understanding is the money has already been spent by Family Service League; is that correct? In other words, the contract has been let, the contract is signed, it exists as a contract, and Family Service League has already spent this money.
P.O. TONNA:
Okay.
LEG. BINDER:
So what would be the practical effect? And so I guess I'll ask Budget Review before I agree to take this out. What would be the practical effect of moving money that's already been spent, contracted for, signed with County, a contract that's been signed with the County and already spent if we do this? I don't understand what the practical effect is?
MR. POLLERT:
There are two practical effects. It's our understanding that the County has entered into a contract with the Family Service League. They have hired employees to carry out a program. There is a clause in the contract which allows for the contract to be canceled on the part of either parties and/or in case there's a nonappropriation clause. So

the contract can be canceled. What would happen is the Family Service League would have to terminate the individuals, or another offset would have to be found to continue funding the program through the Family Service League.
LEG. BINDER:
Mr. Chairman, what we're talking about here is now taking people who have had an expectation of employment and have been hired by an agency that signed a contract with the County, so everyone had the expectation

of having this go forward, and we're talking about moving money out of the Family Service League and telling people, "Well, you're not fired, because we pulled" -- I mean, what kind of precedent are we going to set is my concern? Are all contract agencies going to be at risk in the middle of their contract because they have a nonappropriation clause and because we can decide at any point to just say, "Now, you don't have the money, we've decided to move it"? I think it's a bad precedent. If there's a way we can do both, I would entertain, I think that's a good possibility, but this way, I think it's the wrong thing to do.
LEG. HALEY:
It's just a discharge.
P.O. TONNA:
Okay. Hold it. Legislator --
LEG. BINDER:
I understand, I'd even want to discharge it.
P.O. TONNA:
Legislator Towle, you have a --
LEG. TOWLE:
Yeah, thank you. I appreciate it. I just want to address Legislator Binder's concerns. If they've spent money, which I don't know to be factual if they have or have not, they spent it erroneously. They spent it erroneously, because this money was never targeted for them as part of the omnibus. All right? I've had lengthy conversations with them, mostly today, but over the last couple of days, and like you, I've said to them that, you know, if you have expenditures, I'm more than willing to try to help accommodate you. I don't want you to have to lay anybody off, I don't want you to have bills that you cannot pay, or bills that you've paid and you're not getting your money back. However, that case does apply to the William Floyd School District. They hired someone based on the fact that we approved this in the omnibus in November and that person started in January and has been working for six months, and they've laid out that money, and they've paid health benefits, and they've done what they've had to do, and they've been trying to find out what happened to the money. And what happened is the need for this resolution to correct an error that was done by someone, not by me, but it was done by someone, and that's what this resolution does. And, you know, that money was targeted for my district as funds were targeted for yours. And the funds for your district are at your discretion, as the funds were for my district.
And this came out of my district's omnibus contingency funds, whatever you want to call it, and I need to move this along.
As far as that agency is concerned, I'm with you. If we need to find some other money for them -- and quite honestly, I did speak to them

today. They have not spent $75,000. In fact, they gave me three figures throughout the day, so they're really not even sure what they spent, but it's a lot less.
LEG. BINDER:
No. But I think they've done the hiring and they have a contract. The

only question about this is can we do this in one shot? In other words, can we -- can we do your resolution? I understand and I agree with you, that if it's the intent to go forward and move this money, but, at the same time, we've got a problem on the other end, you don't want to take the contract out from under someone who has already gone and hired people, and they won't have the money to continue that employment and they'd have to fire them in mid employment. So what I'm saying is we should do this in one shot. If you want to -- we should find a way with some money to --
LEG. TOWLE:
If you'd suffer one interruption.
LEG. BINDER:
Yeah, sure.
LEG. TOWLE:
They're on a hiatus now, because, obviously, they're at the end of the school. They're not in there in June, July and August, they're back in September. So what I asked them to do today was to give me a budget of what they've spent and what they anticipate on spending for the rest of the year, and I've asked them to give me hard-core numbers, this is what we've spent, not maybe, could be, what if. And I also spoke to Ron Cohen from the Presiding Officer's staff, so that we could put together some type of bill to make them whole, and least what they've spent. As far as going into the new year, I'm more than willing to address that, you know.
LEG. BINDER:
Well, my other concern is that they shouldn't lay off people that have been hired, because they've signed a contract and there's an expectation by those who are being hired based on a contract signed with this County. So, I mean, I would think it's wrong for us as a County to raise expectations of someone of employment through a signed contract and then turn around with legislation and pull the rug out from under them. I'm not even talking about Family Service League, I'm talking about whoever the individuals are who have been hired. We have a responsibility, rightfully or wrongfully, signed a contract with an agency and give expectation to individual people with families that they have a job, and we should do something about following through on that and that should probably be part of this process.
LEG. TONNA:
Okay? Anybody else? Okay. There's a motion and a second. All in favor? Opposed?
LEG. BINDER:
Opposed.
P.O. TONNA:
Opposed, Legislator Binder.
MR. BARTON:
17.

LEG. TONNA:
Okay. It's discharged and it will lay on the table, I guess, for an hour or something.
LEG. TOWLE:
Thank you, Mr. Chairman.
LEG. TONNA:
Okay. Legislator Postal, you have a procedural motion?
LEG. POSTAL:
Oh, yes. I have -- everyone, in the packet, has a procedural motion, which is related to the sewer sludge study. We had --
LEG. TONNA:
Right, the alternative sludge processing study.
LEG. POSTAL:
Right. We had actually approved this, I think it was last August, and the money is there. This doesn't add the $25,000, but it changes I guess the committee that will make the decision about the consultant who will be retained from the Public Works Committee to the Budget Review Office Steering Committee, because the money is actually coming out of the Budget Review Office account. So that's all this does --
LEG. FOLEY:
Right. Second the motion.
LEG. POSTAL:
-- is just changes the committee that will retain -- interview and retain the consultant.
LEG. CARACAPPA:
Do it.
LEG. FOLEY:
Second the motion.
LEG. TONNA:
Okay. There's is a motion and a second. All in favor? Opposed? Approved.
MR. BARTON:
18.
LEG. TONNA:
There we go.
LEG. POSTAL:
Thank you.
P.O. TONNA:
Now, to the Capital Budget Program. All right. We have in front of us a pretty lengthy set of papers. And I think if -- this is my first time as Presiding Officer to go through this process. I'm depending on my Legal Counsel, so that I can say the correct terms. But I think we

make a motion to approve Omnibus Number 1, Bill Number 1, and a second by Legislator Bishop.
LEG. POSTAL:
I have a --
LEG. TONNA:
Okay. Now, on the motion.
LEG. POSTAL:
On the motion.
P.O. TONNA:
We have a motion and a second. And you have a question. But I also

had asked Fred to maybe give a short description of what this does. But go ahead, Legislator Postal.
LEG. POSTAL:
Well, I would like to just make a motion to amend Amendment Number 1 to include the essence of Amendment Number 12, because I really had the impression that there was an intention to advancing the funding one year for planning and construction of addition to TriCommunity Health Center, and it was like something that fell through the cracks and that's the reason it wasn't included.
LEG. BINDER:
I'll second that.
LEG. POSTAL:
So I'd like to make that motion.
LEG. BINDER:
I'll second that motion.
P.O. TONNA:
Okay. Can I --
LEG. CRECCA:
I don't understand what the motion is.
P.O. TONNA:
That's why we're just -- let's move just at little slower. Legislator Postal is asking to add Amendment Number 12 into the omnibus.
LEG. POSTAL:
Right.
LEG. TONNA:
Now, I'm not sure why. Since there's no conflicts, why don't we just vote on that separately?
LEG. POSTAL:
I just --
LEG. BISHOP:
Right, we can.

LEG. POSTAL:
We can vote on it separately, but I think for the same reason, we can include it in the omnibus.
LEG. BISHOP:
Yeah, but you're adding a step.
LEG. HALEY:
Trust us.
P.O. TONNA:
Okay. No. Anyway --
LEG. TOWLE:
The check is in the mail.
LEG. POSTAL:
You know --
P.O. TONNA:
Okay.
LEG. POSTAL:
All I could say --
P.O. TONNA:
All right.
LEG. POSTAL:
-- Mr. Presiding Officer, is I remember a couple of years ago, when I

wanted to put something in the omnibus and you voted against it, and you said that, "Don't worry, it will pass as a stand-alone." You remember that occasion?
P.O. TONNA:
No. I must have been -- you know, I have a very vivid memory of forgetting things. Anyway, it's -- you know, I don't remember what I vote on. No, I'm joking.
LEG. POSTAL:
I don't think it's a big deal.
P.O. TONNA:
Okay.
LEG. POSTAL:
You know, I just think that it would be simple just to include it.
LEG. TONNA:
Okay. How much -- how much -- Fred, how much does this add?
LEG. FOLEY:
270, 280 next year.

MR. POLLERT:
In total, it doesn't add anything, because it's rescheduling of the funds. What it does do is it changes what the savings are in the Year 2001 and 2002.
P.O. TONNA:
From one million something to what?
MR. POLLERT:
In 2001, it reduces the savings by $220,000, and in the year 2001, it reduces the savings by approximately $1 million.
P.O. TONNA:
All right. I'd just beg Legislator Postal's indulgence. If I do vote for this, will you promise never to bring this up again --
LEG. POSTAL:
Absolutely.
P.O. TONNA:
-- my inconsistencies?
LEG. POSTAL:
Absolutely.
P.O. TONNA:
I'm haunted by them.
LEG. POSTAL:
It's wiped out of my mind.
P.O. TONNA:
Anyway, okay. So there's a motion and a second to add it into the omnibus. All in favor? Opposed? We have added it into the omnibus.
MR. BARTON:
18.
P.O. TONNA:
Now, don't vote against this omnibus, Maxine. No, I'm joking.
LEG. POSTAL:
Now, I would never.
P.O. TONNA:
Okay. Let's --
LEG. BINDER:
On the motion.

P.O. TONNA:
Now, there is another --
LEG. FISHER:
I have a question.

00193

P.O. TONNA:
There is another a motion, I think. You're going to make a motion, right?
LEG. FIELDS:
I would like to make a motion.
P.O. TONNA:
Oh, I'm sorry.
LEG. FISHER:
I just had a question about the omnibus.
P.O. TONNA:
Yes.
LEG. FISHER:
Could I ask that question?
P.O. TONNA:
Why don't we ask a couple of questions and then we'll go to the -- go ahead.
LEG. FISHER:
Okay. I just wanted to ask Budget Review, the four parts of this that I had -- for which I had been a sponsor, I'm not listed as a sponsor. Is there a reason? 7009, 7096 on the first page. All the Parks amendments.
MR. POLLERT:
Yes. That would just be an oversight on our part and we apologize.
LEG. FISHER:
Oh, okay. I thought there was another reason.
MR. POLLERT:
No.
P.O. TONNA:
Also, Number 17, there is a misprint on 17. It has the sponsors as Legislator Bishop; that is not true. The Legislator who sponsored this is Tonna.
LEG. HALEY:
Who's he?
P.O. TONNA:
Okay?
LEG. HALEY:
Who?
P.O. TONNA:
Right? All right. Okay.

00194

LEG. CARACCIOLO:
Boy, how Congressional races change.
P.O. TONNA:
No, no, no. No, no, no.
LEG. BISHOP:
There's a lot of farmland in the Second District.
P.O. TONNA:
Okay. Now, now, now. Okay.

LEG. FISHER:
Okay.
P.O. TONNA:
Let's go back.
LEG. FISHER:
Paul, I just wanted to clarify that, so that people would know that as Chair of Parks, that I had sponsored those four amendments, 7009 on Page 2, 7096, 7165, and 7433, and that I worked with the Parks Commissioner in drawing those up.
P.O. TONNA:
Great.
LEG. FISHER:
So there's no conflict with Parks.
P.O. TONNA:
Okay, great.
LEG. HALEY:
Wait a minute, we're still picking on Bishop.
P.O. TONNA:
All right. Hold it a second. Let's go back. Let's go back now. Fred, do you want to say a little something, especially about the savings that we're offering the first two years?
LEG. BINDER:
Well, I'd like to ask a question about something else --
P.O. TONNA:
Sure.
LEG. BINDER:
-- before he does.
P.O. TONNA:
Before he goes?
LEG. BINDER:
Before he sums up or something, right.

P.O. TONNA:
Okay. Go ahead. Legislator Binder has the floor.
LEG. BINDER:
I just want to ask about the addition of the million dollars for large dredging projects, Fred. What has been your feeling in the past about using capital money for this?
MR. POLLERT:
Our recommendation in the past has been for pay-as-you-go projects. The intent of the omnibus committee was to include $1 million for those capital projects which were in excess of $100,000, that they would be bonded out, as was done in previous years, so the omnibus includes the $1 million for the large projects. The amount of money that was requested by the Department of Public Works was less money than the County Executive proposed as pay-as-you-go by approximately $1.2 million.
LEG. BINDER:
The County Executive proposed 1.2 million more?
MR. POLLERT:
No.
LEG. BINDER:
1.2 million less.

MR. POLLERT:
Less than the department had requested. He's proposing doing pay-as-you-go, so the remainder, it was the wish of the Omnibus Committee to include it with --
LEG. BINDER:
So --
MR. POLLERT:
On the proceeds.
LEG. BINDER:
So it's the intention of the County Executive's -- County Executive to put this in operating to do -- to do dredging out of operating funds, rather than to do it out of capital. And the -- okay.
LEG. FOLEY:
Mr. Chairman, if I could --
P.O. TONNA:
Wait, wait, wait, just one thing. Legislator Binder has the floor. He's asked Budget Review a question. Are you done, Legislator Binder?
LEG. BINDER:
Yes.
P.O. TONNA:
Okay. Legislator Foley has the floor.

LEG. FOLEY:
Just to answer Legislator Binder's question, and it's a good one, we do expect the County Executive to propose in his Operating Budget monies for capital projects. However, he left out in his proposed Capital Program some substantial monies that was requested by the Department of Public Works along many of our waterways where there are projects well in excess of $100,000 that need to be undertaken, that would be difficult to undertake those projects if all of the dredging projects were in the Operating Budget. So what we're doing is, for those that are $100,000 or less, we'll continue with the program of using the Operating Budget for those, but for the larger projects, as we've done in years past, we want to put some money into the Capital Program, so that there'd be a better chance of undertaking those waterway projects, particularly whether on the South Shore or the North Shore, because there are a number of waterways where there are some navigational issues. So by placing it into the Capital Program, we'd have a well funded capital Program for waterways division for dredging, as well as we do expect the County Executive to put monies into the Operating Budget for the more recurring less expensive projects.
LEG. BINDER:
Would you yield on that, just--
LEG. FOLEY:
Sure.
LEG. BINDER:
My concern, I guess, is that these are ongoing projects we're adding interest expense to. And I understand the need for it to be -- this is for next year's budget -- the need for it to be an operating budget and it should be, I would hope the County Exec, in offering next year's budget in September, will give us a budget that has enough dredging money. But what we're doing here, and I think the reason Budget Review has on a regular basis said this should be in operating funds, is that

the expense is considerably lower to get -- you get more bang for the buck if you do it pay-as-you-go without interest.
LEG. FOLEY:
Yeah. We're still doing that for the smaller projects. However, for these larger projects. However, for these larger projects, these are not recurring projects for that particular waterways. There are some waterways where these monies would be utilized once maybe every 20 years, or once every 30 years.
LEG. BINDER:
Right. But it still -- I mean, it really isn't appropriate for capital. The question is shouldn't we make sure that it's in -- our responsibility to make it sure it's in the Operating Budget for 2001 when we do that later to make sure even the big projects are taken care of, rather than putting this in an capital budget where we're going to end up paying interest --
LEG. FOLEY:
And this is the way that we've done it in years past where we've always -- the small projects were funded through the operating and the big projects were funded through the capital.

LEG. BINDER:
That doesn't make it right.
LEG. FOLEY:
Okay.
P.O. TONNA:
Okay. I just -- Legislator Foley, you're done?
LEG. FOLEY:
Yes.
P.O. TONNA:
Okay. Fred, why don't you give us, you know, down and dirty -- down and dirty, what does this Capital Budget do, omnibus, Capital Budget omnibus.
MR. POLLERT:
Basically, what the omnibus does is it would reduce expenditures in Fiscal Year 2001 and two, and it would reschedule some increased funding to the Year 2003. The primary new additions to the omnibus resolution are the inclusion of funding for a juvenile detention facility, traffic studies in Bay Shore and Patchogue, some additional funding for the renovation of the Fourth Precinct building and Sixth Precinct, I'm sorry, and inclusion of funds in the Year 2003 for a running track improvements at the Ammerman Campus.
P.O. TONNA:
Great. Thank you very much, Fred. Okay. So just to -- just to give you this short summary, next year, we save money. The year after, we save money. Anything else, I'm not interested in right now. Okay. Thank you very much. Okay. There's a motion and a second.
LEG. LEVY:
Recognize Legislator Fields.
P.O. TONNA:
Okay. Legislator Fisher.
LEG. FIELDS:
No.
P.O. TONNA:

I mean Fields. Sorry. It's the "F" thing, you know, Fields, Fisher.
LEG. FISHER:
Uh-oh. Foley.
LEG. LEVY:
Don't get giddy.
LEG. GULDI:
Foley.

00198

P.O. TONNA:
Go ahead. Foley, fun -- Fields, Fisher and fun, right?
LEG. HALEY:
I beg your pardon.
LEG. LEVY:
Go ahead.
LEG. FIELDS:
I'd like to make a motion to amend the omnibus bill by removing Project 30 -- or 3012.
LEG. LEVY:
Second.
P.O. TONNA:
That's the project for the Child Detention Center, right?
LEG. CRECCA:
Correct.
P.O. TONNA:
Okay. There's a motion and a second.
LEG. BINDER:
On the motion.
P.O. TONNA:
On the motion.
LEG. BINDER:
Can I get the reason why, so I can --
LEG. FIELDS:
Yeah. Because one of the potential sites is right in my district, and last year, I understand when Legislator Rizzo was here, there was a huge outpouring from the district asking that it not be in the district. And I think that they maybe could evaluate where it could be and find an appropriate spot for it and then put it in the --
LEG. BINDER:
Can I just also -- I'm just curious, because I wasn't there for the creation of this, why this was put in in the first place.
P.O. TONNA:
Yeah.
LEG. LEVY:
That's a good question, because it's not in the --
P.O. TONNA:
Wait, wait, wait, wait. Legislator Binder --
LEG. BINDER:
So I could hear both sides.

00199

P.O. TONNA:
-- asked a question. I don't know if it's a rhetorical question or not. If somebody --
LEG. BINDER:

No, it's not rhetorical.
P.O. TONNA:
If somebody wants to speak and address Legislator Binder's concern, recognize through the Chair and I will recognize you, but Legislator Fields is still finishing.
LEG. FIELDS:
I agree, we need one. I just am putting in this motion because I would like them to figure out the site first and then decide what they're going to do.
P.O. TONNA:
Thank you. Okay. Legislator Alden, do you have something to say?
LEG. ALDEN:
Yeah.
P.O. TONNA:
Okay.
LEG. ALDEN:
Unfortunately, we have children that are being detained and being warehoused in places as far away as Buffalo, and by not wanting to appropriate the money to build a juvenile detention center, we want to, or we're advocating a position that would continue to leave Suffolk County in a position where we're in violation of the law. We're inviting a lawsuit, and there's been numerous incidents that would actually contribute to the proximity of a lawsuit coming at us very quickly. So the reason stated, that I don't want it in my district, seems a little bit weak when you start comparing that to the need, that we've got children that are being transported to and from Buffalo. So I would just ask reconsideration on -- maybe even withdrawing that, because this does not -- and just to point out, this does not designate any area, all this does is put in the money, so that we can come into compliance with the law. Later on at another date, we can actually craft some kind of resolution, and that would probably be more appropriate to address where it's going to go, how we're going to establish a Commission to look at that, and a lot of the other open issues that exist.
P.O. TONNA:
Thank you very much. Legislator Levy and then Crecca.
LEG. LEVY:
I just want to note for the record that in my prior conversation with Legislator Fields, the concern was not not in my district, it was more that it was apparent that this was preordained to be in the district without a fair opportunity for all potential sites to be considered and that's a big difference. What we're doing with the resolution is to

abdicate the decision to a particular panel. And it's no secret that they have had their eye on that same particular site that Legislator Fields had talked about. And had what she's saying, and I think rightly so, is let's find out what their reasons are first and see what the potential alternatives were if perhaps there were better sites available.
Furthermore, I think Legislator Binder asked a very pertinent question, that is why was this not placed in the Executive's recommended budget in the first place, and why is the Legislature adding the funding?
We're not saying that we are opposed to the concept of having such a

facility, but there's no reason why it cannot be amended during the course of the year when we have sat down and come to the conclusion as to where the best site is and for what particular justification. I think that's very, very important. It's almost like putting the cart before the horse here, because it's going to give the impression that this is a done deal where there's still a very -- there's very many unanswered questions that remain. So that's why we're just saying, the County Executive didn't put it in there, let's find out why and let's address it after we have -- after we have digested this. But I'd like to follow up on Legislator Binder's request, and I'd ask someone from the County Executive's Office to please present to us the reasons why this was not placed in his budget.

LEG. CRECCA:

If I can, I'll speak, and it may answer some of your questions, Steve, so --

P.O. TONNA:

Okay. Legislator Crecca, you have the floor.

LEG. CRECCA:

Okay. First of all, I think Legislator Alden is a hundred percent correct in that it is amazing to date that we have -- the County has not had a major lawsuit on its hands. This is an area of law that you all know that I practiced in for many, many years. And the situation is it's horrendous. We have -- we really do on a regular basis every week, every two weeks, sometimes on a daily basis, we are sending children to Buffalo, we are sending kids up to Niagara, to Syracuse, to house them, because we don't have facilities. It is a State mandate that every County government in New York State have a juvenile detention center. We are not meeting our State mandates. And in -- we are violating the rights of children, we are putting children at risk of danger and physical harm.

And let me just make it very clear, too, not all these children are juvenile delinquents; okay? Some of these children are children with emotional problems who have had problems as a result of divorcing parents, who were before the courts as persons in need of supervision, and these are kids that are as young as 12 years old and sometimes younger. So we need -- this is something the County needs to do. Steve. Steve, your questions are legitimate. The problem is, is that when you talk about this preordained location as Islip, that is not the case. And I will make it clear to all Legislators, that the site selection process, how that is done still has to be approved by this

Legislature. But we are talking about capital projects now, we are not talking about site selection committees. We are talking about projects that County needs to do in the next year, next one to three years. There's no question, there is not a person on this horseshoe who does not agree that we need to build this center; okay? So that's what we're voting on now.

There will be, and I will be introducing a bill, and I will promise that I will, before I even distribute it, I will circulate a draft of the bill to 18 members of this Legislature to receive their input, and we will work on site selection. And there is no preordained location. The location that was on the top of the list, I can tell you, in Islip, the original -- that property is no longer available, it has been

developed already. So just to tell you, that's off the top of the list. So the answer is, is that --
P.O. TONNA:
Coindre Hall.
LEG. FISHER:
Coindre Hall.
LEG. COOPER:
No, thanks.
LEG. LEVY:
May I ask a question through the Chair.
P.O. TONNA:
Yes, you can ask a question.
LEG. LEVY:
I believe, Andrew, that there is a separate line item, I believe it's Budget Amendment Number 8, which would deal with this resolution. All Legislator Fields and I are asking, and Legislator Fields in particular, is that we remove this from the omnibus, because there might be Legislators who want to vote for the omnibus, but might have a concern on this one, and then it can come up on Resolution Number 8. I think it will probably have the votes to pass. But the key is the statement from Legislator Fields, that she wants to remove this from the omnibus, so she'd have more freedom to vote for that bill.
LEG. CRECCA:
Steve, I just wanted -- I'm just going to answer his question.
P.O. TONNA:
Okay. Let's just call the vote.
LEG. CRECCA:
All right. I'll just answer your question quick. Again, whether it's in the omnibus or it's separate, if you agree that we needed a juvenile detention center, you should be voting for it. If -- with the site selection process, if you don't agree with that site selection process or a location, vote against it. And then I'll -- because I'll be doing it, too. If it's not a good process, then I won't be supporting it either.

LEG. LEVY:
I should just say that the understanding right now is to allow that site selection process to be engaged by a panel that we will allow to
LEG. ALDEN:
There's not resolution.
LEG. LEVY:
Well --
LEG. CRECCA:
There's no resolution.
P.O. TONNA:
Okay. Wait. Can I --
LEG. LEVY:
This is what the plans -- this is what the plans were, so if it changes, fine. But all I'm saying is for right now, we just want this as a separate resolution.
P.O. TONNA:
Okay.
LEG. CARPENTER:

Mr. Chairman.
P.O. TONNA:
There's a motion and a second. Go ahead.
LEG. CARPENTER:
If I could.
P.O. TONNA:
Legislator Carpenter.
LEG. CARPENTER:
I just was prepared to support Legislator Levy and Legislator Fields in removing this, but I would like clarification from Legislator Crecca. If you're telling me that the site that was originally selected, being C.I. is off the table and not part of this, then I will support leaving this in there, because I have had -- I have had communication from a lot of people in that area. They are struggling to come back, they are finally making progress, and I could not support anything that would preordain that that's where it's going.
LEG. LEVY:
We don't know if it is or isn't, but --
LEG. CRECCA:
What I can tell you is, is this bill authorizes funding for the planning and development and for the construction. What it does not do is it doesn't say anything about site. So the reality is, is that that has to come back to the Legislature. Right, this is just funding. It has to come back to the Legislature about site selection.

LEG. D'ANDRE:
As does this.
LEG. CRECCA:
As does this, too, that's right.
P.O. TONNA:
But it has to come back.
LEG. CRECCA:
Anyway --
P.O. TONNA:
It has to come back to the Legislature to appropriate the funds.
LEG. CRECCA:
That's what I'm saying.
P.O. TONNA:
In the meantime --
LEG. CRECCA:
It really --
P.O. TONNA:
While -- if Legislator Crecca has already mentioned his intent, I have already mentioned my intent to Legislators, we have an intention on looking at a bill that's going to deal with this with no preordained sites.
LEG. CRECCA:
Absolutely.
P.O. TONNA:
You know, that won't happen. And we'll be able to pick a committee that can make a good judicious decision on providing something that we need. Anyway, all right. Let's just --
LEG. CARACAPPA:

Mr. Chairman.
LEG. CARACCIOLO:
Paul.
P.O. TONNA:
Anybody else?
LEG. CARACCIOLO:
Paul.
P.O. TONNA:
Yes, Legislator Caracappa.
LEG. CARACAPPA:
Just to tell everybody, and most of you know this, this is a

spending --
P.O. TONNA:
Farmingville.
LEG. CARACAPPA:
In Farmingville, right.
P.O. TONNA:
There you go.
LEG. CARACAPPA:
This is a spending plan, not like the operating budget, where we pass the budget and it just happens throughout the year that monies are allocated. This is a plan, a blueprint that will come back to us as we appropriate each and every project. So, please, let's keep that in mind and know that whatever's voted on here is just something we're going to consider again in the future.
P.O. TONNA:
Right. Thank you very much. There's a motion and a second. Do we have to go -- do we have to of a roll call? No.
LEG. HALEY:
Repeat the motion.
P.O. TONNA:
There's a motion to take --
LEG. LEVY:
We asked the County Executive --
P.O. TONNA:
Okay.
LEG. LEVY:
I asked for a comment from the County Executive's folks, their staff, as to why it wasn't in there. Anybody available to comment on?
MS. GODSMAN:
Yeah.
LEG. FOLEY:
There has to be someone.
P.O. TONNA:
Sure, come on up. Try your hand.
LEG. FOLEY:
Is Ken Weiss coming?
MS. GODSMAN:
Yeah, Mr. Weiss is on his way up.
LEG. CRECCA:
I can answer that.

LEG. LEVY:
We want to know why it wasn't included in the recommended budget.
P.O. TONNA:
Okay.
P.O. TONNA:
Okay.
LEG. FOLEY:
It's a fair question.
LEG. CRECCA:
Can we just take a vote, please?
P.O. TONNA:
Yeah.
LEG. LEVY:
Well, I made the request. Aren't we allowed to hear that answer?
LEG. FOLEY:
Where's Mr. Weiss?
MS. GODSMAN:
Ken Weiss is on his way up.
P.O. TONNA:
Okay. Hold it a second. Just --
LEG. FOLEY:
Is he in Hauppauge, or is he in another part of the building?
P.O. TONNA:
There's a request from Legislator Levy.
MS. GODSMAN:
He's in the hallway.
P.O. TONNA:
He's on his way? You got his walkie-talkie working?
MS. GODSMAN:
He's on.
P.O. TONNA:
He's on. All right. Now, does he have one of those ear things, or does he, you know -- okay. Ken Weiss is on his way. Is there a doctor in the house?
LEG. BISHOP:
In the hallway in which building?
LEG. ALDEN:
Let's take about a two or three hour dinner break while he gets here.

All right, Ken.
LEG. HALEY:
How did you get that so shiny?
LEG. ALDEN:
Nice haircut.
MR. WEISS:
I believe the question was why didn't we include it.
LEG. FOLEY:
I'm sorry, Ken. It's not on, Ken.
P.O. TONNA:
Legislator Levy had a question.
LEG. FOLEY:
The mike's not on.
LEG. LEVY:

Ken, why was money -- why were monies not included in the recommended budget for the residential juvenile detention center?
MR. WEISS:
The reason is that, based on the information we have, that the reimbursement is more favorable if you lease the facility than if you build it. It's very similar to Social Services. Normally, Social Services reimbursement is based on a 40-year depreciation. So we felt it would be better to lease it. Now, Fred has talked to somebody, Fred Pollert, but we have nothing in writing to support the State aid.
LEG. CRECCA:
If I can address, because --
P.O. TONNA:
Yeah.
LEG. CRECCA:
Just to Ken. I spoke with the Director of Probation, Vinny Iaria, on this issue and I've researched it myself. And I'm fairly confident that the reimbursement is the equivalent, if we build it ourselves, too, and the cost savings long-term I think are better in the construction if we do the construction. I know what you're talking about, this issue, and I know that this discussion came up after it wasn't in the Capital Budget, and, actually, I had this discussion indirectly with the people in the County Exec's Office in the process of putting this together, so -- and I'm more than relatively sure. We -- our reimbursement rate is going to be the same if we build, and the nice part is that we're not stuck after 10 years or 20 years, or whatever the case is, without a facility, so -- and I --
MR. WEISS:
I mean, our position is, if we were assured that there was 50% aid, we would just assume build it than lease it. But I wouldn't want to build it, float bonds for it, and find out we're getting reimbursed 2 1/2% a

year.
LEG. CRECCA:
I'm sure that we'll -- again, I don't think it's a problem, I think we're going to have no problem with reimbursement. Certainly, we'll dot our I's, cross our T's before we appropriate the monies to make sure that's the case. But I think that was the only concern by the County Exec. In my discussion, the County Exec -- again, this was not official, but the County Exec understands the absolute need for this facility and is supporting the need for this facility.
MR. WEISS:
That's correct.
P.O. TONNA:
Okay. Thank you, Kenny.
LEG. HALEY:
Question. Question.
P.O. TONNA:
Legislator Haley.
LEG. HALEY:
Question of Budge Director. Knowing full well this is a planning document, do you have a problem with this being an option that we keep in the Capital Program?
MR. WEISS:

No, I --
LEG. HALEY:
Thank you.
P.O. TONNA:
Okay.
LEG. LEVY:
But if we lease it in operating funds, you now have increased the Capital Budget substantially --
P.O. TONNA:
All right.
LEG. LEVY:
-- when you don't have to.
P.O. TONNA:
First of all, there's a motion -- there's a motion here. Just wait. There is a motion and a second to delete this from the omnibus; right?
LEG. GULDI:
Correct.
LEG. CRECCA:
Correct.

P.O. TONNA:
Okay.
LEG. LEVY:
With the understanding it could be voted on as Resolution 8 on its own.
LEG. CARACCIOLO:
Roll call.
P.O. TONNA:
Okay.
LEG. FISHER:
Wait, Mr. Chairman.
P.O. TONNA:
Roll --
LEG. FISHER:
I'm sorry. I have a -- on the motion.
P.O. TONNA:
Oh, sorry. Legislator Fisher.
LEG. FISHER:
I have a question.
P.O. TONNA:
No problem.
LEG. FISHER:
Because I'm hearing several things and this is just a procedural question.
P.O. TONNA:
Yes.
LEG. FISHER:
If it's taken out of the omnibus, then could it be put right back in as a stand-alone?
P.O. TONNA:
Yeah.
LEG. LEVY:
It's already as a stand-alone.
LEG. FISHER:

It is a stand-alone.
LEG. GULDI:
It is a stand-alone.
LEG. LEVY:
And that's all that's being asked by Legislator Fields, to take it out
00209
of the omnibus, so she can feel comfortable about voting for the omnibus and then we can vote on 8 when it comes up.
LEG. CARACAPPA:
Roll call.
LEG. FISHER:
Okay.
P.O. TONNA:
Okay.
LEG. FISHER:
What's the problem with doing it that way? Why are you saying that?
LEG. LEVY:
That's a good question.
LEG. FISHER:
What's the problem with doing it that way?
LEG. LEVY:
What is the problem with that.
LEG. CRECCA:
Motion on the floor. I ask to take a vote.
LEG. FISHER:
It's not a rhetorical question, it's a --
P.O. TONNA:
Right.
LEG. FISHER:
I'm asking you what the problem is.
P.O. TONNA:
Okay. Who are you asking the question?
LEG. FISHER:
May I ask the sponsor, Legislator Crecca? What's the problem, and what's the difference.
P.O. TONNA:
I think the -- I'll tell you what I think the problem might be.
LEG. CRECCA:
Yeah. I mean --
P.O. TONNA:
No, let me answer that.
LEG. CRECCA:
It's a process, yeah.
00210
P.O. TONNA:
I think the problem might be the same reason why Legislator Levy is so concerned and Legislator Fields is so concerned with making sure that it's out. They don't want it in their district. They don't want to have their name on the fact that it's in.
LEG. LEVY:
It's not in my district.
P.O. TONNA:
Well, it might be in your district some day, Legislator Levy.

LEG. LEVY:
It might be in anybody's district.
P.O. TONNA:
Right. The point that I'm trying to make is that if I was Legislator Crecca, and it's only me, but if I was Legislator Crecca, why would I want to stand alone with my name on it, okay, to say -- to put it in that it might eventually go into his district?
LEG. LEVY:
You're talking about the merits.
P.O. TONNA:
No, we're talking -- Steve, we're not talking about the merits. Let's call a spade a spade. We're not talking about the merits.
LEG. LEVY:
The question was why can't you just deal with it as a stand-alone resolution?
P.O. TONNA:
Because Legislator Crecca is on a stand-alone. Then he says it goes into his district, and then he says, "Look, he was the one responsible." It's the same logic of what you wanted out.
LEG. CRECCA:
Steve.
LEG. LEVY:
What are you talking about.
LEG. CRECCA:
And I'll answer that question. Steve.
LEG. CARPENTER:
Vote.
LEG. HALEY:
Mr. Tonna has the floor.
P.O. TONNA:
So what I say is this; okay? There's a motion and a second. Let's vote on the motion and second.

LEG. CARACCIOLO:
Thank you.
P.O. TONNA:
This is a democracy. You get to vote. Once you vote, after you vote, you do what you want to do. There's no mind police here. I'm not forcing anybody to vote any way. Let's move the question.
LEG. FISHER:
Well, since it was my question, may I just say that I would be happy to be a sponsor with Mr. Crecca on this stand-alone?
P.O. TONNA:
Well, the problem is, Legislator Fisher, that there is a stand-alone, and, unfortunately, Legislator Crecca's name is already on that stand-alone.
LEG. FISHER:
Right. So we could all cosponsor it with him and then he wouldn't be standing alone with the stand-alone.
P.O. TONNA:
Can we switch a sponsorship? Fine. Legislator Crecca is off that sponsorship; okay?
LEG. FOLEY:

No, no. He wants to stay on, Paul.
LEG. CRECCA:
No, I don't want to be off. And, again, it's not going to get me any votes. And I appreciate it --
LEG. CARACCIOLO:
Will you move the motion, please.
LEG. CRECCA:
I appreciate it.
LEG. GULDI:
Call the question.
LEG. CARPENTER:
Call the question.
P.O. TONNA:
Okay. We're calling the question. Okay. Role call. On Legislator Field's, Legislator Field's motion to take out of the omnibus Number --
MR. BARTON:
3012.
LEG. FIELDS:
3012.
P.O. TONNA:
3012.

(*Roll Called by Mr. Barton*)
LEG. FIELDS:
Yes.
LEG. LEVY:
Yes.
LEG. COOPER:
Yes.
LEG. BINDER:
No.
LEG. POSTAL:
No.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
No.
LEG. CRECCA:
No.
LEG. CARPENTER:
Pass.
LEG. ALDEN:
No.
LEG. FOLEY:
Yes.
LEG. HALEY:
No.
LEG FISHER:
Pass.
LEG. CARACAPPA:
Abstain.
LEG. TOWLE:
Pass.

LEG. GULDI:
Yes.
LEG. CARACCIOLO:
No.
LEG. TONNA:
No.

00213

LEG. CARPENTER:
Yes.
LEG. FISHER:
No.
LEG. TOWLE:
Yes.
MR. BARTON:
Eight.
P.O. TONNA:
Okay. The motion fails. Now there's a motion to approve and a second on the omnibus.
LEG. FOLEY:
On the motion.
P.O. TONNA:
Roll call.
LEG. FOLEY:
On the motion.
P.O. TONNA:
On the motion.
LEG. FOLEY:
Getting back to this particular detention center, this resolution is site neutral, it doesn't mention any particular site. In fact it doesn't even appropriate any monies. It only places it into the program, so that next year, we can take a second look at this. It doesn't commit us to any particular site, nor does it mean that we're going to necessarily appropriate the monies next year, it just gives us the flexibility to look at this issue next year during the calendar year. So, again, it's location neutral at this point.
P.O. TONNA:
Okay.
LEG. ALDEN:
Good point.
P.O. TONNA:
So there's a motion and a second. Let's do a roll call on the omnibus.
MR. BARTON:
As amended.
P.O. TONNA:
As -- there is no amendment.

00214

LEG. FOLEY:
There is.
P.O. TONNA:
Oh, one amendment, right. As amendment with Number 12.
MR. BARTON:
Legislator Tonna.

P.O. TONNA:
Let's just do it.
(*Roll Called by Mr. Barton*)
P.O. TONNA:
Yes.
LEG. BISHOP:
On the omnibus? Yes.
LEG. COOPER:
Pass.
LEG. BINDER:
Pass.
P.O. TONNA:
Okay. Nobody talk to Jonathan Cooper when he's voting; okay?
LEG. BINDER:
Put me as a yes.
LEG. POSTAL:
Yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yes.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FIELDS:
Yes.
LEG. FOLEY:
Yes.
LEG. HALEY:
Yes.

LEG. FISHER:
Yes.
LEG. CARACAPPA:
Yes.
LEG. TOWLE:
Yes.
LEG. GULDI:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.
LEG. COOPER:
I'll make this a yes.
MR. BARTON:
And you make it unanimous; 18.
P.O. TONNA:
There you go. Okay. Thank you very much. Now, let's go down to the video tape. Let's get to --
LEG. CARACAPPA:
1131.

P.O. TONNA:
Which -- Number 2.
LEG. CARACAPPA:
Page 3.
P.O. TONNA:
Okay. Page -- Page 3.
LEG. BISHOP:
Why don't we take that lease out of the order, since we're behaving.
P.O. TONNA:
What?
LEG. BISHOP:
Why don't we take that lease, Coram?
P.O. TONNA:
No. We'll stay with the Capital Budget.
LEG. LEVY:
No. No way.

LEG. POSTAL:
No. Let's finish the Capital Budget.
LEG. LEVY:
That will go forever.
P.O. TONNA:
We're staying with the Capital Budget. Dave, Dave, Dave. Stick with the program, Dave. Okay. Two is out.
LEG. POSTAL:
Mr. Chairman.
P.O. TONNA:
Okay.
LEG. POSTAL:
I'm just going to withdraw it.
P.O. TONNA:
Number 2 is out, because there's a conflict.
LEG. POSTAL:
Right.
P.O. TONNA:
Okay.
LEG. POSTAL:
Mr. Chairman, I'm going to withdraw Number 3. How's that?
P.O. TONNA:
Okay, 3 is withdrawn. Four we can vote on.
LEG. FOLEY:
Right.
P.O. TONNA:
Okay. This is to advance money -- to advance $145,000 from SY --
LEG. FIELDS:
Subsequent years.
P.O. TONNA:
Yes. To 2003 for planning for upgrades to Huntington Library, the Ammerman Campus.
LEG. FOLEY:
Motion.
P.O. TONNA:
Motion by Legislator Foley, seconded by Legislator Cooper?

LEG. COOPER:
Second.

00217

P.O. TONNA:
You're the cosponsor?
LEG. BINDER:
On the motion.
P.O. TONNA:
On the motion.
LEG. BINDER:
Why does it make a difference if it's in subsequent years or --
LEG. FOLEY:
It's in subsequent -- by making it part of the three-year program, we hope to expedite the process by which we make upgrades to the Huntington Library. Within the Budget Review Office analysis, they make this recommendation, number one, but number two, we have to start thinking about the upgrades of that library by -- if we keep it in the subsequent years, then we're never going to see any opportunity to make improvements to that particular library, so we need to make it part of the three-year program. That's why we moved it up from subsequent years to 2003.
LEG. BINDER:
Okay.
LEG. FISHER:
Motion.
LEG. CARACAPPA:
Roll call.
P.O. TONNA:
Okay, a motion. There was already a motion and a second. All in favor? Opposed? Okay, passes.
MR. BARTON:
18.
P.O. TONNA:
Okay, fine. Okay. Number 5. There's a motion to remove 528,000 --
LEG. CARACCIOLO:
Explanation.
P.O. TONNA:
-- from 2003 2,000 for ADA compliance at Community College.
LEG. CARACCIOLO:
Explanation.
P.O. TONNA:
Yes.
LEG. FOLEY:
Mr. Chairman, if I may.

00218

P.O. TONNA:
Yes, you may.
LEG. FOLEY:
Thank you. If folks would turn to Roman Numeral Five in the BRO analysis, part of their recommendations is that this amount of money is essentially, let's say, double counted. It's not necessary to comply with the ADA requirements. If you look at -- let's see. Fred, could you comment on this, please?

MR. POLLERT:
The County Legislature has previously appropriated a large amount of funds, which remain unspent.
LEG. FOLEY:
Unspent.
MR. POLLERT:
Since there's $528,000 worth of previously appropriated funds, you can reduce the total estimated costs by that dollar amount.
LEG. CARACCIOLO:
Okay. Ken Weiss? Ken Weiss?
LEG. FOLEY:
It says it's previously appropriated.
LEG. CARACCIOLO:
Since this is the County Executive's proposed Capital Budget, do you agree and concur with Budget Review?
LEG. FOLEY:
Good question.
MR. WEISS:
I'm really not prepared to speak on it.
LEG. CARACCIOLO:
Okay.
MR. WEISS:
It's 2003 anyway, you know, it's --
LEG. CARACCIOLO:
All right.
P.O. TONNA:
Okay. Thank you. All in favor? Opposed?
MR. BARTON:
Mr. Chairman.
P.O. TONNA:
Approved.

LEG. TOWLE:
Opposed.
LEG. LEVY:
Abstain.
P.O. TONNA:
Abstain, Legislator Levy.
LEG. CARACAPPA:
Abstain.
LEG. TOWLE:
Opposed.
P.O. TONNA:
And abstain, Legislator Towle and Caracappa.
LEG. CARACCIOLO:
You could put me down as opposed, Henry.
P.O. TONNA:
Okay. And opposed, Legislator Caracciolo.
LEG. CARPENTER:
Abstain.
P.O. TONNA:
And abstain, Legislator -- this is catchy. Okay.
LEG. FOLEY:

Mr. Chairman.
P.O. TONNA:
Abstain, Legislator --
LEG. FOLEY:
Mr. Chairman. Mr. Chairman.
P.O. TONNA:
Yeah.
LEG. FOLEY:
Just on the -- this is not taking monies away, because these monies have already been previously appropriated.
P.O. TONNA:
Right.
LEG. FOLEY:
So --
P.O. TONNA:
Okay. But whatever. Okay. That's 5. Number 6 (Remove $4,209,100, 2003, for energy conservation projects at Community College). Legislator Foley, do you make a motion? Oh.

MR. BARTON:
I recorded Mr. Caracciolo in opposition, Mr. Towle as an abstention, Mr. Caracappa as an abstention, Ms. Carpenter as an abstention. Were there --
LEG. TOWLE:
Legislator Levy.
MR. BARTON:
Mr. Levy.
P.O. TONNA:
And Mr. Levy, who started this.
LEG. LEVY:
Towle is a no, Henry.
P.O. TONNA:
Okay.
MR. BARTON:
Thirteen.
P.O. TONNA:
There you go. Okay. Now we're on to Number 6. Legislator Foley, is there a motion?
LEG. FOLEY:
Motion.
P.O. TONNA:
Motion by yourself, seconded by Legislator Cooper. All in favor?
LEG. CARACCIOLO:
Hold it, hold it.
LEG. FOLEY:
Again, on this -- the explanation here again on Roman Number Page Number Five, and it's a good --
P.O. TONNA:
Six, Six.
LEG. FOLEY:
Good suggestion by Budget Review Office, that before we put this in our own Capital Program, the College should submit an application to the New York Power Authority for funding of a similar amount of money under

NYPA's Energy Service Program. That program has been in existence for a number of years. The College, in the past, has submitted applications to that particular power authority. And since we're talking about the Year 2003 -- correct, Fred?
MR. POLLERT:
That's correct.

00221

LEG. FOLEY:
Since we're talking about the Year 2003, what we would like to do as the sponsors is, in effect, put the College on notice that, first, go to NYPA, see if you can get the money through NYPA, then if not, then next year, we can put it back into the program for 2003. But before we commit it into our own program, we first want the College to exhaust other options that are available to receive those monies. Power Authority is a good option, it's been used in the past by both the regular County government as well as by the Community college, we want to see them try this option once more before we commit it to our own Capital Program.
P.O. TONNA:
All in favor? Opposed? Approved.
MR. BARTON:
18.
LEG. LEVY:
I'm opposed.
LEG. CARPENTER:
Opposed.
P.O. TONNA:
Oh, here we go again. Get this right now. Legislator Levy opposed, Legislator Towle opposed, Legislator Binder opposed, Legislator Carpenter opposed. Okay.
MR. BARTON:
14-4.
P.O. TONNA:
Fine. Number 7, there's a conflict. It was included in the omnibus. Number 8, there's a conflict, included in the omnibus. Number 9 (Advance $612,150 from 2002 to 2001 for renovation to Police Helicopter Hangar). Legislator Bishop, do you have anything you want to say here? We're still on the Capital Program and there's something you're sponsoring here.
LEG. CARACAPPA:
Motion to approve.
LEG. BISHOP:
Yes, it's a good idea.
LEG. CARACAPPA:
Yeah, very good, Dave.
LEG. TOWLE:
Explanation.
P.O. TONNA:
Wait. Is there a motion? I'm looking for a motion.

00222

LEG. D'ANDRE:
Motion.
P.O. TONNA:

Motion by Legislator Bishop, seconded by Legislator D'Andre. Okay. Is this part of Budget Review's recommendations?
MR. POLLERT:
Yes, it is, because we're going to be purchasing the two Medevac helicopters. This would provide additional space by making additional renovations inside the hangar. If this is not done, it will be extremely difficult --
P.O. TONNA:
Does it take away from our savings?
MR. POLLERT:
But what it's going to be doing is advancing the funding from 2002 to the Year 2001.
P.O. TONNA:
So we have less savings in 2001, we have more savings in 2002.
MR. POLLERT:
We have more savings in 2002, that's correct.
LEG. TOWLE:
Question. Question.
P.O. TONNA:
Yes, Legislator Towle.
LEG. TOWLE:
What is the date for the expiration of the lease, Fred, for the hangar with Islip?
MR. POLLERT:
That's in our report. I don't know the exact -- roughly another six or seven years, and then we have the option to renew, I believe, for another ten years beyond that.
LEG. TOWLE:
Okay. So we basically could be spending six hundred and something thousand dollars for a building we might not be in in five years, possibly.
MR. POLLERT:
That is a possibility, that's correct.
LEG. TOWLE:
Okay.
P.O. TONNA:
Okay. All right. Motion by Legislator Bishop, seconded by Legislator D'Andre. All in favor? Opposed?

MR. BARTON:
17, 1 not present.
LEG. GULDI:
Abstention. Abstention.
P.O. TONNA:
Abstention, Legislator Guldi.
MR. BARTON:
16, 1 abstention. (Not Present: Leg. Haley)
P.O. TONNA:
Okay. Number 10 is included in the omnibus. Number 11 (Remove $150,000, 2002, for improvements at Fire Training Center, convert Class A Building to smoke house training). Legislator Bishop, Postal or Fisher, do you have a motion? Legislator Fisher's made a motion.
LEG. FISHER:

Yes, motion.
P.O. TONNA:
Seconded by?
LEG. POSTAL:
Me.
P.O. TONNA:
Legislator Postal. All in favor? Opposed? Okay.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)
P.O. TONNA:
17, 1 not present. Twelve is included in omnibus. Thirteen (Remove $240,000, 2002, for addition to Foley SNF, add $35,700, 2002, for physical therapy equipment). You want to make a motion Legislator Fields?
LEG. FIELDS:
I make a motion.
P.O. TONNA:
Make a motion, Legislator Fields, seconded by Legislator --
LEG. FISHER:
I'll second it.
LEG. FIELDS:
Fisher.
P.O. TONNA:
Fisher. All in favor? Opposed? Fine.
LEG. POSTAL:
Wait a minute.

LEG. BINDER:
Wait, Mr. Chairman.
LEG. CRECCA:
We're doing Number 13.
P.O. TONNA:
Stay with us.
LEG. CARPENTER:
Thirteen.
P.O. TONNA:
It's on 13.
LEG. BINDER:
Right. Why --
P.O. TONNA:
Number 13.
LEG. BINDER:
On the motion.
P.O. TONNA:
On the motion, Legislator Binder.
LEG. BINDER:
Right. Could you just tell me the reason for removing the money for the addition? Budget Review.
MR. SPERO:
This is double counted, the funding. The Legislature already approved $240,000 in funding for the expansion of the physical therapy area of the nursing home, and that funding was duplicated in the proposed program.

P.O. TONNA:
Okay. Okay. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Caracappa)
P.O. TONNA:
There you go.
LEG. CARPENTER:
Number 15.
P.O. TONNA:
Fourteen is in the omnibus?
LEG. FOLEY:
Yes.

LEG. POSTAL:
Right.
P.O. TONNA:
Okay. Number 15 (Add $29,000, 2001, for Public Health Lab Equipment), Legislator Fields.
LEG. FIELDS:
Motion.
LEG. FOLEY:
Second.
P.O. TONNA:
Motion by Legislator Fields, seconded by Legislator Foley, I think, right?
LEG. ALDEN:
On the motion.
P.O. TONNA:
On the motion.
LEG. ALDEN:
Budget Review, this Health Lab equipment, $29,000, any reason why they can't pay for this in cash?
MR. SPERO:
Well, it could be if funding was included in the Operating Budget to do so.
P.O. TONNA:
So let's have them do it there.
LEG. ALDEN:
Sounds good to me.
P.O. TONNA:
Okay. Because, you know, we're not paying 29,000, we're paying that plus 50%. Okay. On the motion? There's a motion by Legislator Fields, seconded by Legislator Foley.
LEG. FOLEY:
I'll withdraw the second.
P.O. TONNA:
Well, let's just --
LEG. FOLEY:
I withdraw the second.
P.O. TONNA:
Okay, he withdraws -- it fails for a lack of a motion.
LEG. LEVY:
I'll second.

P.O. TONNA:
Oh, second by Legislator Levy. All in favor? Opposed?
LEG. BINDER:
Opposed.
LEG. CARACCIOLO:
Opposed.
LEG. CRECCA:
Opposed.
P.O. TONNA:
Opposed. Okay.
LEG. BINDER:
Roll call. Just --
P.O. TONNA:
Roll call.
LEG. BINDER:
-- so we'll get it.
LEG. FOLEY:
We're not opposed to the equipment. We'd rather -- let the record reflect that we're not opposed to the equipment.
P.O. TONNA:
Who's for it? Legislator Fields and Legislator Levy. Anybody else?
LEG. FOLEY:
Paul.
MR. BARTON:
Two.
LEG. FOLEY:
Let it be --
P.O. TONNA:
Yeah, we know.
LEG. FOLEY:
Let it be --
P.O. TONNA:
We know that.
LEG. FOLEY:
No. But let it be stated for the record, okay, that we're not opposed to the purchase of the equipment, but we'd rather have it purchased through the operating budget; okay?

P.O. TONNA:
Okay.
LEG. FIELDS:
Can I withdraw it, then?
MR. BARTON:
2-15.
P.O. TONNA:
Yes. Legislator Fields has decided, before the vote was counted, she withdrew the amendment.
LEG. FIELDS:
Thank you.
P.O. TONNA:
Thank you very much.
MR. BARTON:

Withdrawn.
P.O. TONNA:
Okay. Number 16 is in the omnibus. Number 17 (Remove $5 million, 2001, for Farmlands Preservation, which will be funded with new quarter cent revenues). I'll make the motion, this is my resolution.
LEG. HALEY:
On the motion.
P.O. TONNA:
Yes. I need a second first.
LEG. CRECCA:
Second.
P.O. TONNA:
Seconded by Legislator Crecca. On the motion. I'd just like to say something first and then --
LEG. HALEY:
I just --
P.O. TONNA:
It's my prerogative. Okay, go ahead, Legislator Haley.
LEG. HALEY:
I'd be more than happy to support this resolution if Legislator Bishop becomes a cosponsor.
P.O. TONNA:
Okay. Let me just tell you why I have put this resolution in. It's $5 million and you say, "Hey, you know, we're for farmland preservation," but when you have already in the Greenways Program $20 million that is not even close to being utilized yet, when you have quarter cent money, which we've done a very, very good job of

protecting farmland, as a matter of fact, in 2001, we're going to have over $3,567,000, I would say that we're flushed with farmland money. Let them spend the money, all right, and then we'll address this in later year. All right. Fred, can I just ask, are we flush with farmland money?
MR. POLLERT:
You properly stated the point, that there's both quarter cent money, as well as the Greenways funding to provide funding on the Farmlands Program. We had raised the question ourselves within the Capital Program whether or not this was duplicate funding. The funding is only -- is just being removed for the Fiscal Year 2001.
P.O. TONNA:
Right. And could I ask you, how much of the Greenways' $20 million has been utilized so far, farmland?
MR. POLLERT:
Currently, none of it has.
P.O. TONNA:
Yeah, that's my point.
LEG. GULDI:
Well, I think we --
P.O. TONNA:
I have one other question. Is the County Executive, anybody from the County Executive's Office here that could answer this question about farmland? Get that walkie-talkie out come on, come on.
LEG. FISHER:

Mr. Chairman, may I ask --
P.O. TONNA:
Yes.
LEG. FISHER:
-- Budget Review a question?
P.O. TONNA:
Yes, go ahead.
LEG. FISHER:
Fred, there is a omnibus resolution in the packet for our next session. How much is that asking for? Is there a list of farm development rights?
MR. POLLERT:
Frankly, we haven't even looked at the next packet yet. So I don't know offhand. I'm sorry.
LEG. FISHER:
Yeah. 1634 is the omnibus Number for farmland.
00229
MS. GODSMAN:
Janet Demarzo's on her way out to address it for you.
LEG. FISHER:
Okay. She'll be able to respond to that?
MS. GODSMAN:
Janet's enroute.
LEG. FISHER:
Thank you very much.
LEG. GULDI:
You got her out of retirement, hey?
LEG. FISHER:
Bring Janet over here.
P.O. TONNA:
Wait. Can I say something? Is anybody from the County Executive's Office here? No. Okay. George?
LEG. FISHER:
Janet's on her way.
P.O. TONNA:
You have the floor. Go ahead, George. In the meantime, beat me up, tell me I'm wrong, go ahead.
LEG. GULDI:
I'll wait for the County Executive's Office.
P.O. TONNA:
Okay. All right. I just think -- oh, there we go. Farmland Preservation.
(Applause)
here we go. Janet, nice to see you.
MS. DEMARZO:
One of my favorite subjects and--
P.O. TONNA:
Okay. Janet, we have 20 million in Greenways.
MS. DEMARZO:
Absolutely.
P.O. TONNA:
We have $3,500,000 in our Quarter Cent. Do you think you're going to spend another $5 million?

LEG. GULDI:
Absolutely.

MS. DEMARZO:
Well, I want to explain what occurred when we developed the Quarter Cent Program. In fact, I believe that one of the meetings was chaired by Legislator Guldi. We, in developing the Quarter Cent distribution formula, put a priority to farmland, because there is a concern that we're losing a lot of farmland, and we indicated that we would continue to maintain our level support for farmland acquisitions that currently are provided and one of those was the $5 million each year for the Farmland Program. We have just submitted to the Legislature the list for the Greenways Program, which is oversubscribed. We have worked diligently with the towns. Seven towns have given us their list, which overprograms the amount of farmland money that we have in Greenways. The reason we've been delayed is that the Legislature asked for a specific list and we went back to the towns and we got their commitments. So, at this point, the Greenways money is programmed for farmland acquisition, overprogrammed.
In addition, we have sent over another resolution from the Farmland Select Committee, which identifies additional farms that we'd like to buy developmental rights for. So, yes, there is a lot of money out there, but farmland is going away quickly. We had given a commitment to the communities that we'd maintain our level of support for this, and the money that is available is programmed and is resolutions before the Legislature.
P.O. TONNA:
Janet, can I just say something, just to talk about over subscription, okay? You know that oversubscription is the policy of -- because -- just because a town or somebody says this is where we want a farm to be purchased does not mean that that's going to be purchased. Okay? Not even close. We don't have $20 million worth of spending in farmland money. And I could understand the County Executive's commitment, they've made a commitment, fine, you live by it. But we have 23 million and we're talking about 2001 one another additional $3 million. You have your five million this year; all right? You have $25 million, plus another $3 million next year. All I'm saying is this seems to me that when looking at a Capital Budget Program and the scope of a Capital Budget Program, that's a heck of a lot of money for farmland preservation, that just because it's oversubscribed does not mean it's even close to being purchased. Legislator Guldi.
LEG. GULDI:
Do I get a turn now?
P.O. TONNA:
Yeah.
LEG. GULDI:
Okay.
P.O. TONNA:
Now you can get to say. But thank you, Janet. Thank you.
LEG. GULDI:
Thank you, Janet. A couple of things. Let's take it from the top, and I'd like your attention for this, Mr. Presiding Officer. As soon as

you're done, I'll continue.
P.O. TONNA:
Wait. I'm sorry.
LEG. GULDI:
I'd like your attention.
P.O. TONNA:
Go ahead, Legislator Guldi. You have it.
LEG. GULDI:
I'd like you to stay with me for this. There are three elements that I need -- that -- yeah, I need you to keep sight of here. One is that we have about 10,000, 9,000 acres of farmland preserve in Suffolk County today. In order for the program to remain a sustainable agricultural program, we need to protect and preserve 30,000 acres. To do that, we need to buy 20,000 more. We don't have the money on the table right now to do that.
When we did the Quarter Penny extension for the thirteen-year period, part of the way we calculated the allocation between Southwest Sewer District and tax stabilization was on the presumption that we needed to preserve that 30,000 acres of land, and we would need an income stream of "X" dollars, I believe it was $90 million, in addition to the 5 million a year that the County was spending on farmland anyway in order to achieve that goal over the thirteen-year period, provided that with anticipated market escalations. If you go ahead and strip $5 million from 2 million -- from 2001, as you propose to do here, you are 5 million short on fulfilling the acreage necessary to provide for sustainable agriculture in Suffolk County, and effectively reneging on an arrangement that -- a complex arrangement that allocated the Quarter Penny Sales Tax extension between various environmental programs, tax -- sewer tax stabilization and property tax stabilization.
P.O. TONNA:
Right. Just to --
LEG. GULDI:
So I think it's critical, that, yes, we need the land, yes, we need the funding, and, yes, we need to spend it.
P.O. TONNA:
Just a few things. One Legislator Guldi, you said $90 million for thirteen years. I never remember the number $90 million. In the thirteen years, with all your market escalation and everything else, the quarter cent was predicted to bring in $63,000, okay, $63,000.
LEG. GULDI:
No. Let's go to Budget Review. The Quarter --
P.O. TONNA:
Budget Review, how much money?
LEG. GULDI:
The Quarter Penny Extension Program, what were the projected lifetime

balance fundings for Farmland Protection on the allocation formula we had there?
MR. POLLERT:
$63.5 million --
P.O. TONNA:
Thank you. Okay. This --
MR. POLLERT:

-- which assumes the 5% growth.
P.O. TONNA:
Right. The second thing is, just, you know -- that wasn't 90, it was 63. The second thing is, also, when regarding the Greenways Program, remember this, it's $20 million, 70%, okay, so that's much more, because the towns are supposed to kick in 30%. So that $20 million is going a lot longer, a lot further, because there's an additional 30%.
LEG. GULDI:
That was in the formula. We knew that.
P.O. TONNA:
Right.
LEG. GULDI:
We had a Greenways Program --
P.O. TONNA:
No.
LEG. GULDI:
-- On the table when we made the allocation.
P.O. TONNA:
What I'm saying to is that additional purchase power, all right, because you got an additional 30%. So what I'd say is this. Look, I know you need farmland. If I lived out where you are, heck, I'd grow some corn myself. But the truth of the matter is, all right, all I'm saying is we have --
LEG. GULDI:
How are you going to grow corn, you can't even grow hair?
P.O. TONNA:
-- with all the different -- I deserve that one. With all the different programs that we participate in, I don't think there's a Legislator in the world who wouldn't say we need farmland preservation; okay? So let's just -- there's other priorities also, let's just fund it all. Yes, Legislator Fisher, and then Haley.
LEG. FISHER:
I'd like to ask Janet a question. Janet, I haven't been in the Legislature very long, but in the time I've been here, I've seen how long it takes to spend money in land acquisition. I would find it very hard to believe that we would go through the $20 million that are now

in Greenways in farmland. I haven't seen any of it spent so far, so I would really find it hard to believe that we're going to be overspending it in the next year, because it takes so long to do the appraisals, the negotiations, the agreements. And I did look at 1634, I see that all of the agreements with the towns, that the towns are all in place with this, they're on board, and it looks like a good package, and it's nicely oversubscribed, so that we could work within -- we have a cushion. But I don't believe that we would be spending all of this in the Year 2001.
MS. DEMARZO:
Well, I'm not going to stand here and tell you that we're going to spend $20 million. But we have set up a program that we have towns partnering with us, towns that can take the lead in the appraisal process. They have agreed through this -- these Town Board resolutions to provide their 30%. I believe that we're going to make significant headway in doing that.

And the other piece of it is the monies that we provide in the Capital Budget are monies for farmlands outside that program, parcels that we would buy or developmental rights that we would buy that are not located or not -- are not identified by the towns as ones they want to participate in. So we need both funding streams, those where the towns will share in the 70-30 relationship and those in which the County has an interest that can't -- that is not supported, or is not made it to the priority of the town list. So we need both funding streams.
LEG. FISHER:
So you're saying that we have some farmland that isn't partnerships?
MS. DEMARZO:
Correct. We would --
MS. FISHER:
Okay. I haven't seen any. I don't think I've ever seen any.
MS. DEMARZO:
Oh, we've purchased farmlands with a direct -- in fact, many of our farmland purchases are made directly with straight County monies. There's a couple of programs that the towns can use. We can do the 50/50 Land Preservation --
LEG. FISHER:
Right, Preservation.
MS. DEMARZO:
-- Partnership, we can do straight County acquisition under the Farmland Development Rights under the Capital Budget piece, and we could do a 70/30 split under the Greenways. So all of these provide options to the Town, but more importantly, give the County the ability to pursue whatever it wants, if there's no partner available and the county makes the decision through this Legislative body, which has to pass those farmlands, that it's a worthwhile developmental purchase. So we limit ourselves as a County to secure all the farmland that we need to if we don't have this as another option.

LEG. FISHER:
Thank you, Janet.
P.O. TONNA:
Just one other thing, and I just -- just one little other fact that, you know -- because I got people handing me facts all over the place. In the last 20 years, we've had a Farmlands Program in place. Do you know how much we've spent in aggregate dollars? Well, let me tell you. $36 million, $36.8 million. And we're going to spend 25, plus another -- we're going to spend 28 in a year, or two years?
LEG. GULDI:
Yeah, that's the ticket.
P.O. TONNA:
Come on, this is -- we got -- we have a lot of different infrastructure priorities; okay? I can understand if Bob Gaffney made a commitment to it, that's fine.
LEG. GULDI:
They're not making it anymore, Paul.
MS. DEMARZO:
No. I believe that was a joint commitment. I mean, that was a joint Legislative Executive committee that was chaired by Legislator Guldi that sat in the back of the Legislature.

P.O. TONNA:
I think I chaired that.
LEG. HALEY:
I was there.
LEG. CARACCIOLO:
I was there and that was a commitment.
P.O. TONNA:
Okay. I'm telling you -- was that before or after the Greenways?
LEG. GULDI:
After.
LEG. LEVY:
That was after.
LEG. CARACCIOLO:
After. After.
LEG. ALDEN:
And how many people were at that secret meeting?
LEG. CARACCIOLO:
You were there.
LEG. HALEY:
Excuse me.

P.O. TONNA:
No, I was --
LEG. CARACCIOLO:
You were there, because you were advocating for the Southwest Sewer District.
P.O. TONNA:
Wait, wait. Can I say something?
LEG. HALEY:
Mr. Chairman, I thought I --
P.O. TONNA:
Can I say something? I think I was chairing that, to tell you quite honestly.
LEG. CARACCIOLO:
No, you weren't.
P.O. TONNA:
I'll take full responsibility.
LEG. CARACCIOLO:
It was in this room, right here at this table.
P.O. TONNA:
Oh, okay. I had nothing to do that, then. Okay. Anyway, fine. Let's cast a vote. Oh, no, Legislator Caracciolo wants to say something.
LEG. CARACCIOLO:
Well --
LEG. HALEY:
Wait a minute. Excuse me, I thought I was on the list. I don't yield.
P.O. TONNA:
Oh, I'm sorry. Legislator Haley, then Legislator Caracciolo.
LEG. CARACCIOLO:
Go ahead.
LEG. HALEY:
Thank you.
P.O. TONNA:

Sorry, Marty. I thought you said already.
LEG. HALEY:
I was a cosponsor of Community Greenways. I was involved with some of the negotiations in the back room concerning the extension of the Quarter Cent Sales Tax, but I don't remember from a policy perspective this Legislature making a commitment consistent with this $5 million additional monies in farmland preservation. That was a commitment that was probably erroneously made, because, as a matter of policy, we have

to vote on it and we never did.
P.O. TONNA:
Thank you. Legislator Caracciolo.
LEG. CARACCIOLO:
All right. To clear up the record, that commitment was made, and the reason why it was made, there were a number of environmental groups led by Group for South Fork.
LEG. GULDI:
Nature Conservancy.
LEG. CARACCIOLO:
Well, Kevin McDonald in particular. And we sat around this table right here, this conference table.
LEG. HALEY:
Who's we?
LEG. CARACCIOLO:
The members of -- Legislators who were interested enough to attend that meeting, like Cameron Alden, like Joe Rizzo, myself.
LEG. HALEY:
Was there ten?
LEG. GULDI:
No.
LEG. CARACCIOLO:
No.
LEG. HALEY:
Was there a vote?
LEG. CARACCIOLO:
No.
LEG. HALEY:
Thank you.
LEG. CARACCIOLO:
There was a commitment which came to the Legislature.
LEG. GULDI:
Yeah, there was, back here at the Legislature.
LEG. CARACCIOLO:
Yeah. When we approved the resolution, there was a commitment, okay, and the voters approved it overwhelmingly last Fall.
LEG. GULDI:
Seventy-two percent.

LEG. CARACCIOLO:
Seventy-two percent of the voters approved the extension of the Quarter Cent Program.
P.O. TONNA:
Yeah, yeah. We have --

LEG. CARACCIOLO:
Okay? Which earmarks the $63 million you're talking about.
P.O. TONNA:
Right, absolutely.
LEG. CARACCIOLO:
Now let's talk about the numbers --
P.O. TONNA:
I'm with you there.
LEG. CARACCIOLO:
-- Paul, that were talking about, $36 million over 20 years. First of all, I think the Farmland Preservation Program goes back almost 40 years, okay, because the Board of Supervisors -- or was it 1970, Paul? When did it start?
LEG. GULDI:
1970, John Klein.
MR. SABATINO:
John Klein, it was 1977?
LEG. CARACCIOLO:
'77?? Okay. So it's 20-plus years. All right? But land values were much lower in the initial years. You take Legislator Guldi's district now, where you have tremendous development pressures, farmland is three to four times as much as it is right here -- well, not right here, because we're in Southampton, but right across the river in Riverhead, it's three to four times more expensive. The list that the Farmland Select Committee has submitted in Resolution I.R. 1635 that Legislator Fisher mentioned is very extensive. Is it a wish list? Probably. There are probably a number of people on that list who will not sell to the County because our appraised values are much lower than what they feel their property is worth.
But the point of having the money in the fund or in the budget is that since there is an overdemand for land for us to purchase their property, if we can somehow increase the appraised values, I believe, as many others do, that there will be a lot more takers than there are now, and it's better to have the funding in place in 2001 than not have it there and miss opportunities.
LEG. HALEY:
You could always add it.
P.O. TONNA:
Thank you very much. All Legislators, please come to the horseshoe for

a vote. There's a vote. Since, it's my bill, I'll wait.
LEG. GULDI:
Well, we can call the vote now with no one here.
P.O. TONNA:
Yeah, I know, I know.
LEG. GULDI:
It's all right with me.
P.O. TONNA:
That's my prerogative. Guys, I'm going to say again, Legislator Cooper, Legislator Binder, Legislator Carpenter, Legislator Levy, Legislator Caracappa, Legislator Foley, okay, Legislator Towle.
LEG. GULDI:
Pizzas are here.

P.O. TONNA:
Where are you?
LEG. GULDI:
That explains it. Call the question.
P.O. TONNA:
I know. I'll call the question.
LEG. GULDI:
Call the question.
P.O. TONNA:
I'm going to wait two more seconds.
LEG. HALEY:
Motion to recess five minutes.
P.O. TONNA:
I can't believe, is this -- no.
LEG. GULDI:
Call the question.
LEG. HALEY:
Motion to recess five minutes.
LEG. GULDI:
There's a pending motion and second. Call the question.
LEG. HALEY:
Motion to recess five minutes.
LEG. GULDI:
Call the question.

LEG. HALEY:
Motion to recess five minutes.
LEG. GULDI:
Call the question.
LEG. HALEY:
Motion to recess five minutes.
LEG. GULDI:
The motion's out of order. Point of order.
P.O. TONNA:
Hold it a second.
LEG. GULDI:
Pending motion and second.
P.O. TONNA:
No. We'll call the vote. If there are Legislators disappearing because they don't want to vote on something, you know, that's -- they're hiding. What can I say? Okay? So, anyway -- oh Legislator Foley's here. I'm sorry, Legislator Foley, I didn't see you over there. All right. I made a motion.
LEG. CARACCIOLO:
Roll call.
P.O. TONNA:
And there's a second by Legislator --
LEG. CRECCA:
It was Crecca.
P.O. TONNA:
Crecca. Okay.
(*Roll Called by Mr. Barton*)
LEG. TONNA:

Yes.
LEG. CRECCA:
Yes.
LEG. COOPER:
No.
LEG. BINDER:
No.
LEG. POSTAL:
No.
LEG. BISHOP:
No.

00240

LEG. D'ANDRE:
Yes.
[LEG. CARPENTER-NOT PRESENT]
LEG. ALDEN:
Pass.
LEG. FIELDS:
No.
LEG. FOLEY:
No.
LEG. HALEY:
Pass.
LEG. FISHER:
No.
LEG. CARACAPPA:
Pass.
LEG. TOWLE:
Pass.
LEG. GULDI:
No.
LEG. CARACCIOLO:
No.
[LEG. LEVY-NOT PRESENT]
[LEG. CARPENTER-NOT PRESENT]
LEG. ALDEN:
Yes.
LEG. HALEY:
No.
LEG. CARACAPPA:
No.
LEG. TOWLE:
No.
P.O. TONNA:
I would say anybody that voted yes, vote no, except for me. Go ahead. Anybody else wants an opportunity to vote no, change your vote no. No
LEG. ALDEN:
Change them all to a no.

00241

LEG. CRECCA:
Change mine to a no, too, then.
LEG. D'ANDRE:
Mine, too.

P.O. TONNA:
I'll withdraw the bill. Thank you.
LEG. D'ANDRE:
Mine, too. Put me down as a no.
P.O. TONNA:
Put -- I withdrew the bill.
MR. BARTON:
Withdrawn.
LEG. ALDEN:
Motion to reconsider the omnibus.
LEG. FOLEY:
Get out of here. Come on.
LEG. ALDEN:
No. Serious.
LEG. BISHOP:
He's mad.
LEG. ALDEN:
Let's reconsider this.
LEG. FOLEY:
It's still below. It's still below.
P.O. TONNA:
No. We'll let it -- there's no second.
LEG. FOLEY:
It's still below the proposed --
P.O. TONNA:
There's no second. The last --
LEG. FOLEY:
-- amount for next year.
P.O. TONNA:
The last bill, Legislator Levy, there's a bill in front that you'd want to sponsor?
LEG. LEVY:
Just let me ask a question to --

LEG. BISHOP:
I don't know if I can do this on the fly.
P.O. TONNA:
No. We're right in front with Number 18. That's the bill that's in front of us, Number 18.
LEG. BISHOP:
Then can you come to me, Paul?
P.O. TONNA:
Yes.
LEG. LEVY:
I just want to ask Counsel, the purpose of this bill is to make sure that we set forth some type of policy direction for this Affordable Housing Program, so that we do not leave it open-ended for a policy to move forward which would have carte blanche on the -- on the plowing down of virgin land, undeveloped land. And this bill was intended to state clearly for the record that the Legislature approves of the Affordable Housing Program, but wanted it mainly -- actually, we wanted it for the purposes of refurbishing predeveloped areas.
Now, there was some people who mentioned, as they came forward, that

perhaps there were some instances where the use of vacant land could be valid, and there may be. So the question to Counsel is -- if we could just have some attention, Mr. Chairman, so people could at least hear the answer to the question. I want to know, is there a way to strike a balance in this legislation to set forth a policy direction, that we don't want this to be carte blanche for developing of vacant land, but, at the same time, giving us an option for select parcels, possibly with a super-majority vote or a two-thirds vote from the Legislature?
MR. SABATINO:
No. That's the type of item that would have to be addressed in that local law that the public hearing was concluded on today; I think it's 1571. Those are the programmatic aspects of establishing how, and the terms and conditions of implementing this new Affordable Housing Program. So those are the kinds of things you would look for before you voted on the final local law.
LEG. LEVY:
All right. In that case, I'll withdraw the resolution at this point.
P.O. TONNA:
Okay. We're going to take -- this ends our -- Legislator Bishop, do you have something to say? No, just leave it.
LEG. BISHOP:
I have -- I want to make a motion.
P.O. TONNA:
Okay.
LEG. BISHOP:
Are we done with you?

P.O. TONNA:
Yes.
LEG. BISHOP:
What happened?
P.O. TONNA:
He withdrew it.
LEG. LEVY:
Withdrew it.
LEG. BISHOP:
Okay. On -- back to Farmland Preservation and the 5 million. What we just did was we kept the 5 million that most of us acknowledge would not be spent next year, but we wanted it just in case. So maybe the move is to reschedule it one year --
LEG. CARPENTER:
Make it the subsequent it.
LEG. BISHOP:
Subsequent year. That's exactly where I was going, Legislator Carpenter.
LEG. CARPENTER:
Yeah. I'll make -- I'll second that.
LEG. BISHOP:
This way, we haven't removed it from the program, we've kept our commitment to it.
LEG. FOLEY:
It is, it is in the subsequent years.
P.O. TONNA:

No, it isn't.
LEG. FOLEY:
There are monies appropriated -- no.
P.O. TONNA:
There's $5 million --
LEG. BISHOP:
It's five.
P.O. TONNA:
-- in this year, five each year.
LEG. FOLEY:
No. But there's 5 million also for 2002 and 2003. Those--
LEG. BISHOP:
Yeah. I'd put 10 million in 2002, because I don't think there's any way

we're going to expend it.
LEG. FOLEY:
No.
LEG. CARPENTER:
Mr. Chairman, since it's oversubscribed, then, from what we heard, then why don't we advance the five --
LEG. BISHOP:
The other thing is I --
LEG. CARPENTER:
-- to the subsequent year and have it be 10, so at least you have --
P.O. TONNA:
This is really what happened. What really happened was we know we're not going to spend the money; okay?
LEG. GULDI:
I disagree.
P.O. TONNA:
So people have -- people around the horseshoe said, "That's fine, we're not going to spend the money, we're not going to hurt the Farmland Program." Legislator Tonna says, "You know what, I have just as good an environmental record as others, but, you know, we're not going to spend the money." So why -- it's not real money. We're not going to spend it. Why inflate the Capital Budget Program to make it like we are.
LEG. BISHOP:
That's why the only year that really matters.
P.O. TONNA:
But then what happens is --
LEG. BISHOP:
Paul.
P.O. TONNA:
What happens is, is that Legislators get afraid, or some want to embarrass --
LEG. BISHOP:
Paul, you're lecturing.
P.O. TONNA:
-- and then you say, "You know what, I'm off of that."
LEG. BISHOP:
You're lecturing and you're not --
P.O. TONNA:

That's the truth.

LEG. BISHOP:
It's my floor right now, and what I'm saying is that we move it to a subsequent year to, the next year, this way it's not easily used as an offset next year, you know, and we could keep the bottom line number at the number that we originally were targeting.
P.O. TONNA:
Right.
LEG. FOLEY:
It's there now. It's there now.
LEG. BISHOP:
No, it's not.
LEG. FOLEY:
We're below.
LEG. ALDEN:
Let's ask Freddy --
LEG. FOLEY:
As Fred where we are.
LEG. ALDEN:
-- then we'll go on the record and see what we've actually done.
P.O. TONNA:
Well, I would say --
LEG. CARPENTER:
What you would do, then --
P.O. TONNA:
I would say, if you're going to do something, put two-and-a-half million, two-and-a-half million. But the problem I have is when you have $5 million that everyone knows is not going to be utilized, and then all of a sudden they say, "You know what, I want to use it for -- I want to offset that in something else."
LEG. CARPENTER:
So, then, you're saying that 2002 and 2003 would be 7 1/2 million instead of five. Paul?
P.O. TONNA:
Okay.
LEG. CARPENTER:
So it would be seven-and-a-half, seven-and-a-half --
P.O. TONNA:
Seven-and-a-half.
LEG. CARPENTER:
-- 2002, 2003.

P.O. TONNA:
Okay. There's a motion by Legislator --
LEG. CARPENTER:
Carpenter.
P.O. TONNA:
Okay. There's a motion by Legislator Carpenter, seconded by Legislator Bishop, to reschedule the Capital Program by putting -- putting --
LEG. CARPENTER:
Adding 2 1/2 to 2002 and --
P.O. TONNA:

Two-and-a-half million.
LEG. CARPENTER:
-- and 2 1/2 to 2003.
P.O. TONNA:
2003, and taking out --
LEG. CARPENTER:
So we're removing the 5 million from 2001.
P.O. TONNA:
-- The $5 million in 2001.
LEG. ALDEN:
I oppose any cuts in the Farmland Preservation.
LEG. CARACCIOLO:
All right, Cameron.
P.O. TONNA:
Okay. There's a motion and a second.
LEG. ALDEN:
Vehemently opposed.
P.O. TONNA:
There's a motion and a second to reschedule the $5 million from 2001 and put it in 2000 -- put in 2000 -- in 2002, put 2 1/2 million, 2003, put 2 1/2 million.
LEG. BINDER:
Mr. Chairman.
P.O. TONNA:
Yes.
LEG. BINDER:
Can I make a parliamentary inquiry.
P.O. TONNA:
Wait. Just wait one second. Is there a motion and a second, first of

all?
LEG. CARPENTER:
Yes.
P.O. TONNA:
Motion and a second.
MR. BARTON:
Yes.
P.O. TONNA:
Go ahead.
LEG. CARPENTER:
By Legislator Carpenter.
LEG. BINDER:
Yeah. If I can ask Counsel, if -- Counsel, if we're not doing a particular amendment, that amendment had been with -- so it were done, that amendments been withdrawn, we've gone through all the amendments that are available to us, are we allowed to create new amendments now on the floor? Is -- I mean, I don't --
LEG. CARPENTER:
We're reconsidering that.
MR. SABATINO:
Yes.
LEG. BINDER:
No. I just want to know, because we, really, normally don't --

MR. SABATINO:
Yes, we've done it in the past. What we've done is when we've gotten to -- when we've gotten to the end of listed resolutions, we've added resolutions virtually every year they're within it.
LEG. BINDER:
Okay. I just --
P.O. TONNA:
Okay. On the motion.
MR. SABATINO:
But you have to call it -- I mean, it's a good -- it's valid point. It should be called Budget Amendment Number 19.
P.O. TONNA:
Okay. So now it's called Budget Amendment Number 19. Okay? On the motion. Fine, okay. All in favor? Wait let me just -- is Legislator Caracciolo here and Legislator Guldi, considering they have most to deal with?
LEG. BINDER:
Roll call.

LEG. FIELDS:
Can you repeat the motion?
P.O. TONNA:
Okay. A roll call on the motion.
LEG. FIELDS:
Repeat the motion.
P.O. TONNA:
The motion is to reschedule the $5 million in 2000 -- $5 million in 2001, to --
LEG. CARPENTER:
And add 2 1/2 million.
P.O. TONNA:
And remove that and add 2.5 million 2002, 2.5 million in 2003. Okay. I have a feeling --
MR. BARTON:
Legislator Carpenter.
P.O. TONNA:
All right. Roll call.
(*Roll Called by Mr. Barton*)
LEG. CARPENTER:
Yes.
LEG. BISHOP:
Yes.
LEG. COOPER:
Yes.
LEG. BINDER:
No.
LEG. POSTAL:
No.
[LEG. D'ANDRE-NOT PRESENT]
LEG. CRECCA:
Yes.
LEG. ALDEN:
I'm opposing.

LEG. FIELDS:
Yes.

LEG. FOLEY:
No.
LEG. HALEY:
Yes.
LEG. FISHER:
Pass.
LEG. CARACAPPA:
Yes.
LEG. TOWLE:
Yes.
LEG. GULDI:
No.
LEG. CARACCIOLO:
No.
[LEG. LEVY-NOT PRESENT]
P.O. TONNA:
Yep. I think there's another Legislator here.
LEG. D'ANDRE:
Yes.
LEG. FISHER:
Yes.
MR. BARTON:
11. (Not Present: Leg. Levy)
P.O. TONNA:
Okay. Thank you very much. All right. We're done.
LEG. BISHOP:
Okay? Is everybody happy?
P.O. TONNA:
We have the savings.
LEG. BISHOP:
Except for Allan.
P.O. TONNA:
Now, we're -- Fred, can you just do a calculation? How much have we saved in 2001? We'll take a ten-minute break, okay, and we'll come back, and I want to hear an announcement, and then we'll go to the regular budget.
(*THE MEETING WAS RECESSED AT 7:50 P.M. AND CALLED BACK TO ORDER AT 8:02 P.M.*)

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]
P.O. TONNA:
Roll call.
(*Roll Called by Mr. Barton*)
LEG. GULDI:
Here.
LEG. TOWLE: (Not Present)
LEG. CARACAPPA:
Here.
LEG. FISHER:
Here.

LEG. HALEY: (Not Present)
LEG. FOLEY:
Present.
LEG. FIELDS:
Here.
LEG. ALDEN:
Here.
LEG. CARPENTER:
Here.
LEG. CRECCA:
Here.
LEG. D'ANDRE:
Here.
LEG. BISHOP:
Here, sorry
LEG. POSTAL:
Here.
LEG. BINDER:
Here.
LEG. COOPER:
Pass -- I mean here.
LEG. LEVY:
Here.
P.O. TONNA:
Legislator Cooper, have you made -- yes, I'm here -- you have made a

commitment.
LEG. COOPER:
I have.
P.O. TONNA:
Okay, there you go; a commitment to vote and not talk while voting.
MR. BARTON:
16 present.
LEG. HALEY:
Here, Henry.
MR. BARTON:
17 (Not Present: Legislator Towle).
P.O. TONNA:
Okay. We're all here, all present and accounted for?
MR. BARTON:
Missing one.
P.O. TONNA:
Who's missing?
MR. BARTON:
Mr. Towle.
LEG. GULDI:
Motion to approve the consent calendar.
LEG. CARACAPPA:
Second.
P.O. TONNA:
We're going to the consent calendar. There's one that you cannot do, No. 1506 was withdrawn; am I correct?
MR. BARTON:

No, no. Mr. Chairman?
MR. SABATINO:
It's in litigation.
P.O. TONNA:
Oh, it's in litigation? So what do I do?
LEG. GULDI:
Motion to approve the consent calendar --
P.O. TONNA:
No, I'm going to make a motion for 1506 to table.
LEG. GULDI:
Second.

00252

P.O. TONNA:
Seconded by Legislator Guldi. All in favor? Opposed? Tabled.
MR. BARTON:
18.
LEG. GULDI:
Motion to approve the balance.
LEG. FOLEY:
Second.
P.O. TONNA:
Okay. Motion to approve the consent calendar minus 1506 by Legislator Guldi, seconded by Legislator Foley. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Okay, Tabled Resolutions. Okay, here we go.
LEG. CARACAPPA:
Mr. Chairman?
P.O. TONNA:
Yes, Legislator Caracappa.
LEG. CARACAPPA:
I make a motion that we take the Coram Health Center now so we can get it out of the way.
LEG. FOLEY:
That's a good point, yes.
LEG. CARPENTER:
Second.
LEG. CARACAPPA:
So then we can really roll through the agenda; it seems to be the only controversial issue before us this evening.
LEG. FISHER:
That's a good idea.
P.O. TONNA:
Okay. There is a motion to take out of order --
LEG. TOWLE:
Second.
P.O. TONNA:
What's the resolution number, Joe?

00253

LEG. CARACAPPA:
What is it, Ways and Means, Steve?
LEG. LEVY:

I got it. It's Ways and Means, yes, the second resolution, 1432.
LEG. CARACAPPA:
1432, Mr. Chairman.
LEG. TOWLE:
Second.
P.O. TONNA:
Okay, there is a motion to take 1432 out of order. All in favor? Opposed?
LEG. GULDI:
Opposed.
P.O. TONNA:
Okay, opposed. All right.
LEG. CARACAPPA:
Motion to approve.
LEG. TOWLE:
Second.
P.O. TONNA:
Motion to approve, Legislator Caracappa, second by Legislator Towle. Okay, on the motion?
LEG. FOLEY:
On the motion.
P.O. TONNA:
No? Okay.
LEG. FOLEY:
On the motion.
P.O. TONNA:
On the motion, Legislator Foley.
LEG. FOLEY:
If we could have the County Attorney's Office step forward, the person who did the negotiations on this; is Mr. Dragotta here?
MR. GRIER:
Roy is not here.
LEG. FOLEY:
Dave, Roy is not here?
MR. GRIER:
No, he is not.

LEG. FOLEY:
Roy was the one who negotiated the contract; is that correct?
MR. GRIER:
He did the majority of negotiations, yes.
LEG. FOLEY:
And you came on -- you came on the --
P.O. TONNA:
Guys, let's have a little order, okay? Right now Legislator Foley has the floor.
LEG. FOLEY:
Thank you. You came on this issue when, about two or three weeks ago, Dave?
MR. GRIER:
That's approximately correct.
LEG. FOLEY:
Okay. So it may be difficult for you to answer these questions. And if

there other -- since the prime negotiator isn't here today, tonight, I don't know who else can answer the questions. But I want to get to an issue and it's for yourself, David, or for the Budget Review or whomever.
Earlier Legislator Guldi made a point of how space that's going to be renovated will at the same time we'll be paying rent for that same space that we're renovating, even though we won't be in that particular space, close to 10,000 square feet at any given time. The question that I have is is it standard industry practice that for square footage that's being renovated, that's not being occupied at the time of renovation, is there not some kind of discount for that square footage, or is there a discount; is there not or is there? I have been told that there is and if it is standard practice that there be a discount for that portion of a building that you're not occupying that's under renovation, then why wasn't that included, that kind of discount included in this particular proposed contract?
MR. GRIER:
Well, as far as industry practice is concerned --
LEG. FOLEY:
I'm sorry, Dave, but the mike is not on.
MR. GRIER:
As far as industry practice is concerned, there are a number of factors that go into what the industry may do at any given time. The economy is a factor in what the industry is willing to do at any given time given a scenario like this, it also depends on if it's an initial lease or renewal, those types of things come into play. What
I can tell you is that the issue of an abatement or a discount for the square footage --

LEG. FOLEY:
For square footage that's not being occupied that's being reconstructed.
MR. GRIER:
That wasn't a part of the negotiations. However, given the concerns that were addressed, the phasing of how the construction and the renovations are going to take place and how personnel is going to be shifted, those discussions have taken place between the landlord's architect, Public Works and the departments to try to minimize the amount of space that is taken and the disruption to services. And specifics on that can be answered by the owner's architect who is here to address the specifics on the plan, how it's going to work and the details as to the amount of space that is going to be used.
LEG. FOLEY:
Well --
MR. GRIER:
And just so you know, I wasn't aware of this until just now, but Roy was actually having tests in the hospital today and that's why he could not be here.
LEG. FOLEY:
Okay. Now, is there anything materially different now than the discussion we had at a committee meeting last week, two weeks ago; is there anything that's materially changed since we discussed this in committee?

MR. GRIER:
I believe there are to be some material changes which are to our benefit, but specifics I would prefer to defer to the architect who can give you details on how the whole operation and the plan is going to proceed because, you know, I am not versed to do that.
LEG. FOLEY:
Okay. Mr. Chairman, I know that this is somewhat time consuming to ask the consultant to step forward with what the space plan is, but it's important information that we know how they intend to do the phasing of this particular building. At a committee meeting two weeks ago we were told a particular approach was going to be taken to the phase --
LEG. CARACAPPA:
Bring him on up, David.
LEG. FOLEY:
Wait a second. It's my understanding that they may have a different phased approach. So I would just like to know what approaches they're taking here because then we have questions as to, again, are we paying rental costs for portions of the building that we're not in because it's under reconstruction? And I think that's a germane point and if I could have --
LEG. CARACAPPA:
Bring him up.

LEG. FOLEY:
If I can have some kind of answer on that.
LEG. HALEY:
Would you suffer an interruption --
LEG. FOLEY:
Sure.
LEG. HALEY:
-- while he's coming up here? Dave, having done many negotiations myself concerning leased space, wouldn't it be fair that while they may not specifically account for ten square feet not being used on a particular day or time, that in general throughout the entire negotiating process there is a consideration given for the fact that you're upsetting the apple cart, you're moving people around? I think that that was probably part and parcel of the overall negotiations, especially when they consider the renovations that are taking place. When you request renovations of a landlord, obviously you have to accept right from the getgo that you're going to be put out for a while or you're going to have some problems with it; wouldn't you say that that was very typical?
LEG. FOLEY:
He really can't -- I'm going to reclaim my time because he really can't, Legislator Haley, because David didn't do the negotiations. The person who --
LEG. HALEY:
No, I'm not talking about specifically.
LEG. FOLEY:
Yeah, but the person who --
LEG. HALEY:
I'm talking about from a standard industry perspective. I answered it from my perspective and I thought maybe he has experienced the same

thing.
LEG. FOLEY:
Is this your area that you're normally involved in the County Attorney's Office, doing leases and contracts?
MR. GRIER:
It's not my greatest expertise, I will admit to that fact. My experience is that -- what I can tell you is that the departments and the landlord have been in negotiations on this lease for the past year.
LEG. FOLEY:
We know that.
MR. GRIER:
And they have undergone, you know, many discussions on what --

LEG. FOLEY:
We understand that.
MR. GRIER:
-- the process is going to be and all the factors that were deemed to be relevant were discussed and made a part of, you know, the negotiation package.
LEG. FOLEY:
Mr. Chairman, if we could please have the consultant give us some kind of a description of how they intend to phase this construction, reconstruction?
LEG. CARACAPPA:
Come on up.
P.O. TONNA:
Okay. Just --
LEG. FOLEY:
State your name for the record, please.
MR. CLEMENCY:
Good evening. I'm William Clemency of Tast & Clemency Architects. First, just to start off, I think there seems to be some misunderstanding about this 10,000 square feet. Yes, there will be 10,000 square feet vacant at various times during the construction, but the building by that point will be a 50,000 square foot building not a 40,000 square foot.
LEG. FOLEY:
Correct, everyone knows that.
LEG. GULDI:
Yes, we'll be paying for 50.
MR. CLEMENCY:
No, you're paying for 40.
LEG. GULDI:
No, it's 50.
MR. CLEMENCY:
Until the building -- all 50,000 square feet is occupied, you will be paying for 40,000 square feet; some of the 40,000 square feet is existing, some of it is the new addition.
LEG. FOLEY:
Why don't you just for the sake of others who weren't at the committee meeting, because this is an important point, just walk us through --
MR. CLEMENCY:

Sure, just let me give you an overview of what happened.

00258

LEG. FOLEY:
Yeah, please.
MR. CLEMENCY:
We have two different groups operating in the building, as you know, we have the Social Service and the Health Department. Now, Social Service which presently occupies the second floor has a phased build out where initially the -- first, before any of the moves start, we're going to build the 10,000 square foot addition, so now we have what was a 40,000 square foot building is now a 50,000 square foot building. On the second floor we will initiate the build out to accommodate Social Services, we will, of the new space, create 5,000 square feet build out for Social Service, phase I for them. Phase II will be to move the first group over into that space, now you will half -- the existing side essentially empty.
LEG. FOLEY:
The building.
MR. CLEMENCY:
-- the existing side essentially empty, we will build out that side, that half of the side. If you see the building in quadrants --
LEG. FOLEY:
Now, half that --
MR. CLEMENCY:
You're going to sequence around the floor.
LEG. FOLEY:
By having half empty is what --
MR. CLEMENCY:
Half of 10,000 square feet which is the 5,000 square feet that's now kicked into the new addition.
LEG. CARACAPPA:
Not half the building.
LEG. FOLEY:
Now, you're saying half of the existing building will --
MR. CLEMENCY:
No, not the existing building, the Social Services group.
LEG. FOLEY:
You know what would really be helpful, I know you're giving it to us verbally, but why there couldn't have been -- and it's not a criticism of you, Sir -- but why there couldn't have been some kind of documentation on this that would tell us exactly how this is going to be phased so we could follow what you're saying, those of us who aren't, you know, well versed in rental. But go ahead.
MR. CLEMENCY:
If you can envision the building, okay, let's just start on the second floor first, all right? On the second floor, envision the building, we

00259

have a core and a north wing and a south wing.
LEG. FOLEY:
Right.
MR. CLEMENCY:
All right?
LEG. FOLEY:

Right.
MR. CLEMENCY:
Each wing after the addition will be approximately 10,000 square feet each.
LEG. FOLEY:
Okay.
MR. CLEMENCY:
All right? We will build out the half of that wing for Social Service and half for Health.
LEG. FOLEY:
Uh-huh.
MR. CLEMENCY:
Five thousand square feet of each function will move into their respective areas which will now free up effectively what is presently the old existing north side.
LEG. FOLEY:
On the second --
MR. CLEMENCY:
On the second floor, okay?
LEG. FOLEY:
Right.
MR. CLEMENCY:
We will now build that out, move people from the southerly side, half of those because it's half of the ten which is the five we just built out --
LEG. FOLEY:
Right.
MR. CLEMENCY:
-- into the space we've built out.
LEG. FOLEY:
Okay.
MR. CLEMENCY:
We will now build out that empty space.

LEG. FOLEY:
So you're doing -- how much empty space at a time are you reconstructing then?
MR. CLEMENCY:
It's approximately 5,000 square feet --
LEG. FOLEY:
So each wing.
MR. CLEMENCY:
-- for Social Service and Health simultaneously.
LEG. FOLEY:
So you're doing the top. Now, who's whose on the bottom floor?
MR. CLEMENCY:
The Health Department.
LEG. FOLEY:
So the Health Department will be on the bottom floor while there's reconstruction going on the second story?
MR. CLEMENCY:
Second floor, right. However, when --
LEG. FOLEY:

Is there any concern about by doing work on the second story it's somehow going to impact those who are working on the first story right underneath the reconstruction?
MR. CLEMENCY:
No. I mean, it's going to be protected and safeguarded, obviously, to allow them to continue to work.
LEG. FOLEY:
Is it during the daytime or will it be after hours?
MR. CLEMENCY:
No, principally it would be done during the daytime.
LEG. FOLEY:
If it's done during the day, it won't impact the operations of Health downstairs?
MR. CLEMENCY:
No, not at all. In fact, we've spent a lot of time --
LEG. FOLEY:
Okay.
MR. CLEMENCY:
-- with the various department heads very specifically to avoid that.

LEG. FOLEY:
All right, so now you're doing the second-- so you're doing the 10,000 square foot addition, then you're doing the top floors for reconstruction, correct?
MR. CLEMENCY:
Correct, so now we've built out 10,000 square feet of finished second floor space.
LEG. FOLEY:
Right.
MR. CLEMENCY:
Five thousand of which is Health Department --
LEG. FOLEY:
Right.
MR. CLEMENCY:
-- and 5,000 of which is Social Services.
LEG. FOLEY:
Okay.
MR. CLEMENCY:
So now we're building out -- the space that was vacated from each of those is Phase II.
LEG. FOLEY:
Okay.
MR. CLEMENCY:
Okay? Phase III is to move them into that space and build out 5,000 square feet of each respective floors.
LEG. FOLEY:
On what, the second story or the first story?
MR. CLEMENCY:
We're doing it like quadrants. I'm sorry?
LEG. FOLEY:
Second story or the first?
MR. CLEMENCY:
Now we're all on the first floor.

LEG. FOLEY:
Phase III is the first story.
MR. CLEMENCY:
For Health we're on the first floor and Social Services on the second floor.

00262

LEG. FOLEY:
Okay.
MR. CLEMENCY:
After the first phase, we now have space to move both Health and Social Services into the new addition.
LEG. FOLEY:
So how much vacant space will there be at any given time that you're working on?
MR. CLEMENCY:
Ten thousand square feet, plus or minus.
LEG. FOLEY:
Ten thousand square feet of space you'll be working on at any given.
MR. CLEMENCY:
Right. The only time we may be working --
LEG. FOLEY:
Now, are we paying -- I know you're the architect.
MR. CLEMENCY:
Yes. I just want to make clear.
LEG. FOLEY:
Go ahead.
MR. CLEMENCY:
The only point at which there may be more than 10,000 square feet is the very initial phase after the 10,000 square foot addition is done.
LEG. FOLEY:
Right.
MR. CLEMENCY:
And at that point we've had discussions with the Health Department and they've indicated that the Public Health Nursing functions would be willing to move into trailers which would be located outside the building.
LEG. FOLEY:
Now hold on a second. See, this is new news, this was not mentioned at the committee meeting last week about trailers.
MR. CLEMENCY:
No, this is only subsequent to meetings we've been having with the Health Department.
LEG. FOLEY:
Subsequent since the committee meeting.
MR. CLEMENCY:
Yes.

00263

LEG. FOLEY:
See, Mr. Chairman, this is what I'm talking about. And this is why people, you know, who are impatient who don't want us to ask questions, we need to ask questions something new now has arisen since the last committee meeting, is this issue of trailers.
MR. CLEMENCY:

Well, this is simply an option we have offered to them.
LEG. FOLEY:
No, I'm not criticizing you.
MR. CLEMENCY:
They haven't accepted whether they want to go that route or not.
LEG. FOLEY:
I'm not criticizing you, but the fact of the matter is this was not something that was discussed in committee. And what kind of trailers are we talking about, for how many people?
MR. CLEMENCY:
We're talking 12 by 60 foot finished office, mobile trailers.
P.O. TONNA:
It's probably better than what they have now.
MR. CLEMENCY:
Absolutely it's better than what they have now.
LEG. FOLEY:
How many trailers are we talking about?
MR. CLEMENCY:
We will provide as many as four, although I believe they're probably only going to need two.
LEG. FOLEY:
All right. Now, is that part of the rent or is this an additional cost to the project?
MR. CLEMENCY:
No, this is going to be absorbed by the contractor.
LEG. FOLEY:
Can we have someone speak about this, please?
MS. CARBONETTO:
My name is Ann Marie Carbonetto, I'm from the Health Department. What Paul Tonna just said, it's probably better than what they've got; these trailers are the same trailers that they used for Civil Service when they renovated the building that Civil Service is in. And they're mobile offices, they're really not trailers, and they're very nice.
LEG. FOLEY:
So why are we now considering using trailers?

LEG. CARACAPPA:
They're options.
MS. CARBONETTO:
That's right, so that we'll have that space available to use, they'll be out of there on the entire floor.
MR. CLEMENCY:
Right. What that does is it allows them to make no more than one move out of their space, otherwise they're going to have to move through some swing space.
MS. CARBONETTO:
That's right.
P.O. TONNA:
Right, it's a whole dominos effect.
MS. CARBONETTO:
Exactly.
MR. CLEMENCY:
Correct. This eliminates that from the equation, it lets them move

temporarily into --
MS. CARBONETTO:
The trailer and then back into their new space.
MR. CLEMENCY:
The office and then, boom, into their finished space.
LEG. FOLEY:
All right.
P.O. TONNA:
It expedites the renovation process.
MS. CARBONETTO:
Exactly.
LEG. FOLEY:
But this is a newer development.
P.O. TONNA:
Do I have to give you guys these arguments? Come on, come up with these on your own.
LEG. FOLEY:
This wasn't mentioned two weeks ago. All right, if you can continue, please.
MR. CLEMENCY:
Okay.
P.O. TONNA:
Wait, can I just say one thing?

LEG. FOLEY:
Go ahead.
P.O. TONNA:
And Legislator Foley, I just -- because I have now been requested by five Legislators, I know these are painstaking questions, and just --
LEG. FOLEY:
You know, if other Legislators don't want to do their business and they're impatient because we're asking questions, as I've said before, if this was any other landlord none of us would have a problem with this. The reason that I want to ask these very particular, specific questions is because of the dismal record of the landlord. Now, if there are those County Legislators who don't give a damn about this, well then maybe they should leave the room. But I'm going to sit here, I'm going to ask these questions --
P.O. TONNA:
I think they have.
LEG. FOLEY:
-- because I was one Legislator, one Legislator out of a number who five or six years ago questioned why we were trying to move the Coram Health Center out of Coram and into a whole nother catchment area. I
LEG. CARACAPPA:
What does that have to do with this?
LEG. FOLEY:
So even though this is not my district, I have every right to ask these questions. And as the Vice-Chair of the Health Committee, I'm going to sit here and I'm going to ask these questions until I'm satisfied with the answers. And I wouldn't have a problem at all with this if it wasn't because of the poor history, as I said, with the landlord and the pain, the literal pain that was inflicted on the County employees.

So if some Legislators are impatient about it, that's too damn bad.
LEG. CARACAPPA:
Mr. Chairman? It's not a question of not wanting to know, Brian, it's a question of let's get to the damn point, let's just do it.
LEG. FOLEY:
The point is --
LEG. CARACAPPA:
Let's ask the questions, let's not beleaguer it. Ask questions; he's here, ask, get the answer, let's move on.
LEG. FOLEY:
I have questions to ask.
LEG. CARPENTER:
Ask him already.

LEG. FOLEY:
We have been told already --
LEG. CARACAPPA:
Don't yell at me, ask the questions.
LEG. FOLEY:
We've been told already --
LEG. CARPENTER:
Well ask them.
LEG. FOLEY:
Yeah, but when we're asking questions --
P.O. TONNA:
Legislator Foley has the floor.
LEG. FOLEY:
Thank you.
P.O. TONNA:
Legislator Foley, continue.
LEG. FOLEY:
Thank you very much.
LEG. CARPENTER:
He has the soap box, he doesn't have the floor, there's a difference.
LEG. FOLEY:
Mr. Architect, could you just continue with your overview of the project?
MR. CLEMENCY:
All right. Well, essentially I think we've pretty much run through it. We will then do two sequential approximately 5,000 square foot build outs for each, Health and Social Service, at which point we will now have a 50,000 square foot building.
LEG. FOLEY:
Okay. Mr. Chairman, I'm going to reserve -- I'm going to have some questions later, but I know that other Legislators, Mr. Guldi and Legislator Levy have some questions to ask also.
P.O. TONNA:
Okay, all right. Legislator Guldi, do you want to be recognized?
LEG. GULDI:
Not yet.
P.O. TONNA:
Okay. Anybody else? No? Okay, call the vote.
LEG. LEVY:

No, wait.

P.O. TONNA:
Wait, hold a second. Yeah, I knew that. Okay, Legislator Levy, why don't you bide some time for Legislator Guldi.
LEG. LEVY:
There are -- to Budget Review, there was concern that there was no exhibit attached to the plans to tell us what work was going to be done. Since my discussions with you, I believe there have been some architectural drawings that have been brought forth; is that, in your opinion, the type of back up that you were looking to receive?
MR. POLLERT:
One of the concerns that we had at the Space Committee meeting was that there were numerous complaints with this building because of questions with respect to who was responsible for what functions, if it was the landlord or if it was the County's responsibility to make improvements to the building. It was represented in the Space Committee meeting that the new lease would clearly define what the responsibilities were. At the Ways and Means Committee, I believe there was a lengthy discussion on the part of the Department of Social Services indicating that that was a problem, not knowing who was responsible for what renovations. The new lease that I saw was an amendment to the old lease and did not seem to clarify a lot of the issues of responsibility. The example used I believe by the department of social services was let's say that a door was broken, was it the landlord's responsibility to repair it or was it the County's responsibility to repair it?
LEG. LEVY:
Well, this is essential and this is something that we have to get to the bottom of. Is there someone from either Social Services or Public Works or anyone from the County Executive who could answer these questions, especially, as Legislator Foley said, with the history here. If there is, in fact, a broken door, is it covered and are there other specific listings and is it thorough as to who does what?
LEG. CARACAPPA:
Did you ask this question in committee?
MR. GRIER:
Legislator Levy, I believe there was a --
LEG. LEVY:
We did. What happened -- Joe, we went --
LEG. CARACAPPA:
I'm just asking.
LEG. LEVY:
Joe, we were in committee for about two hours on this, we asked a plethora of questions, but not everything comes out in committee. As Legislator Foley just noted I think rather aptly, you know, we never heard the word trailer used. All right? There's a lot of things that surface after the fact, so that's what we're trying to get at.
LEG. CARACAPPA:
You never asked who would be responsible for repairs?

LEG. LEVY:
Yeah, but Fred, you know, they tell you certain things in a general fashion and then you have to see the written document to check it to

make sure it jives with the verbal representations. And since then, Fred is saying that he's not satisfied at this point that it's clearly delineated and that's all I'm asking. I'm not saying it is or it isn't, I just want to know is it there.
MR. GRIER:
I believe that packets were distributed to all the Legislators indicating an exhibit showing landlord/tenant responsibilities.
LEG. LEVY:
Let me cut you off right there, Dave. Did you see that, Fred?
MR. POLLERT:
Yes, we did. But the tenant/landlord responsibilities were much the same as laid out in the previous lease. There was correspondence back and forth with respect to let's say redoing the elevators. However, one of the preliminary letters from the landlord indicated that even though the elevators were going to be done, ADA compliance of the elevators would be a responsibility of the County. So it's really up to the Law Department whether or not the Law Department has a confidence that everything has been nailed down with respect to maintenance versus repair items. They are ultimately going to be the group which is going to have to attempt to resolve if there are disagreements.
LEG. LEVY:
Okay. And David, I think it's a -- I think I know what your answer is going to be, but you're comfortable that every contingency is dealt with in this lease as to which side will have to deal with the repair in any particular situation?
MR. GRIER:
I believe so. In certain instances, take the doors for example, if the door is not -- if it's in disrepair because of some structural reason or is installed incorrectly, that would be the landlord's responsibility. However, if it were damaged because of County negligence or one of our clients damaged it for whatever reason, then it would be our responsibility. I think it is clear in the documents who's responsible for what.
LEG. LEVY:
There is an amendment that came forward since our last discussion which is progress and this is a good thing. I mean, it says that the owner has 450 days to make sure that the work is substantially complete. To my knowledge, though, there is no specification as to a Certificate of Occupancy. And in your mind, would it not be better from the County's perspective to ensure that within a date certain the landlord has to provide us with a Certificate of Occupancy?
MR. GRIER:
Yes, there is. Under paragraph six it talks about the receipt of a Certificate of Occupancy.

LEG. LEVY:
Does it say that it will be received within a certain time period?
MR. GRIER:
It's page four of ten in the first amendment. It says that a CO will be delivered to the tenant upon commencement of occupancy, which --
LEG. LEVY:
Yeah, but that's obviously a very vague term. What I was getting at was we gave them a certain number of days in which to get this up and

ready, but we don't -- we don't put that in regard to the CO, we just state you have 450 days to get it substantially complete. And I think the point Budget Review is making is a good one, that substantially complete is irrelevant if you don't have a Certificate of Occupancy, and perhaps it's worth it to just insert the word Certificate of Occupancy right along side there.
MR. GRIER:
The way the lease reads, upon that 450 days of the substantial completion, at that point, under the terms of the lease, we would be entitled to occupancy, which in order for us to get occupancy we would have to get the CO as well. So the two time frames are --
LEG. LEVY:
Well, we can't get occupancy before we get a CO.
MR. GRIER:
The two would will coincide, they would coincide.
LEG. LEVY:
The way I understood what you just said, and correct me if I'm wrong, I thought you were saying we'll have 450 days that the place can be substantially complete and that should allow us to take occupancy, but we can't get occupancy until you have a specific document which is a Certificate of Occupancy.
MR. GRIER:
Upon substantial completion, we've accepted it at that point, the CO would be delivered to the County and we would enter occupancy of the building. The two would, in essence, coincide with one another and we would have occupancy with the CO at the same time.
LEG. LEVY:
All right. I don't want to split hairs, but I could think of situations where he can have his place substantially complete but he doesn't have a CO. And maybe I'm nitpicking but, you know, hopefully it won't even be a situation that we have to deal with. That's it for now for me, and I'll hand it over to Legislator Guldi.
[RETURN OF LUCIA BRAATEN-COURT STENOGRAPHER]
LEG. GULDI:
Yeah. I actually only have one question, and it's not for you, it's for the owner's representative, who I see in the audience still. And my question to you, sir, if you'll come forward, is, quite simply, you've

heard a number of representations on lease interpretations, for example, on the issue of substantial completion and commencement, as is defined in the lease, requiring the delivery of a certificate of occupancy, as just was indicated by Mr. Grier. Do you agree with that representation, in particular, and is there any representation by any of the County's personnel that you hear -- heard here about the manner, method or terms of this lease with which you do not agree.
MR. PASCUCCI:
I'm not sure I understood that question. By the way, my name is Robert Pascucci, excuse me, the President of JMI Management Company, the management company for the owners, MLP Associates.
LEG. GULDI:
Let me try to reframe it for you, then.
MR. PASCUCCI:
Okay.

LEG. GULDI:
Mr. Grier just said that under the terms, under Paragraph 6 of the lease, the delivery of the certificate of occupancy would have to be simultaneously with the -- certificate of occupancy shall -- with the commencement of occupancy on Page 4 of 10, Paragraph 6, Subdivision A, about the middle of the one, two, three, four, five, six, seven, eight, nine and ten lines down. That term, as it's defined, dovetails with the term of the lease to be commencement being delivery of substantial completion.
MR. PASCUCCI:
That's correct.
LEG. GULDI:
Would you consider substantial completion to require delivery of the C.O.
MR. CLEMENCY:
Can I just answer that for him, please, because I think --
LEG. GULDI:
Well, I really need it from the owner's representative.
MR. CLEMENCY:
Well, but I think -- I think --
LEG. GULDI:
The reason I'm having -- there are different terms of art.
MR. CLEMENCY:
And I want to make sure everybody understands there are. There is a certificate of occupancy already, it exists.
LEG. GULDI:
And it -- but which is void at the moment.

MR. CLEMENCY:
It will carry on. It will carry on.
LEG. GULDI:
You get a building permit to do the modifications.
MR. CLEMENCY:
But, no. It will carry on. There will be a certificate of completion.
LEG. GULDI:
That's not my understanding of the New York State Building Code.
MR. CLEMENCY:
There will be a certificate of completion for the addition, for the addition; of completion for the addition, which will be issued by the town in advance of -- otherwise, you'd not be able to occupy the building at all during in any phases during the construction. You have to get a certificate of completion for the new 10,000 square feet before we can start moving people into it. The CO for the building will carry on. Buildings with CO's are renovated every day of the week --
LEG. GULDI:
Okay.
MR. CLEMENCY:
-- and will continue to be.
LEG. GULDI:
So that the --
MR. CLEMENCY:
The certificate of completion will be obtained substantially in advance

of substantial completion of the total project.
LEG. GULDI:
Okay.
MR. CLEMENCY:
The certificate of completion will be given at --
LEG. GULDI:
Okay. That certificate of completion will be delivered prior to occupancy, that's your understanding?
MR. CLEMENCY:
Of the very first stage --
LEG. GULDI:
Okay.
MR. CLEMENCY:
-- of space, of the addition.
LEG. GULDI:
And the certificate of occupancy you're referring to for delivery at

the commencement of the term is the certificate of occupancy that was issued for the building as of the date of its initial construction more than -- of decades ago.
MR. CLEMENCY:
Yes, that will carry on.
MR. PASCUCCI:
Right. And, to the best of my knowledge, this is standard language in the various Suffolk County leases.
I also want to add a comment dovetailing on what you said before. Do have tail what you've said before. Throughout the entire process, when we finish the first 10,000 square foot addition, until we get a certificate of occupancy for that space, we will not break through and disrupt any portion of the use of the 40,000 square feet, that's number one. Number two, when we do complete and tenant build-out the 10,000 square foot addition, before we move people in, at that point in time, the building will be 50,000 square feet, but the terms and the conditions of the amendment of the lease dictate that we will not be charging you any rent whatsoever for the additional 10,000 square feet throughout the term of the entire construction.
In addition, the new rental rate per square foot will not kick in until the last square foot is turned over to the County, new, complete and completely rebuilt out. So we will be, in effect, giving you a 50,000 square foot building, doing the renovation of the original 40 square foot premises, all under the old lease, at the old rate, under the old terms.
LEG. GULDI:
Okay. The second half of my initial confusing question is you have here and at committee been present, as members of the County Executive's staff, the Health Department, and Social Service staff, have answered various questions of the Legislature as to the terms of the deal and what was being described both as to work progress, finishes, and etcetera, and the terms of the lease. Were there any statements you heard or representations by any of those people with which you disagree, that were in error, or perhaps not complete, that you recall?
MR. PASCUCCI:

No.
LEG. GULDI:
Okay. So you're in complete agreement with all the representations that have been made here to the Legislature?
MR. PASCUCCI:
Correct.
LEG. GULDI:
Okay. I don't have further questions, but I'd like to make a comment before we call the question. I'll turn the floor back over to anyone who has other questions.

D.P.O. LEVY:
I would, too. Counsel's -- Presiding Officer is in the room. If there's no other questions -- are there any other questions?
P.O. TONNA:
Yeah.
D.P.O. LEVY:
Why don't we go -- you have questions?
P.O. TONNA:
No.
LEG. LEVY:
Why don't we go to comment, then, and why don't we start it off with you, Legislator Guldi.
LEG. GULDI:
Yeah. I've expressed concerns. I don't have any further questions, sir. Thank you for your time. I've expressed concerns about the lease and the terms of the deal. I am uncomfortable with the process, because I feel like we've been given the changing -- the lease seems to have evolved. Yes, to some degree, I want to commend the County Executive's Office, because the comments and concerns of committee members were incorporated in subsequent amendments to the lease as you brought it forward. I'm still concerned with the overall process and the overall deal. I'm not satisfied, I'm not comfortable. I'll be voting no today. Thank you.
LEG. LEVY:
I'll explain my vote, and then anyone else wants to speak, please feel free.
P.O. TONNA:
Are we calling the vote?
LEG. LEVY:
Yeah.
P.O. TONNA:
All right.
LEG. LEVY:
On its face by itself, I think there's numerous problems with this particular process. For instance, I do believe that Legislator Guldi's correct, in -- if I could paraphrase him, I think we negotiated this more from fear rather than a position of strength, which we could have. I asked a question in committee, why didn't we look to build across the street? And the answer was rather striking. The answer was, "Well, we would have then left the building that we're in now vacant." And I asked, "Well, so what?" What do we care if we were going to leave this building vacant? But it was that kind of illogical

response that we got, which I think underscored the problems that many of us were having.
As far as the process is concerned, I feel very -- I feel quite leery

certifying a process that deliberately kept the Legislature out of the loop. Back last August, it was specifically stated that this lease and the proposal for the build-to-suit across the street would come to the Legislature as a policy option. Well, guess what, it never did come to us as a policy option. And then, at the last minute this year, we're told this is the only proposal you have, because, now, it's too late to go with anything else. That's a shame. We in this Legislature should have been giving that -- given that option, so that we could have chose the best way to go.
With that said, there have been some good things that transpired over the last couple of weeks, thanks to the tabling that we put forth last go-around. Some of the things, for instance, it was stated here -- and I think it might have gone over a few people's heads, but let's state this for the record, because it's was important. We were going to be charged for 10,000 extra square feet, even when we weren't using it. That has been changed and that's a substantive change, very substantial change, right. That's because of the committee meeting and the questions we had at the committee meeting. We now have a late charge. It's a small charge, but it's something nonetheless.
Bottom line is I don't like the position we're in, but if I have to make a decision, I'll make the decision based upon the fact that the employees themselves and the representatives from the employees have made the statement that they want this particular proposal. I say this with my vote for this resolution. Don't anyone come back to me --
MS. GARBARINO:
Guaranteed, guaranteed.
LEG. LEVY:
-- two years from now, saying, "How come there's a problem here with where the landlord is not fixing the door?" Because if it were -- if I had my druthers, we would have hammered this out a lot more and with a lot more detail. But if the employees themselves want to move forward with this particular site, they're working there, their representatives think this is the way to go for them, fine, as long as you agree to live with it, that's what we'll deal with. I'll give you my vote for it, but, hopefully, we won't have to worry about those problems developing. Hopefully, the last two weeks took care of a lot of those potential situations.
P.O. TONNA:
Okay. Legislator Fields.
LEG. FIELDS:
This is directed to Legislator Caracappa and Legislator Carpenter, and anyone else. I know this was painstaking and it was annoying, and slow, and tedious, but had we not tabled it and gone through the committees in such a tedious way, I think there wouldn't have been the improvements and the changes that we now currently are going to vote upon. And I think, when all is said and done, it was for the employees that we did it and that we worked so hard and it became such a --
LEG. D'ANDRE:
Mr. Chairman.

LEG. CARACAPPA:
If I can respond, Mr. Chairman, please. That was directed to me.
P.O. TONNA:
Okay. Legislator Caracappa.
LEG. CARACAPPA:
I never said, and I'm sure you realize this, to Steve and to Brian, that I just don't want to hear the facts. I've been on this lease for -- I sat in Roy Dragotta's office over a year ago talking about this Coram Health lease before it even was close to coming to committee. The fact remains it was being beleaguered and fingers were being constantly pointed, and people were looking back ten years ago, and people were doing things because they just want to punish somebody for the bad -- for being the bad landlord. That was my problem. It's time to move the process forward. And I appreciate all the work you did in committee. The Chairman, you did a great job. As Chairman of the Health Department, you did -- the committee, you did a great job. But it got a little bit crazy there and I thing it was -- this should have been taken care of a long time ago, and that was my criticism, and that was what I was concerned about.
P.O. TONNA:
Legislator D'Andre.
LEG. D'ANDRE:
Mr. Pascucci, can you come up here, please.
LEG. HALEY:
Now you're going to be punished.
LEG. D'ANDRE:
Let me tell you, his parents were twins, one of them anyway.
LEG. LEVY:
Now that's the line of the year.
P.O. TONNA:
Let's clarify that, because you know what that makes you. Anyway, let's clarify that.
MR. PASCUCCI:
And I agree with that statement, too.
LEG. LEVY:
That is the line of the year, his parents were twins.
LEG. D'ANDRE:
He's from Glen Cove. At that time, we had about four or five sets of twins in Glen Cove, the Coxes, I remember, the Pascuccis, D'Andres, the Boris brothers. Many twins back then. I don't know why. Something was magical in Glen Cove at that time. But we're down the road from that and we're on serious business here, and you're going to take over a nasty job. The building is in terrible condition. And I'd just like to set everybody at ease and the way you're going to do that, I

believe. I know how you work, contrary to what's been said here, I know your family. Will you please explain the rudiments of the CO versus not having a CO, or getting a new CO? Put the record straight here, so we have faith in how you're going to do this and how we're going to be protected.
LEG. CARACAPPA:
That's already been stated, Mike.

MR. PASCUCCI:
With respect to the CO, the building has a certificate of occupancy now. That will not lapse, that will continue. You're allowed to renovate an existing building within the confines of the existing C of O. We will put an addition on this building. We will obtain a new certificate of occupy for that addition when that portion of the building is structurally sound and built to all building codes. And when that addition gets its certificate of occupy, we can then start moving people into the new wing and we won't take one square foot away from the existing premises until we move people into the new wing.
LEG. D'ANDRE:
Is that the order it works, you work on the old certificate until you get the repairs done and then you get the new certificate of occupancy?
MR. PASCUCCI:
There's a new certificate for the new building and we're working within the existing certificate of occupancy on the original building.
LEG. D'ANDRE:
Mr. Chairman. Mr. Chairman, did you hear that?
P.O. TONNA:
I did.
LEG. D'ANDRE:
I'd like the record to reflect that, because it's important to be sure. And I say he's a good guy and I know him, but --
P.O. TONNA:
Right. Well, anybody who's born from two parents who are both twins I'd have to say I'd have to give the benefit of the doubt.
MR. PASCUCCI:
Well, actually, for the record my father had a twin brother.
P.O. TONNA:
Oh, okay. All right.
MR. PASCUCCI:
He was not related to my mother.
P.O. TONNA:
Okay.
LEG. GULDI:
Other than by marriage, I hope.

P.O. TONNA:
Other by -- other -- before marriage. Okay.
MR. PASCUCCI:
Before they met.
P.O. TONNA:
Now, now, you can never -- okay.
LEG. D'ANDRE:
So, you see-- so, you see, you're on fertile ground here.
P.O. TONNA:
Okay. Thank you very much.
LEG. CARACAPPA:
Mr. Chairman, please call the question.
LEG. CARPENTER:
Mr. Chairman.
P.O. TONNA:
I have one question, just to -- and then I think there might be

somebody else. The question that I have, and maybe from the County Exec's, who do we hold responsible if all the things, and don't tell me Bob Gaffney, all right, who in the department, who is going to monitor and make sure that all of the scrutiny and everything is done, they're going to get the job, done, who?
LEG. TOWLE:
Paul Tonna.
P.O. TONNA:
No. I want to know who are we going to call?
LEG. GULDI:
Bill Jones.
P.O. TONNA:
Who's the ghost-buster?
LEG. GULDI:
We're going to call Bill Jones, because --
P.O. TONNA:
Bill, come on up here.
LEG. GULDI:
Because Bill Jones and I have a side bet about when the date's going to be completed.
P.O. TONNA:
Bill, I just want to make sure, if there is any problems --

MR. JONES:
We're not planning on that.
P.O. TONNA:
-- any problems with this building, it's you that we're going to hold personally responsible to make sure that the teeth in this contract -- well, no, no, no. I want one person. Two? Okay. You will both --
MS. CARBONETTO:
One from the Health Department, one from Social Services.
P.O. TONNA:
Okay. We're going to hold each of you personally responsible to make sure that the teeth in this contract are going to be adhered to.
LEG. TOWLE:
Raise your right hand.
LEG. FIELDS:
But they both have in their retirement.
P.O. TONNA:
Okay. And forget about retirement. All right. Thank you very much.
LEG. CARPENTER:
Mr. Chairman.
P.O. TONNA:
We're going to call the question? Oh, anybody else?
LEG. CARPENTER:
If I could.
P.O. TONNA:
Legislator Carpenter.
LEG. CARPENTER:
I would -- just to echo some of the comments that Legislator Caracappa made. I, too, have not problem with doing our due diligence and asking all of the right questions, and I think that we've done that. I would like to commend everyone involved in getting us to this point, the fact

that we are not tossing aside a building and we are refurbishing a building, not building another building. I think we are leading by example for the smart growth that this body has been so advocating in the past months.
LEG. CARACAPPA:
Thank you.
LEG. BISHOP:
Fantastic.
P.O. TONNA:
Okay, call the question. Okay, call the question. I'll call the question. All in favor? Oh, let's do a -- let's do a roll call.

00279

(*Roll Called by Mr. Barton*)
LEG. CARACAPPA:
Yes.
LEG. TOWLE:
Yes. Cosponsor.
LEG. COOPER:
Yes.
LEG. BINDER:
Yes.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yes. Cosponsor.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FIELDS:
Yes.
LEG. FOLEY:
Yes.
LEG. HALEY:
Yes.
LEG. FISHER:
Yes.
LEG. GULDI:
No.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.
P.O. TONNA:
Yes.

00280

MR. BARTON:
17-1.
LEG. D'ANDRE:

Cosponsor, everybody.
P.O. TONNA:
It's past 8:30, it's time for some sugar. Okay.
MR. JONES:
Thank you very much.
P.O. TONNA:
You're welcome.
MR. JONES:
Thank you.
P.O. TONNA:
Thank you. We're going to be your worst nightmare if we come and see that place falling apart.
LEG. HALEY:
You already are.
LEG. CRECCA:
I was going to say, we're going to be?
P.O. TONNA:
All right.
LEG. TOWLE:
Mr. Chairman.
P.O. TONNA:
Yes.
LEG. TOWLE:
Yeah. Earlier, we had made a motion to discharge 1474. It's aged for an hour. Before we go on to the agenda, I just want to make a motion to approve that.
P.O. TONNA:
There's a motion.
LEG. GULDI:
Second.
LEG. CARPENTER:
Second.
LEG. HALEY:
Second.
LEG. CARPENTER:
Technical corrections.

LEG. TOWLE:
This is the one --
P.O. TONNA:
Fred, I'd ask -- I would just ask -- just hold it a second. We have a number of discharge petitions; okay?
LEG. GULDI:
Let's do them all.
P.O. TONNA:
They've all aged. Do you want to do them all now?
LEG. GULDI:
Yes, let's do them all.
P.O. TONNA:
Okay. I would ask everyone who has discharged a petition, let's do them now and get them over with.
LEG. BISHOP:
And then let's do the CN and then we can whip through the rest of it.

P.O. TONNA:
Yeah.
LEG. TOWLE:
Okay. Anyway, I'll go back to the resolution, it was 1474, and the one I was referring to.
P.O. TONNA:
Okay. There's a motion by Legislator Fred Towle, seconded by Legislator Dave Bishop. All in favor? Opposed?
LEG. TOWLE:
Hold, hold, hold. It's when they -- just Fred Pollert pointed out to me one thing --
LEG. FOLEY:
Where are we?
LEG. TOWLE:
-- on the -- on the resolution.
P.O. TONNA:
1474.
LEG. TOWLE:
It was a scribbler's error. It's 16 -- 6011, it should be 6010, on the "from" and "to," the paragraph there. That was just one scribbler's error with a number. So it's a motion to approve and a second.
LEG. GULDI:
Call the question.

LEG. TOWLE:
Now you can call the vote.
LEG. GULDI:
Paul.
P.O. TONNA:
Okay. All in favor? Opposed?
LEG. BINDER:
No. Mr. Chairman, on 1474. I --
P.O. TONNA:
On the motion. We're going to go this way first. Everybody, hold it one second, please. Legislator Binder has the floor.
LEG. BINDER:
For the reasons I stated before, I understand that we want to possibly work out an opportunity to work with Family Service League and the people that they've hired, and the people that are employed that will be unemployed after we pass this, but I would hope that we would do it before we would actually pass this resolution, that we'd have a little compassion; that Family Service League has hired people with this money. I understand it's an error. I understand Legislator Towle had another use for it. I understand that the school district's gone forward on this. That's all well and good. Appreciate it. I think if we wait one meeting on get them this money, the school district will be okay, but at least in that time, we could probably work out another funding stream and put it together in one resolution that we could take care of Family Service League, as well, and the employees that we're talking about, and take care of Legislator Towle's. So I'd hope that -- and I'll make a motion to table, so it's tabled on the floor, so it could be handled at our next meeting, and, hopefully, by then, it can even be a corrected copy, so it will take into account that we have to

protect some people who have been hired based on a contract signed that they have with the County. So I have a motion to table.
P.O. TONNA:
Okay. Is there a second? Okay. Fails for lack of a motion. There's a motion and a second to approve Legislator Towle's resolution. All in favor? Opposed?
LEG. BINDER:
Opposed.
P.O. TONNA:
Opposed, Legislator Binder.
P.O. TONNA:
Okay. Tell me like it is.
MR. BARTON:
15-1, and two not present.
LEG. FOLEY:
Put in as --

MR. BARTON:
You want to be in?
LEG. FOLEY:
-- in the majority.
MR. BARTON:
Okay.
LEG. FISHER:
Wait. Did we just vote for that? I'm against.
P.O. TONNA:
We have a discharge petition. Would somebody like to make a motion?
LEG. GULDI:
1549.
P.O. TONNA:
1549.
MR. BARTON:
Mr. Chairman, the vote on --
P.O. TONNA:
Motion by Legislator Guldi.
MR. BARTON:
Mr. Chairman, wait.
LEG. CARACAPPA:
Second.
MR. BARTON:
The people have changed their votes.
LEG. GULDI:
1549, Henry?
MS. FARRELL:
People are coming in and changing their votes.
P.O. TONNA:
Can I hold one second, please, everybody? The Clerk's Office, go ahead, tell us what you want.
MR. BARTON:
The vote on 1474 is 15, 2 in opposition, and one not present. (Not Present: Leg. Caracciolo)
P.O. TONNA:
Great. Okay.

LEG. GULDI:
Motion to approve 1549.

00284

P.O. TONNA:
Motion to approve 1549. Is there a second?
LEG. GULDI:
That's the Yaphank Kitchen Project for the correction facility.
LEG. FISHER:
Second.
LEG. TOWLE:
I have a question on that. I have a question on 1549.
P.O. TONNA:
Yes, Legislator -- wait. Legislator Towle.
LEG. TOWLE:
Thank you. Jim, I remember I had spoke to you about this resolution in reference to the possible conflict, the offset with South Country Road Project in Bellport. There was some concern that the offset that we were using for this may be the same offset I was using for that.
MR. SPERO:
Which resolution are we referring to?
LEG. TOWLE:
1549, which is the cooking facilities in the kitchen used at the jail.
MR. SPERO:
There's three resolutions using the same offset, which, if they're all adopted, will overdraw the offset. That was the Shinnecock Canal Locks.
LEG. TOWLE:
What are the three resolutions?
MR. SPERO:
It was the Jail resolution, Legislator Foley's demolition resolution, and your resolution.
LEG. TOWLE:
How much -- how much money was in the whole pool and what is each resolution using?
MR. SPERO:
It's a couple of hundred thousand dollars,-- the jail resolution, I believe, is 700,000, Legislator Foley's demolition was --
LEG. FOLEY:
285.
MR. SPERO:
285, and yours was, I think, 300.
LEG. TOWLE:
300 for now.

00285

MR. SPERO:
For now.
LEG. TOWLE:
That's why --
LEG. FOLEY:
But yours is tabled in committee, then.
LEG. TOWLE:
Correct, yes.
LEG. FOLEY:

Right?
LEG. TOWLE:
But it was in long before these using that offset, and the question now --
LEG. FOLEY:
No, no, no, I don't think so.
LEG. TOWLE:
Yeah.
P.O. TONNA:
Okay.
LEG. TOWLE:
And the question --
P.O. TONNA:
Legislator Towle, you have the floor, right?
LEG. TOWLE:
Thank you.
P.O. TONNA:
Are you finished?
LEG. TOWLE:
No, I'm actually not. I'm waiting for an answer on the balance of the questions. But since Legislator Foley jumped in, I just want to say, first of all, that that resolution on South Country Road has actually been here for awhile, it was introduced last year, and it didn't -- at the very end of the year, when we could amend the budget, it did not pass. They gave me the number, "they" being the Department of Public Works, for $300,000. That's why the resolution says that and now they're saying that's not enough. So, you know, quite honestly, I don't want to say that I had first dibs on the offset, but before I vote for another bill that's going to take away an offset for a vital road project that's just as vital as maybe this particular project or the one that you're considering, I just want to make sure that I've got all the facts correct. And it appears to me, based on what Jim is saying, that if we were to approve these other two bills tonight, there will

not be enough money in the budget line to do all three projects under this offset.
MR. SPERO:
That's correct.
LEG. CRECCA:
Mr. Chairman, I had asked to ask a question.
P.O. TONNA:
Yes.
LEG. CRECCA:
Legislator Guldi, I'm sorry, do you know, this was assigned to what committee, Budget?
LEG. GULDI:
This was budget. It was Dave Bishop's motion to discharge.
LEG. CRECCA:
And I just want -- it was tabled in Budget?
LEG. GULDI:
Yeah.
LEG. BISHOP:
I thought we were on the kitchen bill.

LEG. CRECCA:
We are.
LEG. GULDI:
Yeah. Isn't that -- wasn't that in the budget?
LEG. BISHOP:
Public Safety.
LEG. CRECCA:
Public Safety?
LEG. GULDI:
Public Safety, excuse me.
LEG. CRECCA:
Well, why was -- I'm asking. Since I think this is a typical bill that a committee usually does the work, I just wanted to know why it didn't get out of committee, Dave.
LEG. BISHOP:
People objected and have since withdrawn their objections. Representatives of the Correction Officers --
LEG. POSTAL:
There was a concern on the committee.

LEG. BISHOP:
There was concern.
LEG. POSTAL:
Can I?
LEG. CRECCA:
Yeah, please. I'm looking for some sort of -- it's a lot of money.
LEG. POSTAL:
Yes.
LEG. CRECCA:
It's $2 million.
LEG. POSTAL:
When the resolution was before the Public Safety Committee at first, the Correction Officers Association came and addressed the committee and expressed concern that this project did not provide for any additional beds at the correctional facility. So that when the Sheriff's Department came and asked for support for the resolution, I was specifically concerned about whether there had been talks with the Correction Officers Association about their reservations. And it turned out that they really had no reservations about the kitchen. As a matter of fact, the kitchen renovations were necessary. I think we heard earlier that there was actually an inspection. And it was just that the Correction Officers were just commenting that they felt we needed some more beds in addition, it was not that they had an objection to it.
LEG. CRECCA:
Thank you for the explanation.
LEG. BISHOP:
That's what I meant to say.
LEG. POSTAL:
Right.
LEG. TOWLE:
Mr. Chairman.
P.O. TONNA:

Okay. Can we -- go ahead.
LEG. TOWLE:
I'm going to make a motion to table 1549 --
LEG. HALEY:
Second.
LEG. TOWLE:
-- pending -- I'll go back to why again. Because, as I had said, there's two other resolutions that are going to be using the same offset, and, unfortunately, I was told one thing by the Department of Public Works, indicating that that road project in Bellport Village,

South Country Road, which is a County road, was going to be $300,000. They said allegedly, that's what Legislator Foley's told me, that that actually is going to be more, and if we wind up approving this offset tonight, that may jeopardize this road project. And I'm concerned about that, because it is an important road project. And, also, Legislator Foley has another resolution also that's tapping into this fund. So I'd rather have all three resolutions before us and at least try to make sure all the offsets are covered and approved, and I don't think one meeting is going to make a major difference one way or the other.
LEG. GULDI:
On the motion
LEG. POSTAL:
Mr. Chairman.
P.O. TONNA:
Yes, Legislator Postal.
LEG. POSTAL:
Well, I just -- we heard Chief Otto a little earlier speaking about the fact that we could actually be in jeopardy with regard to being in compliance with State regulations. I mean, if that's the case, then one meeting could make a difference. It just -- I'm concerned about that. I don't want us to be in that position.
P.O. TONNA:
Okay. Anybody else want to talk on this issue?
LEG. BISHOP:
Oh, you just got away -- you just fired people from the Family Service League.
LEG. CARACAPPA:
Motion to table and a second.
P.O. TONNA:
Okay. There's a motion and a second.
LEG. CARACAPPA:
To table.
P.O. TONNA:
All right? To table.
MR. BARTON:
Yes, there is.
LEG. TOWLE:
One meeting.
P.O. TONNA:
One meeting.

LEG. TOWLE:
If I can't resolve it by the next meeting, then that's my problem.
P.O. TONNA:
Okay. And this is on Bill Number 1529?
LEG. HALEY:
49.
P.O. TONNA:
49, right.
LEG. TOWLE:
The meeting's on the 29th.
P.O. TONNA:
Right. Okay. 1549, okay. There's a motion and a second to table. All in favor? Opposed? (Opposed said in unison by Legislators) Roll call. Roll call.
LEG. BISHOP:
Roll call requested on tabling.
(*Roll Called by Mr. Barton*)
LEG. TOWLE:
Yes.
LEG. HALEY:
Yes.
LEG. COOPER:
Yes.
[LEG. BINDER-NOT PRESENT]
LEG. POSTAL:
No.
LEG. BISHOP:
No, to table.
LEG. D'ANDRE:
Pass.
LEG. CRECCA:
Pass.
LEG. CARPENTER:
Pass.
LEG. ALDEN:
Pass.
LEG. FIELDS:
Yes.

LEG. FOLEY:
No, to table.
LEG. FISHER:
No.
LEG. CARACAPPA:
No.
LEG. GULDI:
No.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
No.
LEG. TONNA:
No.

LEG. D'ANDRE:
No.
LEG. CRECCA:
No. To table
LEG. CARPENTER:
No.
LEG. ALDEN:
Nope.
LEG. BINDER:
You got mine. You got mine.
MR. BARTON:
Legislator Binder.
LEG. BINDER:
No.
P.O. TONNA:
Okay.
MR. BARTON:
Five.
P.O. TONNA:
Okay. On this now, there's a bond resolution, so I'd like to make --
LEG. GULDI:
Motion to approve.

P.O. TONNA:
Who wants to make the motion to approve? Legislator Guldi, seconded by Legislator Bishop. On the bond, roll call.

(*Roll Called by Mr. Barton*)

LEG. GULDI:
Yes.
LEG. BISHOP:
Yes.
LEG. COOPER:
Yes.
LEG. BINDER:
Yes.
LEG. POSTAL:
Yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yes.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FIELDS:
Yes.
LEG. FOLEY:
Yes.
LEG. HALEY:
Yes.
LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.
LEG. TOWLE:
No.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.

P.O. TONNA:
Yes.
MR. BARTON:
17-1.
P.O. TONNA:
Okay.
LEG. GULDI:
Motion to approve 1564, which is the resolution on the $30,000 a year lease for Main Street, Riverhead.
P.O. TONNA:
Oh, we have to vote -- wait. Before that, that was a bond, now we just have same motion, same second.
LEG. FOLEY:
Same second, same vote.
P.O. TONNA:
Same vote. Thank you. Legislator Guldi.
LEG. GULDI:
Motion to approve 1564.
LEG. CARACAPPA:
Second.
LEG. BISHOP:
Second.
P.O. TONNA:
Second by Legislator Bishop.
LEG. GULDI:
That's the Sheriff's lease on the -- for Division of Internal Affairs for Main Street, Riverhead.
P.O. TONNA:
Great. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Next one, Legislator Fisher -- Fields?
LEG. FIELDS:
Fields.
P.O. TONNA:
Fields. Go ahead. You want to make a motion?

LEG. FIELDS:
Motion --
LEG. CARACAPPA:
Second.
LEG. FIELDS:
-- to approve 1550.

P.O. TONNA:
I'll second it.
LEG. BISHOP:
What's that?
P.O. TONNA:
Roll call on the bond.
LEG. CRECCA:
Explanation.
P.O. TONNA:
This is appropriating funds in connection with the purchase of equipment for health centers.
LEG. CRECCA:
I have it right in front of me. Thank you, Legislator Tonna. I just wanted sort of an explanation of the half a million dollars of equipment that we're buying and why the urgency.
LEG. FIELDS:
Jim?
LEG. CRECCA:
Was this tabled in committee, Ginny, or no?
MR. SPERO:
Yeah, the resolution was tabled in committee pending a corrected copy.
LEG. CRECCA:
Okay. That's why I was wondering, trying to find out why. Is it in Budget?
MR. SPERO:
And the corrected -- okay.
LEG. CARPENTER:
Does anyone know what health centers.
LEG. CRECCA:
Oh, I'm sorry, Jim.
MR. SPERO:
The resolutions tabled in committee on our recommendation to take some 5-25-5 components out of the resolution and reduce the funding. It was -- corrected copy was handed in on time and it was being brought out

today for a vote.
LEG. FOLEY:
So it's eligible to be voted on today.
LEG. CARACAPPA:
Yes.
LEG. BISHOP:
So it went through committed and it was just --
LEG. CARPENTER:
Question.
LEG. BISHOP:
It was amended.
LEG. CARPENTER:
Question. Is this for all of the health centers?
MR. SPERO:
Yes. I don't know. I don't have the specifics in front of me, but it's a generic equipment for the health center project.
MR. SABATINO:
It's for Brentwood, Martin Luther King, Brookhaven West.

P.O. TONNA:
Guys.
MR. SABATINO:
Riverhead, Brookhaven East, Tri-Community, Bay Shore, and the Elsie Owens Health Center.
LEG. CARPENTER:
Sounds like all of them. Thank you.
P.O. TONNA:
Okay.
LEG. GULDI:
No, missing one. Southampton satellite.
P.O. TONNA:
All in favor? Opposed? Oh, bond. Let's go to the roll call.
LEG. FOLEY:
It's not a health center, it's a satellite.
(*Roll Called by Mr. Barton*)
LEG. FIELDS:
Yes.
LEG. TONNA:
Yes.

LEG. COOPER:
Yes.
LEG. BINDER:
Yes.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yes.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Pass.
LEG. FOLEY:
Yes.
LEG. HALEY:
Yes.
LEG. FISHER:
Yes.
LEG. CARACAPPA:
Yep.
LEG. TOWLE:
Yes.
LEG. GULDI:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.

LEG. ALDEN:
Yes.
MR. BARTON:
18.

P.O. TONNA:
Okay. Same motion, same second, same vote. Okay.
LEG. CARACAPPA:
Next one.
LEG. GULDI:
1551?
LEG. FIELDS:
Motion to approve 1551.
P.O. TONNA:
Second. Is this a bond?
MR. SABATINO:
Yes, a bond.
P.O. TONNA:
Okay.
LEG. CRECCA:
Explanation.
P.O. TONNA:
Paulie, explanation.
MR. SPERO:
Again, this is another resolution --
MR. SABATINO:
This is the money for the -- oh, I'm sorry. Is Jimmy going?
MR. SPERO:
It was tabled in committee at our recommendation. We requested that the project be broken out into separate projects for the health computer equipment, so we could better track how the funds are being spent. Again, the department submitted the corrected copy in time for consideration and it's being brought out today for a vote. It also dovetails with what we just did in the omnibus resolution for the Capital Program.
P.O. TONNA:
Great. Roll call.
MR. BARTON:
The bond is on file.
(*Roll Called by Mr. Barton*)
LEG. FIELDS:
Yes.
LEG. TONNA:
Yes.

P.O. TONNA:
Just Cooper, Cooper, {Booper}, you know, just go through it and forget the Legislator. Jonathan, just say yes.
LEG. COOPER:
Yes.
LEG. BINDER:
Yes.
LEG. POSTAL:

Pass.
LEG. BISHOP:
Yes.
P.O. TONNA:
Please, shut those phones off.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yes.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FOLEY:
Yes.
LEG. HALEY:
Yes.,
LEG. FISHER:
Yes.
LEG. CARACAPPA:
Yep.
LEG. TOWLE:
Yes.
LEG. GULDI:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.

LEG. POSTAL:
Yes.
MR. BARTON:
18.
P.O. TONNA:
Same motion, same second, same vote. Okay. Do we have another resolution in front of us? That was it.
LEG. BISHOP:
Agenda.
P.O. TONNA:
Okay. Let's go to the agenda.
LEG. HALEY:
CN's?
P.O. TONNA:
Do you want to do the CN's?
LEG. BISHOP:
Yeah, let's do the CN's first.
P.O. TONNA:
We haven't passed them out yet. Have somebody pass those CN's out.
LEG. GULDI:
Let's do the agenda while we wait.
LEG. BISHOP:
Yeah, go to the agenda.

LEG. GULDI:
Let's do the agenda while we wait. 1041, Binder.
LEG. CARACAPPA:
Tabled resolutions.
LEG. GULDI:
Tabled resolutions.
P.O. TONNA:
Okay. Let's go to the agenda.
LEG. CARPENTER:
Do the CN's.
P.O. TONNA:
Are they all right in front of us?
LEG. CARACAPPA:
Yes.

LEG. FISHER:
Yes.
P.O. TONNA:
I think we're going to have another CN possibly coming over, so let's just wait on this for a second. Okay.
LEG. FISHER:
Let's just do CN's.
P.O. TONNA:
All right. Lets do CN's. Legislator Postal is over there. I want her to be able to vote her bills out, or whatever else. Okay. Who is -- does anybody want to say anything on the County Exec's part? No? Okay. We have Number 1622 (Amending the 2000 Capital Budget and Program by appropriating funds in connection with asbestos abatement (Phase III) College Wide (CP2168).
LEG. CARPENTER:
Motion.
LEG. CARACAPPA:
Second.
P.O. TONNA:
Motion by Legislator Carpenter, seconded by Legislator Crecca. This is a bond resolution. Roll call on the bond.
(*Roll Called by Mr. Barton*)
LEG. CARPENTER:
Yes.
LEG. CRECCA:
Yes.
LEG. COOPER:
Yes.
LEG. BINDER:
Yes.
[LEG. POSTAL-NOT PRESENT]
LEG. BISHOP:
Pass.
LEG. D'ANDRE:
Yes.
LEG. ALDEN:
Yes.
LEG. FIELDS:

Yes.

00300

LEG. FOLEY:
Yes.
LEG. HALEY:
Yes.
LEG. FISHER:
Yes.
LEG. CARACAPPA:
Yes.
LEG. TOWLE:
Yes.
LEG. GULDI:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.
P.O. TONNA:
Yep.
MR. BARTON:
Legislator Postal? (Not Present)
LEG. BISHOP:
Yes.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Postal)
P.O. TONNA:
Same motion, same second, same vote. Number 1641 (Amending the 2000 Capital Budget and Program and appropriating funds in connection with site improvements - Western Campus (CP 2190)
LEG. CARPENTER:
Motion.
P.O. TONNA:
Second by Legislator Foley.
LEG. LEVY:
Why a CN?
P.O. TONNA:
Bond resolution.
LEG. LEVY:
Why a CN?

00301

(*Roll Called by Mr. Barton*)
LEG. CARPENTER:
Yes.
LEG. LEVY:
Just I had a question.
LEG. FOLEY:
Legislator's got a question.
LEG. LEVY:
Just why a CN?
P.O. TONNA:
I know that, Brian, that's why I'm recognizing him.
LEG. FOLEY:

I know. I know your teeth were stuck.
P.O. TONNA:
Legislator Levy has a question.
LEG. CARACAPPA:
Why a CN?
LEG. LEVY:
Just why a CN?
LEG. CARPENTER:
Because, if we don't do it now, we're not going to get the money. The College is here, they can answer.
P.O. TONNA:
We're talking about 1641.
LEG. FOLEY:
Why now, Chuck?
LEG. LEVY:
The road.
MR. STEIN:
Okay. The State -- the State is finally come around and doing their bonding, and this is -- this is for the Wick's Road entrance for the Multi-Purpose Building. We have to have it done in time for the opening. Now the State is finally bonding, we need the approval of the County Legislature.
LEG. LEVY:
Okay.
LEG. FOLEY:
Great.

LEG. BISHOP:
The other thing I don't understand is why is it amending the Capital Budget, we weren't expecting it this year?
LEG. FOLEY:
Fifty percent reimbursed, an we can amend it at any given time.
LEG. BISHOP:
No. But why is it an amendment to the Capital Budget?
LEG. FOLEY:
Because it's not -- why is it an amendment, Fred? Fred?
LEG. CRECCA:
It's more fun that way, Dave.
MR. SPERO:
It's $1.2 million more in total than was included in the adopted budget for this project.
P.O. TONNA:
That's why they want that 5 million Farmland, trust me. Okay. Number 1659. Oh, wait, wait.
LEG. CRECCA:
We have to get -- vote on that, Paul.
P.O. TONNA:
Right, right, right.
(*Roll Called by Mr. Barton*)
LEG. CARPENTER:
Yes.
LEG. FOLEY:
Yes.

LEG. COOPER:
Yes.
LEG. BINDER:
Yes.
[LEG. POSTAL-NOT PRESENT]
LEG. BISHOP:
Yeah, yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yes.

00303

LEG. ALDEN:
Yes.
LEG. FIELDS:
Yes.
LEG. HALEY:
Yes.
LEG. FISHER:
Yes.
LEG. CARACAPPA:
Yes.
LEG. TOWLE:
Yes.
LEG. GULDI:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.
P.O. TONNA:
Yep.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Postal)
P.O. TONNA:
Okay.
LEG. CARPENTER:
Henry, cosponsor.
P.O. TONNA:
All right. Same motion, same second, same vote.
MR. BARTON:
On the bond.
P.O. TONNA:
On the bond. All right. Number 1659 (Authorizing procedure for reimbursement of Campaign Finance Board expenses).
LEG. CARACCIOLO:
Motion.
P.O. TONNA:
Motion by Legislator Guldi. Is there a second? Oh, Legislator Caracciolo.

00304

LEG. GULDI:
Second.

LEG. CARACCIOLO:
You not only can't see, you can't hear anymore.
P.O. TONNA:
What did you say? Anyway --
LEG. GULDI:
Second. Second.
P.O. TONNA:
Second by Legislator Guldi.
LEG. CRECCA:
Mr. Chairman, I really need -- we need an explanation why this is a CN? This I don't understand.
P.O. TONNA:
Yes, I'd like to know that, too.
LEG. LEVY:
This is easy. This was -- we already had it in the budget that reimbursement was going to go forward from the Campaign Finance Board. From Board of Elections to the Campaign Finance Board. Some people in the Board of Elections didn't want to do it, so they said -- they made the request, "Can you transfer this responsibility from us to another division?" Budget Review said they would be good enough to do the audits and then cut the check. So it was just a matter -- it's -- we're talking about 1659, right?
MS. ROSENBERG:
Yes.
LEG. CARACCIOLO:
Yeah.
MS. ROSENBERG:
You're right.
LEG. LEVY:
So it's just a matter -- the monies are in the budget, but it's just a matter of transferring the responsibility from the Board of Elections, who no longer wants to do it, to the Budget Review Office, which has agreed to do it.
LEG. HALEY:
Motion to refer to committee.
LEG. CARACAPPA:
Second.
LEG. LEVY:
Well, the reason why they want it done right now is they've got a lot of vouchers that are owed to the individuals who did the work. It's

not a matter of whether they're owed it, they're owed it, it's just a question of allowing them to get paid and they don't want to do it at Board of Elections, they've agreed to do it at Budget Review. So we didn't want to keep these folks any longer without getting their pay. That's why we're pushing it now.
LEG. CARACAPPA:
Who agreed to let Budget Review did do it?
LEG. LEVY:
What?
LEG. HALEY:
Mr. Chairman.
LEG. CARACAPPA:

Who agreed to let Budget Review do it?
P.O. TONNA:
Wait. Can I ask you something.
LEG. LEVY:
Budget Review said that they would do it.
P.O. TONNA:
Wait, wait.
LEG. CARACAPPA:
Shouldn't that have been a vote for the Legislature?
P.O. TONNA:
Wait. Can I --
LEG. LEVY:
That's why you're voting.
LEG. CARACAPPA:
Send it to committee, absolutely.
LEG. HALEY:
Absolutely.
P.O. TONNA:
Wait a second.
LEG. LEVY:
I don't want Budget -- independent Budget Review doing anything with campaign finance reform.
LEG. LEVY:
You're making way too much out of this.
P.O. TONNA:
Wait. Can I say something? Steve, I'm going to give you an opportunity to explain this again, because, to tell you quite honestly, Budget Review is taking on an extra responsibility and it didn't come into the

Budget Review Steering committee. I'd like to know why.
LEG. LEVY:
Okay. Let me go back on this again; okay?
P.O. TONNA:
I'm on that committee. I don't remember this.
LEG. LEVY:
Let's do this again. In the Campaign Finance Law, it said that the Campaign Finance Committee would do certain works or research, they can hire attorneys to give them advice, how to get things done. That was done. The person who did the work, is entitled to get paid for what she did. The vouchers went over to the Board of Elections, which was the original method set up in the law. Some people in Board of Elections said, "We don't want to do this." Okay? I just got tired of fighting with them, so I said, "All right. I've had it, I don't want to deal with them anymore. These people are deserving of their money. We'll see if we can find another place that's logical that can do the audits that we can feel comfortable with and sign off on the checks." I called up Budget Review and said, "Fred, is this something that you guys would normally do?" He says, "Yes, it is." They do it all the time. They did it for LIPA. It was Budget Review that went through the whole process of verifying whether vouchers were valid for all these people on the LIPA Plan. So they do this all the time anyway. It's logical, if we're going to take it out of Board of Elections and it's got to go anywhere else, we do it with Budget Review. They said

they can do it.
All I want to do and all the Campaign Finance Board wants is to make sure that their people who did the work gets paid. It's not adding any money, the money's already there. It's just a matter of giving them the money and allowing them to do the audit.
P.O. TONNA:
Well, first of all, and this is problems -- anyway, $50,000 of expenses for the Finance -- the Suffolk County Campaign Finance Board? What did they do with $50,000?
LEG. LEVY:
Look, we already -- we already passed this, we already went through this. We had monies that were allocated to allow the Board to do their work, to allow them to have attorneys. In the beginning, you had a lot of start-up funds needed so that they can do research to determine what is legal and what is not. Look, if you're against finance reform, then don't go for it, but you can't keep on throwing road blocks in the way of even the simplest thing of allowing this campaign finance system to work. This is not reinventing the wheel.
P.O. TONNA:
Fred.
LEG. LEVY:
We already put this in the budget.

P.O. TONNA:
Fred, how much time is it going to take Budget Review to carry this out?
MR. POLLERT:
It's going to be de minimus. We're not carrying it out now. The reason there is a resolution is Legislator Levy called us up, I said I couldn't do it without a resolution, it would have to be authorized by the Legislature.
P.O. TONNA:
How much time is de minimus? I mean, Fred, you work such long hours, I mean, de minimus for you could be, you know, 150 hours. How much is de minimus?
MR. POLLERT:
It probably won't take more than a few hours per meeting of the Board to review the vouchers.
P.O. TONNA:
Wait, wait, Fred.
MR. POLLERT:
Because everything --
P.O. TONNA:
Fred, I'm going to tell you --
LEG. CARACAPPA:
Motion to defer, Mr. Chairman.
P.O. TONNA:
No, no. Just wait. Let's get the answer. Once we get the answer, I'm prepared to vote on this. Fred, you should run for office. That was one of the greatest statements of all time. The Board meets for how many hours? I mean, it's going to take you a couple of times very -- a couple of hours every time the Board meets? They meet for two hours and it's going to take you four hours to process the vouchers? I mean,

what --
MR. POLLERT:
No.
P.O. TONNA:
What are you saying to me?
MR. POLLERT:
What I'm saying is the vouchers I have seen so far is going to take a couple of hours to play catchup just to verify that, in fact, the work was done. From there on, it should be just a matter of course, because they're only billing for the time that they were at the board meetings. So --
P.O. TONNA:
And who is billing for this time?

MR. POLLERT:
The counsel to the Board. That's my understanding.
P.O. TONNA:
Okay, the counsel to the Board.
MR. POLLERT:
Right.
P.O. TONNA:
Listen, Steve, you want a CN, we have to put it through scrutiny; okay?
LEG. LEVY:
- go ahead. But don't --
P.O. TONNA:
That's how it works.
LEG. LEVY:
Fine.
P.O. TONNA:
I'm asked to vote on something, let me not dance around the issue.
(Applause)
LEG. LEVY:
But you were here -- wait a minute.
P.O. TONNA:
I would like to put it through some scrutiny.
LEG. LEVY:
Wait a minute. There's a difference. With the Coram lease, that never came before the Legislature with those situations. The question you're asking, Paul, the questions you are asking, how is this money going to this counsel, that's a bill we voted on several months ago that you should have been here for and paid attention to.
LEG. HALEY:
Motion to close debate.
LEG. LEVY:
This is not new.
LEG. HALEY:
Motion to close debate.
LEG. CARACAPPA:
Motion to defer to committee.
P.O. TONNA:
Steve.

LEG. CRECCA:
Second.
P.O. TONNA:
I've paid attention to it.
LEG. CRECCA:
There's a motion and a second.
P.O. TONNA:
Fred.
LEG. LEVY:
I've got one more statement.
P.O. TONNA:
First of all --
LEG. LEVY:
One more statement.
P.O. TONNA:
No. I want to finish.
LEG. LEVY:
I'm going to have a statement. Go ahead.
P.O. TONNA:
Thank you. I still have the floor.
LEG. LEVY:
When you're done, I've got a statement.
P.O. TONNA:
Fred, so what you're saying to me is Budget Review is going to spend a couple of hours catching up on all the previous vouchers, and then, basically, the only vouchers that we're paying for is legal counsel?
MR. POLLERT:
That's my understanding.
P.O. TONNA:
Okay. And because you're not doing complex billings for travel, for meals, for photocopying, it's just a straight extension on the number of hours that they attended the committee, that's my understanding.
P.O. TONNA:
Okay. The last thing is have we had any -- have you had any conversation with the Board of Elections?
MR. POLLERT:
No, I have not. I thought it would be premature prior to the adoption of the resolution. So the only conversation I have had has been with Legislator Levy, because we weren't authorized to do anything.

P.O. TONNA:
Steve, I'd ask you, have you had any conversation with Board of Elections? Have they written you a letter saying they're not going to process? What --
LEG. LEVY:
Yes, exactly so.
P.O. TONNA:
They've written you a letter --
LEG. LEVY:
No, they --
P.O. TONNA:
-- that says, basically, they're not going to comply with the law?
LEG. LEVY:

No. I had a meeting with counsel. Let me answer your question.
P.O. TONNA:
Yeah, I want to know.
LEG. LEVY:
I had a meeting with counsel and an individual from Board of Elections, Neal Tiger. He said he has problems doing this. It was illogical to me. "What do you mean, you have problems? You should do it because it says in the law that you should do it." I got tired of going through this debate, because there's people who are owed money; okay? So we said, "You know what, it's not worth the battle." Budget Review can do this, they do it all the time. Frankly, I trust Budget Review a lot more than I do them at the Board of Elections to properly do an audit. That's absolutely true.
MS. ROSENBERG:
Legislator Tonna.
P.O. TONNA:
I'd stand by that.
MS. ROSENBERG:
Legislator Tonna.
LEG. LEVY:
Yes, on both sides.
P.O. TONNA:
I don't think anything you said is unreasonable.
LEG. CRECCA:
So every time -- so every time a government agency doesn't do something, or whatever, we'll just make Budget Review do it.
MS. ROSENBERG:
Legislator Tonna.

LEG. LEVY:
Well, I think it's appropriate that Budget Review does it, because Budget Review, Andrew, does it a lot and every time we have a voucher. And let me say one other thing. You know, there's a lot of people on this Board who go into the Independence Party screening before their elections and tell them how much they're for campaign reform and then do everything they possibly can --
P.O. TONNA:
Steve.
LEG. LEVY:
-- every time there's the slightest little thing related to campaign reform, they try to hold it up --
LEG. BINDER:
Mr. Chairman.
LEG. CRECCA:
Get off the soap box, Steve.
LEG. BINDER:
Mr. Chairman.
LEG. LEVY:
-- as though it's going to change the world.
P.O. TONNA:
Wait, wait.
LEG. LEVY:
You can't have it both ways, folks.

P.O. TONNA:
Legislator Levy has the floor.
LEG. LEVY:
Don't go out there, call yourself a reformer, go in front of the Independence Party and tell them how great you are on campaign reform, and then object to every minor thing that will allow campaign finance reform to happen.
LEG. BINDER:
Mr. Chairman.
LEG. LEVY:
I'm absolutely sick of it.
P.O. TONNA:
Steve. Steve, can I say something?
LEG. BINDER:
Mr. Chairman.

P.O. TONNA:
While you're being sick, just hold the barf bag while you're being sick. To feign sickness is not going to work.
First of all, Steve, this has nothing to do with it.
LEG. FISHER:
Yes, it does.
LEG. LEVY:
It's got everything to do with it.
P.O. TONNA:
I don't mind --
LEG. LEVY:
It's got everything to do with it.
P.O. TONNA:
I don't mind paying a voucher, okay, but this is what I do mind. You put a law in first that directed, because it was your law, you put in a law first that directs -- I didn't direct Board of Elections, you did; okay? Now they don't comply with the law and you get sick of it and you just bring over Budget Review. That might be the practical thing. I've never been notified. Not once have you said, "Mr. Presiding Officer, I'm having trouble with Board of Elections. They're not filing the vouchers." You had this private conversation. Do have a letter?
LEG. LEVY:
No letter.
P.O. TONNA:
They should be held accountable. I have no problem taking $50,000 out of the Board of Elections, okay, to process this. But what I do have a problem with is that you have basically a debate with yourself. You're saying that people are against campaign finance reform. I just want information. This is the first time I've heard about this, the very first time, Steve.
LEG. LEVY:
Paul, you have given me a hard time, Mr. Presiding Officer, on every bill that I put in related to campaign finance over the last three years. Every minor bill, there's a couple of Legislators here that make it the biggest thing in their life.
LEG. BINDER:
Mr. Chairman.

LEG. LEVY:
They go in front of the Independence Party, tell them how gung ho they are for campaign reform --
P.O. TONNA:
For real reform, Steve.

LEG. BINDER:
Mr. Chairman.
LEG. LEVY:
-- And throw every roadblock they possibly can on this.
P.O. TONNA:
Steve, I got three committees. I'm really reformed. Okay? What, are you crazy? This was the biggest B.S. bill in the world. But I still believe that people should pay the vouchers, that's no problem.
LEG. LEVY:
That's fine, but then don't go --
P.O. TONNA:
But don't give me a dysfunctional way of saying, "I can't get Board of Elections to pay it, so I'm going to have Budget Review." Tell me and we'll deal with the Board of Elections first.
LEG. LEVY:
Because what I want --
P.O. TONNA:
I don't have a problem.
LEG. LEVY:
What I want --
P.O. TONNA:
Communicate.
LEG. LEVY:
What I want is these people to get paid. Yeah, you want to bring a lawsuit against Board of Elections --
P.O. TONNA:
No.
LEG. LEVY:
-- and force them to do it? Fine.
P.O. TONNA:
No, I have no problem with that.
LEG. LEVY:
It's going to take two years.
P.O. TONNA:
No.
LEG. LEVY:
I want these people to get paid.
P.O. TONNA:
They can get paid. And I have no problem with Budget Review doing it. But what I have a problem with is that there's no communication. This

is the first time we've heard of it.
LEG. HALEY:
Mr. Chairman.
LEG. BINDER:
Mr. Chairman.
P.O. TONNA:

Okay.
LEG. CARPENTER:
Mr. Chairman.
P.O. TONNA:
Wait. I had somebody on this side that I recognized first. No? Okay. Legislator Haley.
LEG. BINDER:
Mr. Chairman.
P.O. TONNA:
Not that I knew.
LEG. HALEY:
As probably the only Legislator here who's never gotten the Independence line, all right, I was wondering, I have a question to Counsel, is it possible to recall it on the Deputy Presiding Officer position?
P.O. TONNA:
No, come on. All right.
LEG. CARPENTER:
Mr. Chairman.
LEG. BINDER:
Mr. Chairman.
P.O. TONNA:
Fine. There's a motion and a second. Let's just -- let's just --
LEG. CARPENTER:
Can I just say something?
P.O. TONNA:
Yes.
LEG. CARPENTER:
I think that it probably is more appropriate, as much as they do enough already, but for this to be in the Budget Review Office, because it will probably give us an opportunity to monitor the cost of the program a little bit more closely, if we have, you know, that information available through Budget Review Office. But I have to agree with the Presiding Officer, I find it very unusual that the Presiding Officer did not know that this CN was coming forward. Is that not the process?

Mr. Presiding Officer? Is that not the process?
P.O. TONNA:
That's the process.
LEG. CARPENTER:
Are we not supposed to be notifying the Presiding Officer's Office --
P.O. TONNA:
Yeah.
LEG. CARPENTER:
-- if there are going to be CN's coming forward?
P.O. TONNA:
Well, no. I want to say something. I did approve Steve's CN to come -- to come across today. He made the argument for me about the timely basis and everything else. That doesn't mean I wasn't going to disagree with this, you know, I just wanted to make sure that he had the opportunity. He requested it and it did come through me, so that's not problem. It was -- it was -- come through me. But I just -- I had

-- that doesn't mean I don't have questions about. I still have to function as a Legislator.
LEG. CRECCA:
I'll be --
P.O. TONNA:
Yes, Legislator -- wait.
LEG. CRECCA:
Oh, Binder was first. They were first.
P.O. TONNA:
Legislator Binder, Postal, and then Crecca.
LEG. BINDER:
I just think it's unfortunate that a Legislator would raise -- you know, just raise the specter of politics, be the arbiter of who is for campaign finance reform and who's not. The fact is that -- and I sat back, I was listening, I had no intention of even speaking on it, but as you listen, there are Legislators who have real concerns. There are real concerns about bringing into this house, into our institution campaign finance reform. Maybe on our level, we understand how independent we are -- they are, we know exactly what they'll do, we know they'll do the right job, but we should also be careful about even the appearance of impropriety. We are a body of elected officials, and in our house, we're bringing in something that's supposed to be very separate from us. Now, I don't know if that in the end will be the argument that wins the day, but that at least is an argument that should be taken up in a committee and not done at CN. Legislator Levy himself is probably one of the first people over the years that I've been here, for over ten years, to say, "I'm tired of these CN's coming over, I'm tired with that explanation. They shouldn't come over here unless it's absolutely necessary and we should know before it comes."

And now -- now, it's okay. Now, we can have a CN. And, by the way, if you're not for this, if you want to put this in committee for two weeks, a couple of weeks, and you want to look at it and debate it a little bit, then you're not for campaign -- because he says so, that you're not for campaign finance reform, and that's bunk.
LEG. LEVY:
Point of personal privilege, Mr. Chairman.
P.O. TONNA:
Okay.
LEG. LEVY:
First of all --
LEG. CRECCA:
No. Don't we have a --
LEG. LEVY:
It would not be --
LEG. CRECCA:
We have an order here, don't we?
LEG. LEVY:
First of all, it would not be --
P.O. TONNA:
Wait, wait, wait, wait, wait.
LEG. LEVY:
First of all --

LEG. BINDER:
How many? You've had five times on this.
LEG. LEVY:
Well, you raised my name.
P.O. TONNA:
Hold it a second. Hold it a second.
LEG. LEVY:
I've got a point of personal privilege.
P.O. TONNA:
Just wait a second. Just wait a second. I'm going to give a point of personal privilege --
LEG. LEVY:
Thank you.
P.O. TONNA:
-- because I'm interested in finding out what he has to say in response. But anyway -- and then Legislator Postal, and then Legislator Crecca.

LEG. LEVY:
First of all, as far as me being an arbiter, that's not -- that's not the point and that's not my claim. And I'm not even referring to you, Legislator Binder, because you stated quite clearly what your position is on the Campaign Finance Bill. I disagree with you, but I respect it; okay? I'm talking about other people who go all over the place saying they're for campaign reform, and then every little thing that comes up, they go nuts on it for the most minutia of bills that come in. There's a tremendous difference between putting in a CN that calls for an amendment to the budget and adding a million, $2 million and something -- let me finish my point. This is not adding any money, it's already in the budget. All it is doing is switching who's going to do the audit, that's all it's doing. What is the urgency? Look, I don't care. You want to put it to committee --
LEG. HALEY:
Thank you.
LEG. LEVY:
-- it's not money coming from my pocket. I don't care. You think this bill is going to get me elected or anybody else elected? No. The Campaign Finance Board came to me and said, "The woman is quitting. She doesn't want to answer our questions. She doesn't want to take our phone calls anymore, because she hasn't been paid in a year." So, I thought, You know what, let me see what I could do. I'll call the County Executive, see if they'll agree to put in a CN. That's what this is. You don't want to do it, you don't want to pay her, don't.
LEG. BINDER:
If you'll yield for a moment.
P.O. TONNA:
Wait, wait.
LEG. BINDER:
Just -- I just--
P.O. TONNA:
We're on tons of personal privileges.
LEG. BINDER:
I just -- so I can respond to him, just --

P.O. TONNA:
But just remember -- wait, wait. Legislator Binder, I just want you to know, you're asking me for a personal privilege.
LEG. BINDER:
Okay.
LEG. LEVY:
I didn't make it personal to you.

P.O. TONNA:
That has a price. No, I'm joking. Go ahead.
LEG. LEVY:
I didn't make it personal.
LEG. BINDER:
Look, the question is -- that's before us, is do we want to -- I understand it's not money, but do we want to bring this into this institution? There are a number of Legislators that I'm hearing privately just talking, that might even speak on the record, and some I'm hearing on the record, that have a concern about it. Now, I'm not saying whether they should or shouldn't have a concern, but there's a concern. So that means it goes to committee and we take the time to deliberate on it.
P.O. TONNA:
Okay. Okay, Legislator Postal.
LEG. POSTAL:
I just about completely agree with Legislator Binder. I don't think I would have put it quite --
LEG. HALEY:
Oh, my God.
LEG. POSTAL:
I know. I don't think I would have put it in quite the same way. But, you know, I have a reservation, having supported the concept of public campaign financing from the very beginning, and I do think it's very important. But I do have some reservations about a couple of the bills which are or will be before us and, I don't think that that means that I'm against public campaign financing or I'm trying --
LEG. LEVY:
I wasn't referring to you, Legislator Postal.
LEG. POSTAL:
I know, I know, I know you weren't. But, you know I, don't think that it's necessarily obstructionist. I have the came concern. My concern here is it -- does it look like it's improper for the employees of elected officials to be issuing -- signing off on these vouchers? It just makes me feel a little uneasy. And I'd like to have some time for us to actually look at that and have some discussion about it, because I would hate for us to be criticized for something that we're trying to do that actually will make the process fair and more open.
P.O. TONNA:
Okay. Thank you very much.
LEG. LEVY:
But we do that with LIPA.
LEG. CRECCA:
I'm just going to say, I ditto Legislator Postal's comments, and I just want the committee to look at it before we give this Budget Review,

because I don't think it's necessarily the appropriate body to handle it.
P.O. TONNA:
Okay. Listening to a previous Deputy Presiding Officer, I'm going to-- lets close debate, let's move on now with the issue.
LEG. LEVY:
It doesn't matter.
P.O. TONNA:
Okay. So there's a motion and a second. Okay?
LEG. CRECCA:
The motion is to put into committee.
P.O. TONNA:
The motion -- oh, is there a motion to put it in committee?
LEG. CRECCA:
There's a motion to put it in committee and seconded.
LEG. HALEY:
My motion.
P.O. TONNA:
Legislator Haley. Who seconded it?
LEG. CRECCA:
Crecca.
P.O. TONNA:
Legislator --
LEG. CRECCA:
It was Caracappa's and I second it, but it doesn't matter.
P.O. TONNA:
Okay. Legislator Caracappa?
LEG. CARACAPPA:
Yeah.
P.O. TONNA:
Okay. All in favor? Opposed? I'm opposed to putting it in committee.
LEG. FOLEY:
Opposed.
LEG. LEVY:
Opposed.
LEG. GULDI:
Opposed.

LEG. LEVY:
Roll call, please.
P.O. TONNA:
Roll call.
(*Roll Called by Mr. Barton*)
LEG. HALEY:
Yes.
LEG. CARACAPPA:
Yes.
LEG. COOPER:
Yes.
LEG. BINDER:
Yes.
LEG. POSTAL:

Yes.
LEG. BISHOP:
No.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yes, to put it in committee.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FIELDS:
Yes.
LEG. FOLEY:
No.
LEG. FISHER:
No.
LEG. TOWLE:
Yes.
LEG. GULDI:
No.
LEG. CARACCIOLO:
No.

LEG. LEVY:
No.
P.O. TONNA:
No. I'm not for putting it in committee, I'm for finding out why
MR. BARTON:
Eleven.
P.O. TONNA:
-- Board of Elections just thwarts what we have as the law.
MR. BARTON:
11-7.
P.O. TONNA:
That's what I'm more concerned with. Okay, it's in committee. All right. Let's go on to the next CN, Number 1660 (Amending the 2000 Operating Budget by establishing a new appropriation and transferring funds into Southwest Sewer District No. 3, for emergency work as a result of storm/fire damage). 1660, is there a motion? Southwest Sewer District. Would somebody like to make a motion from that area?
LEG. HALEY:
Motion.
P.O. TONNA:
Motion by -- motion by Legislator Haley, seconded by Legislator Carpenter. It's a bond, right? No?
LEG. GULDI:
On the motion. I got questions on this one.
MR. SABATINO:
No bond.
P.O. TONNA:
No bond? Okay.
LEG. GULDI:

Ken?
P.O. TONNA:
There's a question?
LEG. GULDI:
Yeah, question.
P.O. TONNA:
Legislator Guldi.
LEG. GULDI:
Yeah. Ken, I'm concerned about the $2 million estimate and the no-bid situation. It would strike me that, certainly, major portions of this would be susceptible to be being bid without delay. And don't we have requirements, contractors for most of these, work available and

approved anyway?
MR. WEISS:
To answer your question, the estimate is just that, it's an estimate of $2 million, and any money that's not spent will remain within the Southwest Sewer District. It's all Southwest Sewer District funds.
LEG. GULDI:
Hold on. That's the other point of -- we are moving -- this is Southwest Sewer District funds only?
MR. WEISS:
Yes.
LEG. GULDI:
We're releasing Southwest Sewer District funds to the Sewer District, this is not --
MR. WEISS:
That's correct.
LEG. GULDI:
-- County general Capital Budget money?
MR. WEISS:
This is all Southwest Sewer District funds. There's no capital funds, there's no bond funds, it's Southwest Sewer District money from the reserve fund to the Southwest Sewer District operating budget, all Southwest Sewer District money. Whatever's not spent will remain with the Southwest Sewer District.
LEG. GULDI:
In the operating funds.
MR. WEISS:
In the operating budget. It's covered by insurance. There's a $500,000 deductible.
LEG. GULDI:
Yeah, I understood that from the backup.
MR. WEISS:
But there's a first instance payment. They're going to try to use contractors, they're going to try to bid the contractors if they can, certain -- certain contractors like the fire -- they have these special people that come in and clean up --
LEG. GULDI:
Fire restoration companies, yes.
MR. WEISS:
They really don't have the time. Right now, that--
LEG. GULDI:

All right. Hold on. The one thing that you said to me that answers my concern is that you -- that the department and/or the sewer district

does intend to bid that work, which it can, without substantial delay, notwithstanding the fact that this resolution authorizes all of that work to be done without bid.

MR. WEISS:
That's correct.

LEG. GULDI:
Okay. I have no further questions. Thank you.

LEG. FOLEY:
Mr. Chairman. Mr. Chairman.

P.O. TONNA:
Yes.

LEG. FOLEY:
Thank you.

P.O. TONNA:
Legislator Foley.

LEG. FOLEY:
Ken, on the half million dollars, that's to be deductible; correct?

MR. WEISS:
Yes.

LEG. FOLEY:
And it's coming out of the -- out of which account now, Southwest Fund?

MR. WEISS:
Well, what we're doing, because we have to fund it in the first instance, so we're transferring $2 million from the Southwest Sewer District Stabilization Fund into the Southwest Sewer District Operating Fund.

LEG. FOLEY:
All right.

P.O. TONNA:
When the insurance company gets all the bills and reimburses us --

LEG. FOLEY:
Okay.

MR. WEISS:
-- they'll reimburse us all, except for $500,000.

LEG. FOLEY:
All right. Are we taking any money away from any kind of potential staffing for the second half of the year?

MR. WEISS:
No. That's why we're moving money from the reserve fund to put it into the Operating Budget.

LEG. FOLEY:
Okay. So this won't affect staffing at all, if you need to hire?

MR. WEISS:
No, it will not. It will not cut staffing.

LEG. FOLEY:
Well, is it preventing you from hiring staff, if you're taking monies --

MR. WEISS:
No, because the money is coming from the reserve fund.

LEG. FOLEY:
Okay, fine. Very good. Thank you.
P.O. TONNA:
Okay. All in favor? Opposed?
LEG. CARACAPPA:
Opposed.
LEG. TOWLE:
Opposed.
P.O. TONNA:
Opposed, Legislator Caracappa and Legislator Towle. Okay, approved.
LEG. LEVY:
I'll oppose.
P.O. TONNA:
Legislator Levy approved -- I mean --
LEG. LEVY:
No, no, no.
P.O. TONNA:
-- disapproved.
LEG. LEVY:
Leave it. Leave it.
P.O. TONNA:
Okay. You're all right now?
LEG. LEVY:
Yeah. (Vote: 16 yes, 2 no.)
P.O. TONNA:
That's the last CN? Okay. Legislator Postal, you're going to get a CN?
LEG. POSTAL: No, I'm not.

RESOLUTIONS TABLED TO JUNE 6, 2000

P.O. TONNA:
Okay. Page 7. Let's go to the agenda. Okay. Resolution 1041 (Adopting Local Law No. -2000, a Charter Law to establish competitive-bidding process for selection of County Bond Counsel), is tabled to June?
MR. SABATINO:
Tonight, June 6th.
P.O. TONNA:
Sixth, okay.
LEG. BINDER:
Motion to table.
P.O. TONNA:
So we don't --
LEG. CARACAPPA:
Second.
P.O. TONNA:
Okay. Motion to table Legislator Binder, seconded by myself. All in favor? Opposed? Tabled.
LEG. BISHOP:
Opposed.
P.O. TONNA:
Number -- who's opposed.
LEG. CARACCIOLO:

Motion to table.
LEG. GULDI:
Second.
P.O. TONNA:
1061 (Amending the 2000 Operating Budget transferring funds to the Office for the Aging for the Shelter Island Affairs Council).
Motion to table, Legislator Caracciolo, seconded by Legislator Guldi.
All in favor? Opposed? Tabled. (Vote: 17yes, 1 no.)
Number 1084 (To implement use of natural gas as fuel for County fleet).
Motion?
MR. BARTON:
17.
P.O. TONNA:
By Levy, second by Legislator Fisher. All in favor? Opposed? Tabled. (Vote: 18 yes)
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). Motion? Anybody, motion?
LEG. BINDER:
Motion to approve.
P.O. TONNA:
Motion to approve.
LEG. HALEY:
Second.
P.O. TONNA:
I'll make the motion to table.
LEG. TOWLE:
Second.
P.O. TONNA:
We're on "We're."
LEG. CARACAPPA:
1102.
P.O. TONNA:
Okay.
LEG. BINDER:
Mr. Chairman, on --
P.O. TONNA:
Motion to approve by Legislator Binder.
LEG. BINDER:
On the motion.
P.O. TONNA:
Wait, wait. No. There's a motion to table by myself, seconded by Legislator Towle. Okay, on the motion.
LEG. BINDER:
My understanding is that we've been tabling this for the reason that we were waiting until there were increased fees. Now we have increased fees. And while I am not particularly -- I don't know who We're Associates are. I don't know that we should keep be holding up their ability to hook up into the sewer district. Now they'd have to hook up at a higher fee. So we've done what we said we wanted to do, we've held this. Why would we be holding up a builder, or developer, or

someone who is in business that brings taxes to the community from hooking up and being able to complete the project. I'd like to hear why we're talking about tabling? Because we've completed -- I know if, Legislator Tonna, since you made a motion to table -- I know that we've completed the thing that we talked about. The problem was that they shouldn't get in before we can increase the fees. Now we've increased the fees. Why shouldn't we let this move forward, so we can make this

productive, a productive use of space in Huntington?
P.O. TONNA:
Okay. I mean, you're looking for a response from me?
LEG. BINDER:
Yeah. I'm just -- why are we tabling this?
P.O. TONNA:
I'm tabling the motion, because I'm still not sure about my policy with all Southwest Sewer District hookups. I've been on the record a million times saying that. I take it on a ad hoc basis. And, basically, right now, I'm not for hooking this -- hooking this to the Southwest Sewer District. Okay. Call the vote. All in favor? Opposed for --
LEG. BINDER:
Roll call. Roll call.
P.O. TONNA:
Okay. Roll call on the table.
MR. BARTON:
On the tabling
(*Roll Called by Mr. Barton*)
LEG. TONNA:
Yes.
LEG. TOWLE:
Yes.
LEG. COOPER:
Yep.
LEG. BINDER:
No.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yeah.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.
LEG. FOLEY:
Yes.
LEG. HALEY:

No.
LEG. FISHER:
No.
LEG. CARACAPPA:
Yes.
LEG. GULDI:
Yeah.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
No.
MR. BARTON:
14-4.
P.O. TONNA:
Okay. 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). Is there a motion? Do you want to make a motion, Legislator Guldi?
LEG. GULDI:
SEQRA determination of Greenways, yes.
LEG. FISHER:
Second.
P.O. TONNA:
Seconded by who?
LEG. TOWLE:
Myself.
P.O. TONNA:
Legislator Fisher?
LEG. CRECCA:
What -- is this a motion? What's the motion?
P.O. TONNA:
This is a motion to approve.

LEG. FOLEY:
SEQRA, SEQRA.
LEG. GULDI:
SEQRA.
P.O. TONNA:
There's a motion and a second. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1198 (Implementing Greenways Program in connection with acquisition of Active Parklands, at New Highway, North Amityville (Town of Babylon). Is there a motion?
LEG. BISHOP:
Motion to table.
LEG. CARACAPPA:
Second.
P.O. TONNA:
Motion to table by Legislator Bishop.
LEG. POSTAL:
Second.

LEG. FISHER:
Second.
P.O. TONNA:
Seconded by Legislator --
LEG. BISHOP:
Postal.
LEG. POSTAL:
Me.
P.O. TONNA:
Foley. All in favor? Opposed? Tabled.
MR. BARTON:
18.
P.O. TONNA:
Number 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) Suffolk County Tax Map Nos. 0400-060.00-01.00-001.006 and 0400-086.00-03.00-001.000). Is there is a motion?
LEG. COOPER:
Motion.

LEG. CARACCIOLO:
Second.
P.O. TONNA:
Motion to approve by Legislator Cooper, seconded by myself. All in favor? Opposed? Do you have a question?
LEG. CARACCIOLO:
I made a motion to second.
P.O. TONNA:
Oh.
LEG. CARACCIOLO:
You're having trouble with that ear.
P.O. TONNA:
All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
I am having problems with that. Number 1221 is withdrawn.
1264 (Adopting Local Law No. 2000, a local law to streamline anti-nepotism provisions for Police Department officials).
Is there a motion? Legislator Bishop, is there a motion on 1264??
LEG. CARACAPPA:
Nepotism.
LEG. HALEY:
Congressman.
LEG. CRECCA:
Motion to table.
LEG. CARACAPPA:
Congressman from Babylon.
P.O. TONNA:
Legislator Bishop, is --
LEG. BISHOP:
Motion to approve.

P.O. TONNA:
Okay. Motion to approve by Legislator Bishop. Is there a second?
LEG. D'ANDRE:
Second.
P.O. TONNA:
Second by Legislator D'Andre.

00331

LEG. TOWLE:
Question.
LEG. GULDI:
Question.
LEG. LEVY:
Just on the motion.
P.O. TONNA:
On the motion.
LEG. TOWLE:
Explanation.
LEG. LEVY:
We went through this last time and we wanted to change. We wanted a change on this and I don't know if it was ever made.
LEG. FISHER:
Yes, they made a change on this.
LEG. TOWLE:
I want an explanation, what the final draft is doing.
MR. SABATINO:
Two years ago, you expanded the Anti-Nepotism Law to include the hiring of people at the Police Department above the rank of County Police Officer. Now, it's subject to the normal Legislative approval process. This bill would modify that process, so that the approval would -- the approval of the person being promoted or hired to a position would take effect, unless the Legislature took action within a 45-day period after being notified to reject it. So instead of being an affirmative vote to approve the hiring of a relative, it would be a vote to defeat the appointment or promotion of such person. And then it also adds a second provision, which is to have the Police Department develop a criteria for assigning people to what they call a nontend command position within 180 days after the effective date of the law.
LEG. HALEY:
Repeat that again.
LEG. D'ANDRE:
Mr. Chairman.
LEG. TOWLE:
For the rank of what, again, Paul?
MR. SABATINO:
Okay. It would provide --
LEG. D'ANDRE:
Mr. Chairman, I want to withdraw my second.
P.O. TONNA:
Is there a second to Legislator Bishop's bill?

00332

LEG. POSTAL:
I second it.
P.O. TONNA:

Legislator Postal seconded it.
LEG. TOWLE:
Back to my question.
P.O. TONNA:
Okay, back to the question.
LEG. TOWLE:
The rank again, Paul, was above?
MR. SABATINO:
No. It's above the rank -- in the new provisions, it's going to be above the rank of Deputy Inspector.
LEG. TOWLE:
So if a relative of mine --
MR. SABATINO:
So if you're a relative of someone who's above the rank of Deputy Inspector and you're getting a position in the Police Department which is above the rank of Police Officer, then you would be subject not to an affirmative vote, but to the possibility of the Legislature negating that appointment or that promotion.
LEG. TOWLE:
And has the Police Department commented on this resolution?
LEG. BISHOP:
The department, yeah, they supported it.
MR. SABATINO:
It's changing precedent. I mean, the Police -- you know, the Police Department views the old bill as being too restrictive, because it requires the Legislature to affirmatively approve the nepotism appointments.
LEG. BISHOP:
The other concern was the other part of the bill, which requires them to develop a criteria for --
P.O. TONNA:
Speak into the mike, please, Legislator Bishop.
LEG. BISHOP:
The Department's concern is the other aspect of the bill, which requires that the Department develop criteria for assignments for police officers outside of patrol. So those are assignments such as Canine Unit and Emergency Services. Currently, those positions are assigned, but there is no criteria for the assignment. This bill requires that the department, and I believe it's within 90 days,

develop a written criteria for those positions.
LEG. LEVY:
As I -- Mr. Chairman.
P.O. TONNA:
Yes, Legislator Levy.
LEG. LEVY:
As I recall, those were some of the questions that we had. We wanted the bill bifurcated, I guess you'd say, where there was the part that would perhaps not require constant number of bills coming through every time there was a low level officer getting a promotion. But, by the same token, I think there were a few Legislators who believe that this criteria was something a bit too nebulous, and I think that part of the bill we wanted removed, and I don't know if that happened. I don't

think it has been removed.
LEG. BISHOP:
What part was nebulous?
LEG. POSTAL:
The criteria.
LEG. LEVY:
The part with the criteria. I know I had mentioned last time, and there were some other Legislators --
LEG. CRECCA:
Motion to table.
LEG. LEVY:
-- who believed that it was a bit too nebulous.
LEG. HALEY:
Second.
LEG. BISHOP:
No. It's nebulous, because we're not developing it, they're developing it. They come back with the criteria. Then you could determine whether it's nebulous or not.
P.O. TONNA:
Okay. There is a motion to table by Legislator Carpenter, seconded by Legislator Haley. Okay.
LEG. BISHOP:
I think it's fair to -- somebody said that they're doing it. It's fair to say that they had no intention of doing it until the bill was filed. This is what the agreement was between -- we've discussed it at Public Safety. The department Said that they could live with this language, where they'll develop criteria within 90 days. I mean, before we attack the criteria as being nebulous, let's see what they come up with.

LEG. POSTAL:
Yeah. Can I -- Mr. Chairman.
P.O. TONNA:
Yes, Legislator Postal.
LEG. POSTAL:
First of all, the Commissioner indicated that the issue -- the anti-nepotism issue was perfectly acceptable, but there was an incident that took place last year at the Public Safety Committee having to do with assignment to a special unit and promotion to Detective that made it clear that there was not, I guess, a standard evaluation practice -- procedure in place in the Police Department, and the Commissioner indicated that they were, in fact, developing that kind of procedure, an evaluation procedure. So they're actually, the Commissioner is actually moving to do this exact kind of thing. I don't think that they're at all opposed to it. I think it really corresponds to their own plans within the Police Department, but I think I certainly feel that they should be developing the specifics of it rather than we lay people.
P.O. TONNA:
Okay. Legislator Haley.
LEG. HALEY:
I don't know why, when everyone else in the County has to deal with the anti-nepotism, why do we select a special few here that don't -- that

now fall -- would fall under a different set of rules? What happened to Congressman? Yeah, it doesn't make sense to me. I mean, if that isn't special play, and the trade-off is, is that we're going to now micromanage and tell them what they should do when they select canines and --

P.O. TONNA:

Marty, I'm going to tell you why I think, although I'm not going to be the ecologist for the Congressman.

LEG. POSTAL:

He's here.

LEG. HALEY:

Oh, he's here now.

LEG. CRECCA:

The Congressman.

P.O. TONNA:

The reason is it's subject to Civil Service. A lot of these position are subject to Civil Service, I think that's why.

LEG. CRECCA:

Well, then make a bill that says that, if that's the reason. I know what you're saying, but--

P.O. TONNA:

But I'll let the Congressman.

LEG. POSTAL:

No, that's not below --

LEG. CARPENTER:

Call the vote on the tabling.

LEG. POSTAL:

You know, I could respond to it.

LEG. CRECCA:

She's your spokesperson tonight, I don't know if anybody noticed that.

LEG. POSTAL:

Yes, I represent the Congressman, and --

LEG. BISHOP:

And what do I feel?

LEG. POSTAL:

And he feels very strongly that the Police Department really has some special situations. These are in many cases not Civil Service promotions. They are assignments to special units like Crime Scene, and Aviation, and Marine Bureau, where they're not Civil Service. A number of people may actually request being assigned to these special units, and many police officers feel that -- and, you know, it helps them to be promoted, get awards, and many of the police officers feel that these assignments have not always been done on merit in the past, that they have gone to the relatives of the upper brass in the Police Department, and it's created a real bad sense of demoralization in the Police Department. There are also promotions that take place above the rank of Lieutenant. Once you get above the rank of Lieutenant, or once you get promoted to Detective, that has nothing to do with Civil Service, that's an appointed position.

And I'm telling you, if you stop ten members of the Police Department and ask them what the history has been in the Police Department, they'll tell you that relatives of high ranking police officers are the

people who get the special assignments and who get the promotions that are not based on Civil Service. This will create a level playing field, will give police personnel an understanding that there is an objective set of criteria that they can look at for what they have to do in order to achieve these things, and what they may not have done if they're denied these opportunities.
LEG. CRECCA:
But then --
LEG. HALEY:
That's the second part.
LEG. CRECCA:
-- that's the second part of the bill --
LEG. HALEY:
That's the second part.

LEG. CRECCA:
-- which I have no problem with the second part of the bill necessarily.
LEG. HALEY:
Talking about the first part.
LEG. CRECCA:
It's the first part of the bill that I have a problem with, is that why are we having this automatic approval without it coming through the Legislature, in other words, where it doesn't have to -- if we don't act, we're not going to know about it, no one's going to ever check it out kind of thing. So let's just have them come before us. That's why I think the bill should be reintroduced.
P.O. TONNA:
This is what I would ask, now that the sugar is wearing off. I would ask that -- I know, and I would ask just to be considerate of two things. One, I know that Legislator Cooper has to get back to his house; okay? I know that Legislator Crecca would like to get back to his home.
LEG. D'ANDRE:
And I have to go.
P.O. TONNA:
And I would just ask --
LEG. D'ANDRE:
Cinderella Law.
P.O. TONNA:
And Legislator D'Andre, okay, has more bills to put in and he's got to get home on his computer and work them up. So, what I would say is I would ask that we keep our comments -- let's not stray too much. Let's vote this thing up or down. If we have decisions made, let's hold our, you know, whatever. So, Marty, you had the floor.
LEG. HALEY:
Okay, yeah, because what -- I want to ask the sponsor to again address the question I had earlier. Why, all of a sudden, are we taking a segment in the Police Department and deciding that they don't have to adhere to the normal nepotism rules? Maybe --
P.O. TONNA:
Dave. Dave?
LEG. HALEY:

If you stand up, maybe you could hear me.
LEG. BISHOP:
I'm getting the details of the triggering case.
LEG. HALEY:
Is there a height requirement for Congress?

P.O. TONNA:
Dave, you've all of a sudden turned mute. I mean, do you not want to say anything about anything, that you're afraid that your record now will be used against you? I mean, what is going on here?
LEG. BISHOP:
I realize that Lucia writes everything.
LEG. HALEY:
All right. Let me rephrase that. I'll -- Mr. Bishop --
LEG. POSTAL:
And it's all on the internet.
LEG. CARACAPPA:
I think he sponsored the internet bill.
LEG. CARPENTER:
It's all on the internet.
P.O. TONNA:
And it's on the internet, which you -- which you championed.
LEG. HALEY:
Mr. Bishop.
P.O. TONNA:
Please, say something. Dave, give us direction.
LEG. HALEY:
Mr. Bishop, will you please respond to your pandering of superior officers in the Police Department?
LEG. POSTAL:
Steve Israel is busy monitoring the internet at this moment.
LEG. BISHOP:
The triggering -- I was just consulting with Legislator Postal about the triggering case, which was the --
LEG. POSTAL:
{Wanda LaVista}.
LEG. BISHOP:
{Wanda LaVista}.
P.O. TONNA:
Okay.
LEG. POSTAL:
He's a Sergeant.
LEG. BISHOP:
Yeah, her husband was a Sergeant. She had passed an examination, so she had a Civil Service promotion, which she was effectively delayed

because of the nepotism law. And it seemed to me that the purpose of the nepotism law was sunshine. And the point of changing the mechanism is simply to allow the sun to continue to shine, we would know everything that's going on. And if we objected, we could -- we could interfere and prevent something that we found objectionable from occurring.
LEG. HALEY:

Why don't we do that County-wide, then?
LEG. BISHOP:
But the presumption is not -- maybe we should. But the presumption is not that it's wrong to begin with, that it requires a County vote. So that's why the bill is put in the way it was.
The second part of the bill is much more important and I think is the more compelling reason to vote for it, which is that we need to establish criteria for assignments within the Department. That is essential to the morale of the rank and file officers, and I would urge you to look at the bill in that light and not to focus on --
LEG. HALEY:
Obviously, because --
LEG. BISHOP:
On, you know, technicalities.
LEG HALEY:
Obviously, because you don't have an argument for the first part.
LEG. BISHOP:
No. I did have an argument, I just gave it to you.
LEG. HALEY:
I understand that. I'd make the same statement.
LEG. BISHOP:
Maybe -- I'm saying, if you don't find that compelling, look at the second part of the bill.
P.O. TONNA:
Okay. That's good. Let's take -- this is a vote to table, right?
LEG. CRECCA:
Yes.
P.O. TONNA:
By Legislator Crecca, and seconded by Legislator Haley. All in favor? Opposed to tabling? I'm opposed to tabling.
LEG. POSTAL:
Opposed.
LEG. COOPER:
Opposed.

LEG. BISHOP:
Opposed.
P.O. TONNA:
Okay, Legislator Cooper, Legislator Postal, Legislator Bishop.
LEG. BISHOP:
Can I get a roll call? Roll call. Roll call.
P.O. TONNA:
Roll call.
(*Roll Called by Mr. Barton*)
LEG. CRECCA:
Yes, to table.
LEG. HALEY:
Yes.
LEG. COOPER:
No.
LEG. BINDER:
Yes.
LEG. POSTAL:

No.
LEG. BISHOP:
No.
LEG. D'ANDRE:
Yes.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FIELDS:
Yes.
LEG. FOLEY:
No.
LEG. FISHER:
No.
LEG. CARACAPPA:
Pass.
LEG. TOWLE:
Yes, to table.

LEG. GULDI:
Yes, to table.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.
LEG. TONNA:
No.
LEG. CARACAPPA:
No.
MR. BARTON:
11.
P.O. TONNA:
Okay. Bishop -- I mean, bill tabled. Okay. Let's go to 1291 (Approving cross bay ferry license for Beach Taxi, LLC.) Is there a motion?
LEG. LEVY:
Motion to table.
P.O. TONNA:
Motion to table by Legislator Levy, seconded by myself. All in favor? Opposed? Tabled.
MR. BARTON:
18.
P.O. TONNA:
Number 1312 (Establishing policy for Suffolk County African American Advisory Board). Is there a motion?
LEG. LEVY:
Motion to table.
P.O. TONNA:
Motion to table by Legislator Levy, seconded by myself. All in favor? Opposed? Tabled.
MR. BARTON:
18.

P.O. TONNA:
Number 1351 (Authorizing the purchase of up to eight (8) Paratransit Vans from a New York State Contract for a cost not to exceed $432,000 and accepting and appropriating County, State and Federal funds for this acquisition (Capital Program No. 5658), bond resolution. Is there a motion?
LEG. FOLEY:
Motion.

P.O. TONNA:
Motion for what?
LEG. TOWLE:
Second.
LEG. FOLEY:
To approve.
P.O. TONNA:
To approve? Seconded by Legislator Towle. All in favor? Opposed?
MR. BARTON:
Legislator Towle.
P.O. TONNA:
Fine. Roll call, roll call, roll call.
MR. BARTON:
I mean -- I'm sorry.
(*Roll Called by Mr. Barton*)
LEG. FOLEY:
Yes.
LEG. TOWLE:
Yes.
LEG. COOPER:
Yes.
LEG. BINDER:
Yes.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Pass.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FIELDS:
Yes.

LEG. HALEY:
Yes.
LEG. FISHER:
Yes.
LEG. CARACAPPA:
Yes.

LEG. GULDI:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.
P.O. TONNA:
Yep.
LEG. CRECCA:
Yeah.
MR. BARTON:
18.
P.O. TONNA:
Okay. 1379 (Authorizing conveyance of parcel to Town of Brookhaven for use by VIBS (Section 72-h, General Municipal Law).
LEG. TOWLE:
Motion to table.
LEG. CARACAPPA:
Second.
P.O. TONNA:
Motion to table by Legislator Towle, second by myself. All in favor? Opposed? Tabled.
LEG. LEVY:
Just on the question. Any --
P.O. TONNA:
Oh, same motion, same second, same vote on the bond.
LEG. LEVY:
Just on the question. I --
MR. BARTON:
Yeah, the votes on the bond, it's on the companion. It's all right.
LEG. LEVY:
If I could just ask Fred, you know, what -- where he's going with it.

I'll be happy to give a courtesy --
P.O. TONNA:
After that, there was same -- same things.
MR. BARTON:
I got it.
LEG. LEVY:
-- but I just want to know what you're looking.
P.O. TONNA:
Right?
LEG. TOWLE:
Yeah, we're still actually looking at a couple of other parcels that might be more conducive for what they want to do based on size.
P.O. TONNA:
Ilona, you got it?
MS. JULIUS:
I got it.
P.O. TONNA:
You got to always be on your toes with me.
LEG. TOWLE:
They've applied for a State grant. They've applied for a State

grant --
LEG. LEVY:
Do you think that it's going to be coming to a head over the next meeting?
LEG. TOWLE:
I would hope so, yeah. I'm just waiting to get some information back from the Division of Real Estate as far as properties that we've acquired that may be more conducive or usable for what they want to do.
P.O. TONNA:
1385 (Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act (RAM Associates). Is there a motion?
LEG. FOLEY:
Motion.
MR. BARTON:
1379, the vote is 18.
P.O. TONNA:
Okay.
LEG. FOLEY:
Motion.

MR. BARTON:
Tabled.
P.O. TONNA:
(1385), a motion to approve?
LEG. FOLEY:
Yeah.
P.O. TONNA:
Motion to approve to approve by Legislator Foley, seconded by --
LEG. CARPENTER:
Second.
LEG. POSTAL:
Second.
P.O. TONNA:
Seconded by Legislator Carpenter. Very high second. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Okay. 1390 (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 property designated as Town of Brookhaven Suffolk County Tax Map No. 0204-009.00-02.00-004.002 (Item No. 83-14922) pursuant to Section 40-D of the Suffolk County Tax Act). Is there a motion?
LEG. CARPENTER:
Motion.
LEG. CARACAPPA:
Second.
P.O. TONNA:
Motion by Legislator Carpenter.
LEG. TOWLE:
Explanation.

P.O. TONNA:
Wait. We need a second. Second by Legislator Crecca.
LEG. LEVY:
This was a --
LEG. CARACCIOLO:
Where is the property located?

00345

LEG. FOLEY:
Patchogue Village.
LEG. LEVY:
It was a Certificate of Abandonment for Kevin Kriz. It was -- the bill was sent to the wrong address.
P.O. TONNA:
Okay. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Number 1014 (Adopting Local Law No. -2000, a Local Law to extend County Health Benefits to domestic partners). Is there a motion, Legislator Guldi?
LEG. CARACAPPA:
Motion to table.
LEG. FISHER:
Second.
LEG. HALEY:
Second.
LEG. GULDI:
Motion to approve on 1014.
P.O. TONNA:
Okay. 1014, there's a motion to approve by Legislator --
LEG. FISHER:
Second.
LEG. CARACAPPA:
Motion to table.
LEG. HALEY:
Second.
P.O. TONNA:
Wait. Okay. There's a motion to approve by Legislator Guldi on the Domestic Partnership Bill.
LEG. FISHER:
Second.
P.O. TONNA:
Seconded by Legislator Fisher. All in favor?
LEG. CARACAPPA:
Motion to table.

00346

LEG. CRECCA:
Motion to table.
P.O. TONNA:
Okay. Motion to table. That's what you're seconding.
LEG. HALEY:
Yes.
LEG. CRECCA:

Oh, I was going to say.
P.O. TONNA:
Whew. Okay. I just -- not that I'm surprised, but I just was surprised, because I thought --
LEG. GULDI:
Someday he might find someone who wants to live with live with him.
P.O. TONNA:
There's a motion to table by Legislator --
LEG. HALEY:
That makes both of us, right?
P.O. TONNA:
-- Caracappa, seconded by Legislator Haley. Okay. Roll call. Let's do a roll call.
LEG. FOLEY:
On what.
LEG. CRECCA:
Motion to table.
P.O. TONNA:
On the table. Table.
LEG. GULDI:
It's on a roll call on tabling.
P.O. TONNA:
People want to be on the record just to say where they were.
(*Roll Called by Mr. Barton*)
LEG. CARACAPPA:
Yes, to table.
LEG. HALEY:
Yes.
LEG. COOPER:
No.

LEG. BINDER:
Yes.
LEG. POSTAL:
No.
LEG. BISHOP:
Pass.
LEG. D'ANDRE:
Yes, to table.
LEG. CRECCA:
Yes.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes, to table.
LEG. BISHOP:
I'm a no to table.
LEG. FIELDS:
Yes.
MR. BARTON:
Thank you.
LEG. FOLEY:
No.

LEG. FISHER:
No.
LEG. TOWLE:
Yes, to table.
LEG. GULDI:
No.
LEG. CARACCIOLO:
No.
LEG. LEVY:
No.
P.O. TONNA:
To table, no. I want to kill it.
MR. BARTON:
And, Mr. Bishop, you said you were a no?
LEG. BISHOP:
No, to table.

MR. BARTON:
Nine.
LEG. GULDI:
Motion to approve.
LEG. FISHER:
Second.
LEG. BISHOP:
Second.
LEG. HALEY:
Roll call.
(*Roll Called by Mr. Barton*)
LEG. GULDI:
Yes.
LEG. FISHER:
Yes.
LEG. COOPER:
Yes.
LEG. BINDER:
No.
LEG. POSTAL:
What is this, to approve?
MR. BARTON:
Yes.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
No way.
LEG. CRECCA:
No.
LEG. CARPENTER:
Abstain.
LEG. ALDEN:
No.
LEG. FIELDS:

No.

00349

LEG. FOLEY:
Yes.
LEG. HALEY:
No.
LEG. CARACAPPA:
Pass.
LEG. TOWLE:
Pass.
LEG. CARACCIOLO:
Pass.
LEG. LEVY:
Yes.
P.O. TONNA:
No.
LEG. CARACAPPA:
Abstain.
LEG. TOWLE:
Abstain.
LEG. CARACCIOLO:
Let me think. No.
MR. BARTON:
Seven.
P.O. TONNA:
Okay. Legislator Postal, do you have a motion?
LEG. POSTAL:
Motion to -- yes. On 1331, motion to table.
LEG. HALEY:
Second.
P.O. TONNA:
Motion to table.
LEG. POSTAL:
And I would just also like to say that that's not the correct title, just for the future. The bill's been corrected. It has a different title.
P.O. TONNA:
Okay.
LEG. POSTAL:
But I would make a motion to table it.

00350

P.O. TONNA:
Okay. Motion to table by Legislator Postal, seconded by Legislator Haley.
LEG. CARACCIOLO:
Roll call.
P.O. TONNA:
Roll call.
(*Roll Called by Mr. Barton*)
LEG. POSTAL:
Yes.
LEG. HALEY:
Yes.

LEG. COOPER:
Yes.
LEG. BINDER:
No.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
No.
LEG. CRECCA:
No.
LEG. CARPENTER:
No.
LEG. ALDEN:
Nope.
LEG. FIELDS:
Yes.
LEG. FOLEY:
Yes, to table.
LEG. FISHER:
Yes.
LEG. CARACAPPA:
Pass.
LEG. TOWLE:
Pass.

LEG. GULDI:
Oh, why not, I'll pass, too.
LEG. CARACCIOLO:
To table, yes.
LEG. LEVY:
Table, yes.
P.O. TONNA:
No.
LEG. HALEY:
Change my vote to a no, Henry.
LEG. CARACAPPA:
No, to table.
LEG. TOWLE:
No, to table.
LEG. CARACCIOLO:
Change my vote to a no, Henry.
LEG. GULDI:
Yes, to table.
LEG. CARACCIOLO:
You want to be here until midnight.
MR. BARTON:
Eight.
P.O. TONNA:
Okay. Now, is there a motion to approve?
LEG. POSTAL:
Motion to approve.
P.O. TONNA:
By Legislator Postal. Is there a second?

LEG. FISHER:
Second.
LEG. GULDI:
Second.
P.O. TONNA:
Second by Legislator Guldi -- oh, Fisher. Okay. On the motion to approve, roll call.
LEG. CARACCIOLO:
Roll call.
(*Roll Called by Mr. Barton*)

LEG. POSTAL:
Yes.
LEG. FISHER:
Yes.
LEG. COOPER:
Yes.
LEG. BINDER:
No.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
No.
LEG. CRECCA:
No.
LEG. CARPENTER:
Abstain.
LEG. ALDEN:
Nope.
LEG. FIELDS:
Yes.
LEG. FOLEY:
Yes.
LEG. HALEY:
No.
LEG. CARACAPPA:
Abstain.
LEG. TOWLE:
Abstain.
LEG. GULDI:
Yes.
LEG. CARACCIOLO:
No.
LEG. LEVY:
Yes.
P.O. TONNA:
No.

MR. BARTON:
Eight.
P.O. TONNA:
Okay. 1356 (Establishing policy for collecting contributions to the Suffolk County Campaign Finance Fund). Is there a motion? Legislator

Levy, is there a motion?
LEG. LEVY:
Yeah, motion to approve.
P.O. TONNA:
Is there a second?
LEG. FOLEY:
Second.
LEG. FISHER:
Second.
P.O. TONNA:
Second by Legislator Fisher.
LEG. TOWLE:
Explanation
P.O. TONNA:
Okay.
LEG. CARACCIOLO:
Roll call.
P.O. TONNA:
Explanation.
LEG. LEVY:
This was the bill that Lee Lutz and Gail Davenport and the members of the board came forward to speak about. This is the bill that allows for the insert to be put in the tax bill, so that people have the opportunity to give a voluntary donation, if they so desire.
LEG. HALEY:
A voluntary donation to who?
LEG. LEVY:
To the treasury. So this is for the public financing on a voluntary basis. When the homeowner gets the card in the mail with their tax bill, they have the right to voluntarily give a certain amount of money to the Campaign Fund.
LEG. HALEY:
Where does that money come from?
LEG. LEVY:
That's their own money over and above their taxes.

LEG. HALEY:
So they would have to insert a check --
LEG. LEVY:
Yes.
LEG. HALEY:
-- Above that.
LEG. LEVY:
They'd have to -- they'd have to write it out as a check to the fund.
LEG. CRECCA:
The real -- I think I was next.
LEG. HALEY:
I'll defer to Mr. Crecca.
LEG. CRECCA:
Yeah.
LEG. ALDEN:
On the motion.
LEG. CRECCA:

Actually, I already -- I'm already marked down by Mr. Chairman, so I'll just keep going here. I think the controversy over this bill, just to make it clear, too, is the fact that the -- it's the individual towns, the Tax Receivers in each of the towns is responsible for putting the envelope in and doing the mailing out. This is the bill they talked about earlier, where there's not question, that it's going to add a cost to the town, it's a question of how much.
I can tell you that I've spoken to a couple of the Tax Receivers, not all of them, of some of the major towns. They are vehemently opposed to this. Again, if you agree with this, the reality is is that you're passing what is essentially, which is a County responsibility right now, on to the town. It's certainly unfair and not right to do the individual towns.
LEG. HALEY:
Motion to table until we poll all the Town Tax Receivers.
P.O. TONNA:
Okay.
LEG. BINDER:
Mr. Chairman.
P.O. TONNA:
Just wait. Everybody, one at a time. Right now, Legislator Crecca. Who is --
LEG. CRECCA:
I'll second Haley's motion, though, to table.

LEG. ALDEN:
You got me on the list?
P.O. TONNA:
Okay. Legislator Alden.
LEG. FOLEY:
I really want to know what the Islip Town Clerk can say about it.
P.O. TONNA:
Who else wants to speak on this? Levy.
LEG. BINDER:
Mr. Chairman.
P.O. TONNA:
Alden, you have the floor, then Binder.
LEG. ALDEN:
I'd like to add one more thing, and I hope that people realize this. This is going to be -- there's an insert that goes out with the tax bill with an envelope, so people are supposed to separate and actually pay their taxes to the Receiver of Taxes, and then pay a contribution to Suffolk County Treasurer. I think it's going to confuse people and you're going to end up with a lot of people calling our district offices that want waivers on penalties and interest when their check that's supposed to go through Receiver of Taxes ends up in the Treasurer's Office, so --
LEG. POSTAL:
Governmental error?
LEG. ALDEN:
I don't know if it's a governmental error, but, you know, I foresee a whole bunch of telephone calls on this.
LEG. HALEY:

Motion to table.
LEG. POSTAL:
Mr. Chairman.
LEG. CRECCA:
I seconded it.
LEG. BINDER:
Mr. Chairman.
LEG. POSTAL:
Mr. Chairman.
P.O. TONNA:
Okay.
LEG. POSTAL:
On the motion.

P.O. TONNA:
That's fine, but we have a list. Legislator Levy, and then Binder.
LEG. LEVY:
This is exactly what I was talking about before and I'm going to this.
LEG. HALEY:
Motion to close debate.
LEG. TOWLE:
Just for Legislator Levy.
LEG. BINDER:
Second.
LEG. LEVY:
There are -- this resolution was passed in 1998, almost -- with a lot of votes from some of the very same people who now are balking at the process that is being carried out from that very same all bill.
LEG. ALDEN:
Personal privilege.
LEG. LEVY:
I didn't mention your name or anybody else's name for that matter.
LEG. ALDEN:
But it just happen to go right after me, though.
LEG. LEVY:
But -- I had to go at some point.
P.O. TONNA:
Wait.
LEG. LEVY:
I put myself on the list.
P.O. TONNA:
Legislator Levy has the floor, and then after that, point of personal privilege. Legislator Alden will be recognized, and then Legislator Binder.
LEG. LEVY:
You can't go around saying you're for a campaign finance bill, vote for it to tell the world you're for it and then vote against implementing it. And this was specifically placed in the bill, that the --
LEG. CARACAPPA:
The bill was flawed.
LEG. LEVY:
Then it was flawed, don't vote for the bill. But for those people who did vote for the bill and presented themselves as the champions of

campaign reform, to then turn around a year later and block the very

00357

necessary bill to make it a reality of being hypocrites on this issue, and they're not being truthful on this issue. To use the argument that the towns are against it is preposterous. The Towns are against everything.

LEG. HALEY:

Oh, yeah, let's see, government.

LEG. LEVY:

The Town Assessors --

LEG. HALEY:

Liberals.

LEG. LEVY:

-- are against the Partial Payment Bill; "You can't do it, it's impossible." We do it, it works. They say you can't put the erroneous assessment line on the bill, it's impossible. We did it, it works. They said you can't put the line on for out-of-county tuition. We did do it, it works. They come up with the same knee-jerk reaction time after time. If you want to use that as a hook, you can use it as a hook, but stop voting for bills that are for campaign reform when it's convenient before the election and then later voting against the very same bill that implements what you voted for the year before. If you want to kill the program, this is the way to do it. But the bill clearly states that the Campaign Finance Review Board has a mandate and has a charge to send out to the -- to the constituency an opportunity to put in a voluntary donation back with that tax bill. They've carried out their mandate. They're coming back to us to give them the authority and we're telling them, No, you can't do that. If you have a better idea, come up with it, but this is the idea that was embedded in the very same resolution that we passed in 1998.

LEG. CARACAPPA:

Cameron, would you yield just for a sec?

LEG. ALDEN:

Sure.

LEG. CARACAPPA:

Thanks. Steve, I voted for campaign finance reform and it wasn't just to toot my horn before elections. I believe in it. I'm voting for this, just like I voted for the extra funding.

LEG. LEVY:

Good.

LEG. CARACAPPA:

But your bill was flawed and it's not our problem. And we're not these hypocrites for asking questions every time they hit a roadblock.

LEG. LEVY:

But --

00358

LEG. CARACAPPA:

No, no, let me finish. Every time they've hit a roadblock, they come before us and say, "Well, we hit a roadblock," and we ask questions and then you say we're hypocrites. That's crazy.

LEG. LEVY:

But you're wrong.

LEG. CARACAPPA:

Absolutely nuts.
LEG. LEVY:
It's not a roadblock.
LEG. CARACAPPA:
So, please, just let us ask questions. That's all we're doing.
P.O. TONNA:
First of all -- wait, wait.
LEG. LEVY:
No, you're wrong.
P.O. TONNA:
First of all --
LEG. LEVY:
You're wrong.
P.O. TONNA:
Legislator Levy went --
LEG. LEVY:
It's not a roadblock.
P.O. TONNA:
Legislator Alden, really couldn't yield the floor, because --
LEG. CARACAPPA:
Sorry.
P.O. TONNA:
-- he was a personal privilege. Legislator Binder has the floor.
LEG. ALDEN:
Point of personal privilege.
P.O. TONNA:
No, go ahead.
P.O. TONNA:
Don't yield it over to him.
LEG. ALDEN:
All right. Well, you should have told me I couldn't yield, then.

P.O. TONNA:
Okay. Go ahead.
LEG. ALDEN:
Legislator Levy.
P.O. TONNA:
Levy.
LEG. ALDEN:
I'm going to quote you. Is it a perfect bill? No. Is it a step in the right direction? Yes. Does it need a lot of fixing and lot of tinkering with? Yes. That's Legislator Levy a number of months ago, maybe even last year, when this came into existence. And number two, I did offer a whole bunch of different alternatives that maybe would have been less confusing to the people as far as that are going to receive these bill in their tax bill. Because I foresee a lot of problems in that area. So, as far as being disingenuous and raising questions, where we're going to have nightmares on our hands and all kinds of phone calls, I think that somebody else might be disingenuous in saying that just because you can see there's a problem with a bill, or that maybe it does need fixing, that you're a hypocrite, and I resent it, actually.
LEG. CARACAPPA:

You can't ask questions on this issue, or else you're a bad guy.
LEG. CARPENTER:
I know, you can't.
LEG. CARACAPPA:
And it's not fair.
LEG. LEVY:
It's one thing to ask question, it's another thing to kill it. Every time it comes up, there's a campaign bill, you guys are killing it. You kill everything.
LEG. ALDEN:
No. We provided alternatives.
LEG. LEVY:
There are not -- you didn't give any alternatives.
MR. BARTON:
Please use your microphones.
LEG. FISHER:
Mr. Chairman, can we have a vote?
P.O. TONNA:
Yes. Hold it one second. Just wait one second. There is a list. I'm sorry. Legislator Fisher, but there is a list. And Legislator Binder, who's been very patient in this process, really was the next to go. Okay.

LEG. BINDER:
Okay.
P.O. TONNA:
Legislator Binder.
LEG. BINDER:
Let me ask, I guess, Counsel. On this, is there a standard type of envelope that there has to -- are we mandating what the insert is, I mean, very specifically?
MR. SABATINO:
Yes. The language has been worked out between the Board and my office. It will be a short one, two, three -- five paragraph statement.
LEG. BINDER:
And -- no. But also the form of the envelope, the type of envelope, how -- I mean, the manner --
MR. SABATINO:
Yeah, that was worked out by the Campaign Finance Board itself.
LEG. CARPENTER:
It hasn't been yet. It hasn't been.
MR. SABATINO:
Mr. Lutz came to the committee and he just explained, it's going to be with the perforation and --
LEG. CARPENTER:
It's not been all worked out yet.
LEG. ALDEN:
You don't know if it fits in the envelope even.
MR. SABATINO:
That was worked out. The only issue that was left open was, when it goes to bid, whether it's going to be 10,000 or, you know, $20,000.
LEG. CARPENTER:

No, no, no, no, that's not -- may I just respond to that?
LEG. BINDER:
I'll yield to Legislator Carpenter.
LEG. CARPENTER:
Just to the idea of the envelope, he described the form of it, but he -- when I asked if they had checked with the various Town Tax Receivers on what size envelope they use to mail out their bill, he had not done that yet and was going to have to do that, and that could determine what size is ordered.
And while I have the floor, Legislator Binder, I hope you don't mind, I, too, have to take exception to some of the things that Legislator Levy said. If we had not asked questions the first time that -- the

first time that the representatives of the Campaign Finance Board came to the Ways and Means Committee, their idea was to come up with a sheet of paper that was going to have glue on the sides, that people were expected to fold down into all different shapes and then maybe put a check in it, that would not have been very secure. They had language that was, quite frankly, not legal, according to Legislative Counsel.
So by asking these questions, we were able to ferret out these inconsistencies and these things that would not have been appropriate by doing due diligence in asking questions. It wasn't to throw roadblocks, it wasn't to try and blow it up, but it was to legitimately ask questions to come up with a mechanism that really will work.
LEG. LEVY:
I don't see where Paul is.
LEG. BINDER:
So let me --
LEG. LEVY:
Let me just ask Legislator Carpenter, then I'll get to you.
LEG. BINDER:
Let me retain my time. If you want, would you like me to yield --
LEG. LEVY:
Will you?
LEG. BINDER:
-- so you can respond to that?
LEG. LEVY:
Yeah, would you, please?
LEG. BINDER:
Go ahead, yield.
LEG. LEVY:
Thank you.
LEG. BINDER:
I yield.
LEG. LEVY:
Do you have -- because I remember they made the suggestion of the perforation as a result of your request, that was done. Is there something further that you would like to see them do?
LEG. CARPENTER:
I would like to make sure -- well, we should see a sample, but I think we should also make sure that what they're ordering, and they had never even thought about it until we questioned it in committee when I said to them, "Do you happen to know what size envelope each of the ten

towns sends out?" "No, we do not." Well, you can't go running and ordering 550,000 envelopes number nine and then find out that you've got to put them in a six and three-quarter envelope and they're not going to fit.

00362

LEG. LEVY:
Well, they've subsequently had meetings with the Tax Receivers.
LEG. CARPENTER:
But he answered tonight that he hadn't done that yet. He hadn't contacted them to find out what size envelope each of the towns sends out.
LEG. LEVY:
But what this is doing, all this bill is doing is authorizing the Board to move forward to create the envelope. Now, obviously, they have the flexibility to put in an envelope that will fit. They're not bound by this resolution to get a certain size envelope. They can use their discretion in that regard.
LEG. CARPENTER:
But, quite frankly --
LEG. LEVY:
I don't think we want to micromanage that.
LEG. CARPENTER:
Quite frankly -- well, I don't know about micromanaging. If we hadn't done what you're calling micromanaging, they would have been walking around with a piece of paper with two glue strips on the side of it hat they expected people to fold down.
LEG. LEVY:
But that wouldn't have been a bad -- you know, it would have worked, what you --
LEG. CARPENTER:
It wouldn't have worked. It would not have worked.
LEG. LEVY:
It would have worked, but I think your suggestion was a better one, to have it as an envelope, but it doesn't mean their recommendation would not have worked. I think what the point is, if there are constructive suggestions to make this better, I mean, we can certainly entertain them, but yours was a good one in committee and it's been changed accordingly. If there are others, I would like to hear them rather than some, I'm not talking about you, Legislator Carpenter, or you, Legislator Alden.
LEG. ALDEN:
Good, because I made the suggestion.
LEG. LEVY:
Some just saying, "Well, this is unworkable." If there's something better, fine, but if there's nothing better, I would prefer to move on. Okay? And, Legislator Binder, I think you were next and then Legislator Alden.
LEG. BINDER:
Yeah, I'm going to reclaim my time. So what I'm hearing is that we're

00363

not clear that they are -- that the group is actually, the Election Commission is actually clear on how they're going to do this, if they can do it, and how they can do it. Are we clear on the labor involved

in terms of the Tax Receiver's Office, or can this be done? And I don't know how they fold and do the tax statements now, but are they folded by machine and stuffed by machine, or is there -- are there individuals there, and now that they have something else they're going on stuff, or is it done by machine, but this envelope they're now going to have to find people to sit down and stuff for every household that gets a tax bill in the town? So there are costs involved and there are costs involved on a number of levels. There are costs involved in the paper and the envelope itself. There's a cost involved in the postage, because it might actually change. And I don't know, do we know if this will change the postage, because, as the tax bill goes out, there's certain postage for certain weight, and this makes a difference and increases the cost? I don't know. Do we understand that? Have we discussed it? I mean, this is what committee is for, my understanding is, is that we have committee, so that these are the questions that are answered before we come here. Do we understand the labor involved, so the cost to each town? Do they have to hire temporaries to bring on to stuff envelopes into the envelopes? We have to understand this whole process.

I voted against Legislator Levy's proposal when he offered it, particularly -- and, by the way, I support the notion of voluntary campaign finance reform, so, in a sense, I should have voted for Legislator Levy's. The reason I didn't vote for it, because I believed at the time, not only wasn't it a perfect bill, I thought it was a totally unworkable bill, and, to this point, it still seems to be of an unworkable nature. Now, maybe we can make it workable. Maybe this is -- and this is something I support, because trying to make something that's voluntary is something that I do support, but I don't think that we should be going and supporting and voting for something until we have all the answers. I'm not talking about micromanaging, but shouldn't we be comfortable that the group that we're asking to take an action has all of the answers? We would never allow this for anyone else. We would never allow a department of the County to come before us and not answer. How many hours of questioning on Coram? How many hours of questioning on everything do we do, but here we say it's okay, we're not sure what the cost is to the towns, but we'll do it anyway? "You go do it, whatever the cost is, whatever the labor is." Can you actually do it? Who stuffs, whose cost, we don't really know.

D.P.O. LEVY:

Would you suffer a question?

LEG. BINDER:

Sure.

D.P.O. LEVY:

Didn't this Legislature just do that with partial payment of taxes, which is far more labor intensive than this would be in stuffing something into an envelope that's already going out? Did these -- were these questions raised to this extent, and was it enough to block that bill? I think the answer is no, because we knew it was a good idea to have partial payment. We were going to move forward with it, we were

going to let the chips fall where they may, because we knew it was an overriding good policy for the people we represent, and I think that should be the same point of view here.

LEG. BINDER:
Well, let me -- to reclaim my time. I think we did understand what it took to make -- take partial payments. The Receivers of Taxes basically let us know the staff requirements, the problems that they were going to have in trying to take partial payments, and that's why they opposed it. To the best of their knowledge, the best of their estimate, I mean, to the best of their estimate, I heard from my Tax Receiver what they -- she thought the problem was. We voted for it anyway. I understand that, but we understood that there were going to be problems, and I understood in the general sense. They still didn't know. If you asked them, they wouldn't know, they couldn't answer. But on something like this, they probably could answer, because they could answer whether they currently fold and stuff tax bills, or do they do it by machine and now this is a new process that takes people? These are basic questions they can answer, the others are estimates. And I don't think we should run forward. And I would make a motion to table until we have the answers.
D.P.O. LEVY:
Legislator Haley.
LEG. HALEY:
I think there's already a motion and second to table.
LEG. BINDER:
Okay.
LEG. HALEY:
You know, I find this utterly amazing. You know, I can't tell you how many times I've sat here, and I've been shorter -- I've been here shorter than you, Legislator Levy, how many times we've screamed and yelled about State unfunded mandates, and this is a perfect example of that. And to the extent that we've levied this extra requirement on the Tax Receivers, I think we should at least find out what they think the additional cost might be and show a willingness to perhaps fund it. But, putting that aside for a moment, the biggest thing I find really crazy about this Legislature, which tends to be a little bit more liberal than I care, is that why is campaign finance reform, you know, on the radar screen? Because we have found consistently that it's not. This is something that all of you have decided that this is what you think is the people need and want, when, in fact, it doesn't register. What registers is simple things like taxes, affordable housing, and the environment, not campaign finance reform.
D.P.O. LEVY:
Well, Marty, if you're opposed to campaign reform, I can respect that, because that's what you're stating your position is. What I -- what drives me crazy is people saying they're for campaign reform, voting for a bill that says it's campaign reform, and then voting against the mechanism to implement that very bill, that's what drives me nuts. So on that note, anybody --

LEG. CARACCIOLO:
Move the bill.
D.P.O. LEVY:
Let's get the Presiding Officer and just vote.
LEG. CARACAPPA:
Move the motion, Mr. Chairman.

LEG. GULDI:
Call the question.
P.O. TONNA:
All in favor? Opposed? No, I'm joking.
LEG. POSTAL:
Wait a minute. Wait a minute. Wait a minute.
P.O. TONNA:
Motion to table by Legislator?
MR. BARTON:
Haley.
P.O. TONNA:
Haley. Seconded by?
MR. BARTON:
Legislator Crecca.
LEG. CARACCIOLO:
Roll call.
P.O. TONNA:
Legislator Crecca. Okay.
(*Roll Called by Mr. Barton*)
LEG. HALEY:
Yes.
LEG. CRECCA:
Yes. This is a motion to table?
MR. BARTON:
Yes.
LEG. CRECCA:
Yes.
LEG. COOPER:
You're doing this to me again.
P.O. TONNA:
Pass, pass, pass.

LEG. COOPER:
Pass.
LEG. BINDER:
Yes.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Pass.
[LEG. D'ANDRE-NOT PRESENT]
LEG. BISHOP:
Oh, this is campaign finance reform?
LEG. FOLEY:
Yes.
LEG. BISHOP:
And what are they voting for?
LEG. FOLEY:
Table.
LEG. BINDER:
Table.
LEG. POSTAL:
Table it.

LEG. BISHOP:
No. No, to table.
LEG. D'ANDRE:
Yes, to table.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FIELDS:
Yes.
LEG. FOLEY:
No.
LEG. FISHER:
No.
LEG. CARACAPPA:
No, to table.

[LEG. TOWLE-NOT PRESENT]
LEG. GULDI:
No to table.
LEG. CARACCIOLO:
No.
LEG. LEVY:
No.
P.O. TONNA:
Yes, to table.
LEG. COOPER:
Yes, to table.
MR. BARTON:
Legislator Towle.
LEG. D'ANDRE:
It's about time you come across.
LEG. FISHER:
To the dark side.
MR. BARTON:
Ten.
LEG. CRECCA:
That was good. Ten?
P.O. TONNA:
Okay.
MR. BARTON:
10-7, 1 not present. (Not Present: Leg. Towle)
P.O. TONNA:
All right. Great. Okay.
LEG. LEVY:
Thanks, guys.
LEG. CARACAPPA:
Move it.
P.O. TONNA:
Okay, let's go. Where are we. 1464 (Appropriating funds for Digitization of Subdivision and other Maps, County Clerk).
It is a bonding resolution. Is there a motion?
LEG. CARACAPPA:

Motion.

00368

P.O. TONNA:
By Legislator Caracappa, seconded by Legislator Haley. On the -- on the bond.

(*Roll Called by Mr. Barton*)

LEG. CARACAPPA:
Yes.
LEG. HALEY:
Yes.
LEG. COOPER:
Pass. I make a motion for me to move somewhere else.
LEG. FIELDS:
I agree.
LEG. HALEY:
Second.
P.O. TONNA:
We're in the middle of a bonding resolution.
LEG. BINDER:
Yes.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yeah.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FIELDS:
Yes.
LEG. FOLEY:
Yes.
LEG. FISHER:
Yes.
[LEG. TOWLE-NOT PRESENT]

00369

LEG. GULDI:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.
LEG. TONNA:
Yes.
LEG. COOPER:
Yes.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)
P.O. TONNA:

Okay. Same motion, same second, same vote. Number 1465 (Appropriating funds for purchase of equipment for County Clerk Document Library and Mailroom). Is there a motion?
LEG. CARACAPPA:
Motion.
P.O. TONNA:
Motion by Legislator Caracappa, second by Legislator Haley. Roll call.
(*Roll Called by Mr. Barton*)
LEG. CARACAPPA:
Yes.
LEG. HALEY:
Yes.
LEG. COOPER:
Yes.
LEG. BINDER:
Yes.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
Yes.
LEG. BISHOP:
This requires a roll call.

LEG. CRECCA:
Yes. Sorry.
LEG. GULDI:
It's a bond.
LEG. POSTAL:
It's a bond.
LEG. D'ANDRE:
Bond.
LEG. CRECCA:
I'm sorry. We're doing 1465?
LEG. D'ANDRE:
Yeah.
LEG. CRECCA:
Yes. Sorry.
MR. BARTON:
Thank you.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yeah.
LEG. FIELDS:
Yes.
LEG. FOLEY:
Yes.
LEG. FISHER:
Yes.
[LEG. TOWLE-NOT PRESENT]
LEG. GULDI:

Yes.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.
P.O. TONNA:
Yep.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
Same motion, same second, same vote. 1467 (Authorizing transfer of surplus County computers to the Developmental Disabilities School and Kings Park Heritage Museum.) Is there a motion? Legislator D'Andre. There's a motion, seconded by myself. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)
P.O. TONNA:
Number 1489 (Authorizing waiver of interest and penalties for property tax for Father Thomas J. Haggerty and Father John B. Lavin). Is there a motion? Legislator Haley, seconded by myself.
LEG. CARACCIOLO:
Explanation.
P.O. TONNA:
All in favor? Opposed? Approved.
LEG. CARACCIOLO:
Whoa, whao, whoa, whoa.
P.O. TONNA:
Okay, explanation.
LEG. HALEY:
It meets the criteria.
LEG. CARACCIOLO:
Meets the criteria?
LEG. HALEY:
Yes.
LEG. CARACCIOLO:
Counsel?
LEG. HALEY:
I've never put one in that doesn't.
LEG. CARACCIOLO:
Okay, Marty.
MR. SABATINO:
Yes, there was a written acknowledgment from the Town.
P.O. TONNA:
All in favor? Opposed? Approved?
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle).
P.O. TONNA:
Number 1490 (Authorizing conveyance of parcel to Town of Babylon for

transfer to Hamlet Restoration Corporation (Section 72-h, General Municipal Law). Is there a motion? Legislator Postal, is there a

motion?
LEG. POSTAL:
Motion to approve. I'm sorry.
LEG. CRECCA:
Second.
P.O. TONNA:
Seconded by Legislator Crecca. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)
P.O. TONNA:
Number 1492 (Authorizing the sale of County-owned real estate pursuant to Section 215, New York State County Law to Ro-Ann Cowell). Is there a motion?
LEG. GULDI:
Yes, to approve.
P.O. TONNA:
By Legislator Guldi, seconded by Legislator Caracciolo?
LEG. CARACCIOLO:
Sure.
P.O. TONNA:
All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)
P.O. TONNA:
Number 1496 (Sale of County-owned Real Estate pursuant to Local Law 13-1976 Nicholas Arena Jr. And Jean Marie Arena, tenants by entirety). Motion?
LEG. CARPENTER:
Motion.
P.O. TONNA:
Motion by Legislator Carpenter, seconded by?
LEG. CRECCA:
Crecca.
P.O. TONNA:
Legislator Crecca. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
Number 1516 (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 property designated as Town of Brookhaven Suffolk County Tax Map No. 0200-494.00-03.00-008.000 (Item No. 23-04860) pursuant to Section 40-D of the Suffolk County Tax Act). Is there a motion?
LEG. FISHER:
Motion.
P.O. TONNA:
By Legislator Fisher, seconded by Legislator Foley. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)
P.O. TONNA:

Number 1517 (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 property designated as Town of Huntington Suffolk County Tax Map No. 0400-141.00-05.00-139.000 pursuant to Section 40-D of the Suffolk County Tax Act). Motion by --
LEG. FISHER:
Motion.
P.O. TONNA:
-- myself, seconded by Legislator Cooper. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)
P.O. TONNA:
Number 1518 (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 property designated as Town of Islip Suffolk County Tax Map No. 0500-279.00-01.00-006.000 pursuant to Section 40-D of the Suffolk County Tax Act).
LEG. FIELDS:
Motion.
P.O. TONNA:
Motion by Legislator Fields.
LEG. CARPENTER:
Second.
P.O. TONNA:
Second by Legislator Carpenter. All in favor? Opposed? Approved.
MR. BARTON:
17, 1 not precinct. (Not Present: Leg. Towle)

P.O. TONNA:
1541 (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 (Public Works Special Projects Supervisor).
Motion by?
LEG. HALEY:
Me.
P.O. TONNA:
Legislator Me, Haley.
LEG. GULDI:
Second.
P.O. TONNA:
Seconded by Legislator Guldi. All in favor? Opposed? Approved.
LEG. LEVY:
Just on the motion. This is going from a Grade 26 to a Grade 31. I'm going to oppose.
LEG. HALEY:
Pursuant to a desk audit.
P.O. TONNA:
Okay. All right.
LEG. LEVY:
Yeah, so we all know what a desk audit is.
P.O. TONNA:

All right. All in favor? Opposed? Approved.
LEG. LEVY:
I'm no.
P.O. TONNA:
1544.
MR. BARTON:
16-1, and 1 not present. (Not Present: Leg. Towle)
P.O. TONNA:
Okay. 1544 (Amending the 2000 Operating Budget and transferring funds to the Department of Planning, Division of Real Estate for the purpose of property demolitions). Motion?
LEG. CARPENTER:
Motion.
P.O. TONNA:
By myself, seconded by Legislator Carpenter. All in favor? Opposed? Approved.

MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)
P.O. TONNA:
1547 (Appropriating funds in connection with the improvements to records storage facility, Bomarc (Capital Program Number 1705). Roll call on the bond.
LEG. GULDI:
Motion.
P.O. TONNA:
Motion by myself, second by Legislator Fields.
LEG. CRECCA:
Explanation, please, on this one, please.
LEG. CARPENTER:
Oh, it's a disgusting place that needs to be fixed.
MR. BARTON:
Mr. Chairman, who's the second? Who's the second.
LEG. CRECCA:
That's a pretty good explanation.
MR. BARTON:
Who's the second?
P.O. TONNA:
Who's the second? Legislator Fields.
MR. BARTON:
Thank you.
P.O. TONNA:
When in doubt, go to the left.
MR. BARTON:
Okay.
LEG. CRECCA:
No, I don't need an explanation anymore. I just got synopsis from Fields and Carpenter that was very good. Thank you.
(*Roll Called by Mr. Barton*)
P.O. TONNA:
Yes.
LEG. FIELDS:
Yes.

LEG. COOPER:
Yes.

00376

LEG. BINDER:
Yes.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yes.
LEG. CARPENTER:
Yes.
LEG. ALDEN:
Yes.
LEG. FOLEY:
Pass.
LEG. HALEY:
Yes.
LEG. FISHER:
Yes.
LEG. CARACAPPA:
Yes.
[LEG. TOWLE-NOT PRESENT]
LEG. GULDI:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Yes.
LEG. FOLEY:
Yes.
MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)
[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]
P.O. TONNA:
Okay. Same motion, same second, same vote. That's on -- okay.

00377

No. 1565 - Amending the Suffolk County Classification & Salary Plan and the 2000 Operating Budget in connection with a new position title in the Department of Public Works (Assistant Training & Safety Officer) (County Executive). Is there a motion?
LEG. CRECCA:
Motion.
P.O. TONNA:
By Legislator Crecca, seconded by Legislator Carpenter. All in favor? Opposed?
LEG. ALDEN:
On the motion.
P.O. TONNA:
On the motion.

LEG. ALDEN:
What does this do?
LEG. LEVY:
This is an Assistant Training Officer, Grade 22, competitive position in the Department of Public Works.
LEG. ALDEN:
And it's going from what to what?
LEG. LEVY:
It's not, it's just creating a position.
MR. SABATINO:
Grade 12.
LEG. LEVY:
Oh, from Grade 12.
LEG. FOLEY:
Magic of a desk audit.
MR. SABATINO:
It's going from Grade 12 to Grade 22. It abolishes the old position at Grade 12 and it creates a new one at Grade 22.
LEG. ALDEN:
This is a jump from a Grade 12 to a Grade 22? That's pretty huge.
LEG. FOLEY:
As did the last one.
LEG. ALDEN:
The last one was what then?
LEG. FOLEY:
The last one was twice --

LEG. FISHER:
No, it wasn't ten.
P.O. TONNA:
Brenda, can you come up and speak on the record? What is --
LEG. ALDEN:
It was just brought to my attention that 1541 --
P.O. TONNA:
Okay.
LEG. ALDEN:
-- had a huge jump also; could you explain that too?
LEG. LEVY:
That's a desk audit.
MS. ROSENBERG:
Right, this was a result of a desk audit, Cameron, and it's only a jump of I think between three and $5,000.
LEG. ALDEN:
How many grades, though?
LEG. FISHER:
Ten.
LEG. CARACAPPA:
Approximately ten.
MS. ROSENBERG:
But it doesn't matter, I mean, the salary is not $12,000 difference, it's not a thousand dollars per grade.
LEG. ALDEN:
But it's a ten grade jump. Okay, 1541.

MS. ROSENBERG:
It's the same kind of a jump.
LEG. ALDEN:
How many --
P.O. TONNA:
Brenda, do you have the stuff there? You don't have it right there, right?
MS. ROSENBERG:
It's in the back.
P.O. TONNA:
Okay.
LEG. LEVY:
I could answer that, it went from a Grade --

P.O. TONNA:
So I'm sure everyone else has it here, they're just trying to -- so let's find out. Legislator Levy?
LEG. LEVY:
1541 went from Grade 26 to Grade 31.
P.O. TONNA:
And what's the position?
LEG. LEVY:
1565 went from I believe a Grade 12 to a Grade 22.
LEG. HALEY:
Did that have a desk audit as well?
LEG. CARACAPPA:
Yes.
P.O. TONNA:
What's a desk order?
LEG. HALEY:
Audit, desk audit.
MS. ROSENBERG:
Excuse me. Legislator Tonna, 1541 was five steps, five grades.
LEG. LEVY:
That's what we said.
MS. ROSENBERG:
Right. Okay, sorry.
P.O. TONNA:
Okay.
LEG. FOLEY:
And Cameron, I think it's a zone leader, I'm not too sure.
P.O. TONNA:
All right.
LEG. HALEY:
He says he thinks it's a zone leader; if it is it must be a Republican then because I don't think the Democrats have any.
LEG. FOLEY:
Not yet.
LEG. LEVY:
They get downward desk audits.
P.O. TONNA:
They're not allowed to. Anyway, okay, let's -- spoken by a true party

leader. All right, anyway, let's go on.
LEG. LEVY:
1565, right?
P.O. TONNA:
1565, is there a motion and a second?
LEG. CRECCA:
There is.
P.O. TONNA:
All in favor? Opposed?
LEG. LEVY:
Opposed.
LEG. FISHER:
Opposed.
P.O. TONNA:
Opposed, Legislator Fisher, Legislator Levy.
LEG. ALDEN:
Opposed.
P.O. TONNA:
Legislator Alden, Legislator Fields, okay.
MR. BARTON:
I'm in trouble, I wasn't paying attention.
P.O. TONNA:
That's all right, that makes two of us.
MR. BARTON:
I have a motion by Mr. Crecca and by Legislator Carpenter to approve.
P.O. TONNA:
Fisher, Levy, Fields and Alden are opposed, now there's a tandem, or a little more than a tandem, a {quadrandum}.
Okay, No. 1576 - Directing County Board of Elections to publicize Ballot proposals within Suffolk County (Postal).
MR. BARTON:
The vote on 1565 is 13-4, 1 not present (Not Present: Legislator Towle).
P.O. TONNA:
Is there a motion, Legislator Postal?
LEG. POSTAL:
Motion to table.

LEG. GULDI:
Second.
LEG. LEVY:
Second.
P.O. TONNA:
Motion to table, seconded by myself. All in favor? Opposed? Tabled.
MR. BARTON:
17, 1 not present (Not Present: Legislator Towle).
P.O. TONNA:
Energy & Environment:
George, you ready? You ready, George? Okay, let's go.
1493 - Establishing Suffolk County Energy Advisory Committee (Fisher).
LEG. FISHER:
Motion.
LEG. GULDI:

Second.
P.O. TONNA:
Okay, motion by Legislator Fisher.
LEG. FISHER:
The explanation -- may I?
P.O. TONNA:
Yeah, sure.
LEG. FISHER:
Okay. The explanation is that there had been that the code, the Suffolk County Code had established a Suffolk County Energy Management Commission, okay; however, that commission had 25 members, it hadn't met for quite a long time. And in an effort to revitalize it and to revisit energy needs and have a committee that would look at alternative energy resources, renewable resources, I worked with Scott Cullen from East Hampton who had an Energy Committee there and looked at their model -- not STAR.
LEG. CARACAPPA:
Not STAR?
LEG. FISHER:
No, not STAR. And just as we did with the women's advisory board when we saw that 25 made it very unwieldy, people weren't coming together, I streamlined it, you can see in the resolution how it's been streamlined so that we can have a more workable committee that might come together and be effective.
P.O. TONNA:
Okay, thank you very much.

LEG. CRECCA:
Question for Legislator Fisher.
P.O. TONNA:
Yes?
LEG. CRECCA:
Is this commission going to -- or committee I should say, is it going to like dupe what CAP is doing; is this stuff that CAP could handle?
LEG. FISHER:
No, no, it's a very different mission, it's not an oversight of public service.
LEG. CRECCA:
Okay.
LEG. FISHER:
No. It's looking at --
LEG. CRECCA:
I just wanted to make sure it's not an oversight committee over LIPA or anything.
LEG. FISHER:
No, it's not an oversight.
LEG. FOLEY:
It's not duplicative.
LEG. CRECCA:
You got it.
LEG. FISHER:
No, it's not duplicative at all.
LEG. CRECCA:

Thank you.
P.O. TONNA:
Okay.
LEG. CRECCA:
Henry, put me down as a cosponsor on this one.
MR. BARTON:
Thank you.
P.O. TONNA:
All right, let's go to the vote.
LEG. GULDI:
Call the question.
P.O. TONNA:
All in favor? Opposed?

MR. BARTON:
On 1493, I have a motion, no second.
LEG. GULDI:
Second.
P.O. TONNA:
Second by Legislator Guldi. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
No. 1534 - Making a SEQRA determination in connection with the proposed installation of a playground at Sears Bellows County Park, Flanders, Town of Southampton (Presiding Officer Tonna). Is there a motion? By Legislator Guldi, second by Legislator Foley. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Same motion, same second, same vote on 1535 - Making a SEQRA determination in connection with the proposed installation of two playgrounds at Southaven County Park, Yaphank, Town of Brookhaven (Presiding Officer Tonna).
MR. BARTON:
18.
P.O. TONNA:
Same motion, same second, same vote on 1536 - Making a SEQRA determination in connection with the proposed prescribed burn at Robinson Duck Farm County Park, Shirley, Town of Brookhaven (Presiding Officer Tonna).
MR. BARTON:
18.
P.O. TONNA:
Same motion, same second, same vote on 1537 - Making a SEQRA determination in connection with the proposed acquisition and development of property at New Highway, Town of Babylon, for active recreation under the Greenways Program (Presiding Officer Tonna).
MR. BARTON:
18.
P.O. TONNA:
Okay, 1542 - Amending the 2000 Capital Budget and Program by

appropriating funds in connection with the purchase of equipment for groundwater monitoring and well drilling (CP 8226) (County Executive). Is there a motion?

00384

LEG. GULDI:
Motion.
P.O. TONNA:
Motion by Legislator Guldi, second by Legislator Caracciolo. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
No. 1545 - Amending the 2000 Capital Budget and Program by appropriating funds in connection with Public Health related harmful Algal Blooms (CP 8224) (County Executive).
LEG. GULDI:
Motion.
P.O. TONNA:
Motion by Legislator Guldi, seconded by Legislator Caracciolo. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1558 - Accepting and appropriating 100% Federal Grant Funds to the Department of Health Services from Brookhaven National Laboratory for the Brookhaven Radiological Lab program (County Executive).
LEG. CARACCIOLO:
Motion.
LEG. CARACAPPA:
Second.
LEG. GULDI:
Second.
P.O. TONNA:
Motion by Legislator Caracciolo, seconded by Legislator Guldi. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Now we're at Economic Development & Education:
Jonathan, this is a really important time now, here we go.
1433 - Approving the appointment of David Alm as a member of the Long Island Market Authority (County Executive). Motion by Legislator Cooper, seconded by --

00385

LEG. BINDER:
Second.
P.O. TONNA:
Legislator Binder. All in favor? Opposed? Approved.
LEG. TOWLE:
Question, question, question.
P.O. TONNA:
Question on what?
LEG. TOWLE:

I just want to know if they period before the committee.
LEG. GULDI:
Yes, they did, they all did.
P.O. TONNA:
Everyone of them came before the committee, right?
LEG. COOPER:
Yes.
P.O. TONNA:
Great. Okay, 1434 --
MR. BARTON:
The vote on 33 is 18.
P.O. TONNA:
1434 - Approving the appointment of John German as a member of the Long Island Market Authority (County Executive). Motion by Legislator Cooper, seconded by Legislator Binder. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1548 - Amending the 2000 Capital Budget and Program and transferring funds from planning for the rehabilitation of gutters, roofs and soffits (CP 2157.102) to rehabilitation of gutters, roofs and soffits - College-wide (CP 2157.311) (County Executive). Motion by Legislator Cooper, seconded by --
LEG. CRECCA:
Carpenter.
P.O. TONNA:
Legislator carpenter. All in favor? Opposed? Approved.
MR. BARTON:
18.

P.O. TONNA:
1562 - Accepting and appropriating and amendment to the college budget for a Grant Award from the State University of New York for an Educational Opportunity Program Grant 100% reimbursed by State funds at Suffolk County Community College (County Executive). Motion by Legislator Cooper, seconded by Legislator Carpenter. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1577 - Allocating Downtown Revitalization Funds (Cooper).
LEG. COOPER:
Motion.
LEG. CRECCA:
Second.
P.O. TONNA:
Motion by Legislator Cooper, second by Legislator Fields.
LEG. FISHER:
Fisher.
P.O. TONNA:
No, Legislator Fisher. Okay, now, on this.
LEG. FOLEY:

Cosponsor.
P.O. TONNA:
Hold it a second; explanation.
MS. BURKHARDT:
Who do you want an explanation from?
LEG. CARPENTER:
Whoever is awake.
P.O. TONNA:
Anybody would like to make an explanation about the allocation of the Downtown Revitalization Funds?
LEG. CARACAPPA:
Second round, right?
P.O. TONNA:
Second round?
LEG. CARPENTER:
Right.
P.O. TONNA:
Okay, sounds good. All in favor? Opposed? Approved.

MR. BARTON:
18.
LEG. CARPENTER:
Cosponsor.
P.O. TONNA:
Budget:
Dave, stay focused, here we go.
1048 - Enforcing compliance with County 4% Budget Cap law (Alden).
Is there a motion?
LEG. ALDEN:
Motion.
P.O. TONNA:
Motion by Legislator Alden, seconded by myself.
LEG. TOWLE:
Explanation.
P.O. TONNA:
All in favor? Opposed?
LEG. TOWLE:
Good try.
P.O. TONNA:
We tried, Cameron. Okay, Legislator Towle wants an explanation; Cameron, give it to him, both barrels.
LEG. HALEY:
Click, click.
LEG. ALDEN:
We're in violation of the Cap Laws. And the last time it happened we were ordered by a judge to come into compliance, it cost us a lot of money and things of that nature. This puts us back into compliance.
LEG. TOWLE:
How?
LEG. ALDEN:
Some of the money that was allocated -- and I'm going to defer to Fred from Budget Review because he can give you the exact figures, but some of the money that would go to law enforcement agencies that are outside

of -- you know, like the Suffolk County Police Department, so any of the towns and villages that have their own police departments -- they can't collect all the money that we've authorized them to collect. So about half, roughly half of the money to bring us into compliance would come from those transfers that can't be made and then the other comes from Social Security I think. Paul, maybe you can correct that.

00388

MR. SABATINO:
The balance which is 1.3 million comes from a self-insurance interfund transfer which has been identified as excess money.
LEG. TOWLE:
So what does that mean, does that mean that those monies are going to not be spent now or we're defunding those initiatives, what are we doing?
LEG. ALDEN:
Actually, I would ask Fred to come back in here. But part of the money can't be spent anyway and Ken Weiss from the Budget Office actually agreed when we had the hearings on this, that those monies couldn't be transferred to those agencies anyway.
LEG. TOWLE:
I'm not arguing with you, I'm just trying to get --
LEG. ALDEN:
No, I know. We do need --
LEG. TOWLE:
I'm just trying to get an explanation of what we're doing before we vote on something that is going to potentially effect spending that we've already approved.
P.O. TONNA:
Well, we've had one of those resolutions before today. Anyway, okay.
LEG. ALDEN:
Fred should be here.
LEG. CRECCA:
Why don't we go on and finish the rest of this committee's --
LEG. CARPENTER:
He's indisposed at the moment, so why don't we go to on.
LEG. TOWLE:
Do you mind skipping over this one just till he gets in?
LEG. ALDEN:
Well, how about Jim? We've got eight million people in the thing.
LEG. BINDER:
Keep going, we'll come back to him.
LEG. CARPENTER:
He's not there.
P.O. TONNA:
Jim is the invisible man guy.
LEG. CRECCA:
Motion to come back to this.

00389

LEG. CARPENTER:
Second.
P.O. TONNA:
Although that's not in the rules, I would ask Legislator Alden, could we just suspend this vote for a little while?

LEG. ALDEN:
Sure.
P.O. TONNA:
Okay. Can you do that, Henry?
MR. BARTON:
Sure.
P.O. TONNA:
You got that under control?
MR. BARTON:
I think so.
P.O. TONNA:
1458 - Amending the 2000 Operating Budget and transferring funds for William F. Taylor VFW Post 9486 and American Legion Post 833 (Crecca). Motion by Legislator Crecca, seconded by Legislator Carpenter. All in favor? Opposed?
LEG. CRECCA:
It's a correction, that's all it is.
P.O. TONNA:
Approved.
MR. BARTON:
17, 1 not present (Not present: Legislator Levy).
P.O. TONNA:
1459 - Amending the 2000 Operating Budget and transferring funds for the North Amityville Community Economic Council (Postal). Motion by Legislator Postal, seconded by myself. All in favor? Opposed? Approved.
MR. BARTON:
16, two not present (Not Present: Legislators Levy & Guldi).
P.O. TONNA:
1460 - Amending the 2000 Operating Budget and transferring funds in connection with parks beautification and repair and maintenance programs (Bishop). Motion by Legislator Bishop, seconded by myself. All in favor? Opposed? Approved.
MR. BARTON:
16, two not present (Not Present: Legislators Levy & Guldi).

P.O. TONNA:
1470 - Amending the 2000 Operating Budget and transferring funds for the American Red Cross Community Service Alternative Sentencing Program for new positions (Bishop). Motion by Legislator Bishop.
LEG. HALEY:
Second.
LEG. FISHER:
I will second.
P.O. TONNA:
Seconded by Legislator Fisher. All in favor? Opposed? Approved.
MR. BARTON:
16, two not present (Not Present: Legislators Levy & Guldi).
P.O. TONNA:
No. 1473 - Amending the 2000 Operating Budget and transferring funds for the New York Fishing Tackle Trade Association (NYFTTA) for a fishing program at Southaven County Park and for emergency disaster relief equipment for the American Red Cross (Towle). Motion by

Legislator Towle, seconded by --
LEG. FOLEY:
Second.
LEG. HALEY:
Second.
P.O. TONNA:
-- Legislator Haley, I heard him first. All in favor? Opposed?
Approved.
LEG. CARACAPPA:
Cosponsor.
LEG. FISHER:
Cosponsor.
MR. BARTON:
16, two not present (Not Present: Legislators Levy & Guldi).
1486 - Amending the 2000 Operating Budget and transferring funds for the Probation Department Community Services Juvenile Alternative Sentencing Program (Guldi). Motion by Legislator Guldi,
seconded by --
LEG. CRECCA:
Crecca.
P.O. TONNA:
-- Legislator Crecca. All in favor? Opposed? Approved.
MR. BARTON:
16, two not present (Not Present: Legislators Levy & Guldi).
1487 - Amending the 2000 Operating Budget and transferring funds to

various community organizations for Youth Gang prevention Programs (Haley). Motion by Legislator Haley.
LEG. CARACAPPA:
Second.
P.O. TONNA:
Seconded by Legislator Caracappa.
LEG. ALDEN:
Put me down as a cosponsor.
P.O. TONNA:
Okay, and a cosponsor with Alden.
LEG. CRECCA:
Cosponsor also.
P.O. TONNA:
And Crecca.
LEG. TOWLE:
Cosponsor.
LEG. CARPENTER:
Cosponsor.
P.O. TONNA:
All in favor? Opposed?
LEG. HALEY:
Mr. Chairman?
P.O. TONNA:
Approved.
LEG. HALEY:
Mr. Chairman, just real quick on that.
P.O. TONNA:

Yes. This was part of all that {pork} Money we spent last year.
MR. BARTON:
17, one not present (Not Present: Legislator Levy).
LEG. HALEY:
But what we did and what my concerns were were the youth -- there was a major project and a major report on youth gangs in Suffolk County which talked a lot about enforcement, but there was a small section on prevention which I picked up and looked across the County which is to develop a model. And we felt, looking across the County, that some of the best areas that were in need of youth gang prevention were Islip and Huntington, and then we split the remaining money into smaller areas in Brookhaven.
P.O. TONNA:

Thank you. This is a big resolution and I wanted to hear it. Very good, Marty.
LEG. HALEY:
Thank you.
P.O. TONNA:
All right, motion -- 1519 - Amending the Adopted 2000 Operating Budget and transferring funds to establish reverse 911 System for Suffolk County (Tonna). I will make a motion by myself, seconded by Legislator Alden. All in favor? Opposed? Approved.
MR. BARTON:
17, one not present (Not Present: Legislator Levy).
LEG. ALDEN:
1048, to close the debate.
P.O. TONNA:
Okay, back to 1048. Do we have -- Fred, you're here.
MR. POLLERT:
Yes.
P.O. TONNA:
1048 --
LEG. CARPENTER:
Explain.
P.O. TONNA:
I think Legislator Alden would like to have a little explanation of the scope of this.
MR. POLLERT:
Yes, when the Legislature adopted the Operating Budget it was in conformance with all of the cap laws. During the budget veto process, there was a variety of items that cut appropriations that were vetoed, they were not overridden by the County Legislature. As a consequence, total appropriations increased by $1.9 million more than was allowable underneath the expenditure cap. Therefore, the 2000
Operating Budget is currently above the expenditure cap.
What this resolution would do would be to strike appropriations which we have determined to be surplus appropriations to bring the budget back into compliance with the expenditure cap. The areas that are going to be struck or laid out in attachment A, specifically it would reduce transfers to towns for town revenue sharing for public safety. The reason for that is the original dollar amount was predicated upon the County Executive's recommended sales tax transfer to the Police

District, that was reduced by the Legislature. So because the sales tax was reduced to the Police District, the distribution to the towns and the villages should also be reduced.
The other offset comes from the health insurance fund where we had double budgeted funds in both the mandated and the discretionary

00393

portion of the budget and there is a pure surplus there.
So what this resolution does is it strikes $1.9 million worth of appropriations, it will not have any budgetary impact either programmatically or staffing level wise. And it just removes appropriations which we have determined to be surplus appropriations.
LEG. CARACCIOLO:
Question.
P.O. TONNA:
Okay, hold it a second. I think legislator Caracciolo has the floor.
LEG. CARACCIOLO:
Thank you. Geez, I have to get you a hearing aid.
P.O. TONNA:
I can't see you.
LEG. CARACCIOLO:
You need glasses, too. Fred, the net effect, if this resolution is adopted, on towns and villages that not only lobbied and successfully lobbied for the passage of additional revenue sharing funds, but may have in fact budgeted and/or received County funds -- well, let me ask you this question. They obviously budgeted in their town budgets funds to the amount that's included in Exhibit A; have they received these funds yet?
MR. POLLERT:
No, they have not. And based upon discussions which I had with the Budget Director, it's both of our opinions that it would be inappropriate to transfer the funds which are based upon the recommended budget when the adopted budget included a different amount for the sales tax.
LEG. CARACCIOLO:
Okay. So what is the amount the towns and villages can expect to receive without the adoption of this resolution, what is that amount; what is the difference between that amount and the amount that's included in Exhibit A?
MR. POLLERT:
It would be $4.2 million versus $3.66 million, it would be a reduction of $573,000.
LEG. FOLEY:
And where's it coming from?
LEG. CARACCIOLO:
Five hundred and seventy-three thousand.
MR. POLLERT:
That is correct.
LEG. CARACCIOLO:
So, for example, the Town of East Hampton would receive 50,00 less, the Town of Riverhead $100,000 less, Shelter Island, $9,800 less,

00394

Southampton $167,000, Town of Southold 77,000 less.
MR. POLLERT:

That's correct.
LEG. CARACCIOLO:
Okay, etcetera.
MR. POLLERT:
Yes.
LEG. HALEY:
That's your vote, huh?
LEG. CARACCIOLO:
Okay.
P.O. TONNA:
Okay.
LEG. ALDEN:
Whoa, whoa. Fred -- through the Chair?
P.O. TONNA:
Yes.
LEG. ALDEN:
On that explanation, they're not going to get that money anyway.
MR. POLLERT:
That is correct.
LEG. ALDEN:
So they're not receiving anything less than what they basically were expecting to receive.
MR. POLLERT:
Yes. During Fiscal Year 2000, there was approximately a doubling in the amount of money that was going to the towns and villages. The reason for that is there was a change in State Law that allowed up to one half -- up to one-quarter cent of sales tax to be distributed to the Police District. In 1999, we only used approximately one eighth of a cent, for Fiscal Year 2000 we used approximately a quarter percent. So the amount that they received last year was approximately $2.1 million. The amount was recommended by the Executive to be $4.2 million, but that was prior to sales tax being reduced, so the $3.6 million is the amount of money that they will be receiving irrespective if this resolution is adopted or not.
LEG. CARACAPPA:
Motion to table.
LEG. GULDI:
If I may.

P.O. TONNA:
Yes, you may.
LEG. GULDI:
Yes, Mr. Chairman, I just wanted to round out Legislator Caracciolo's comments. The Village of Amityville will receive $40,000 less. The Village of Asharoken will receive $3,500, the Village of the Head of Harbor will receive $5,800 less, the Village of Huntington Bay will receive $6,600 less, the Village of Lloyd Harbor will receive $14,500 less, the Village of Nissequoque will receive $7,000 less, the Village of Northaven is $3,000 less, the Village of Northport is $32,900 less, the Village of Ocean Beach is $570 less, the Village of Saltaire is only $165 less. Thank you.
LEG. ALDEN:
Whether this is adopted or not. Thank you for clarifying that,

Legislator Guldi.
P.O. TONNA:
This bill has nothing to do with that, it's going to happen as a function of the Omnibus, not a function of this bill. Okay. So anyway, there's a motion and a second. All in favor? Opposed?
LEG. CARACCIOLO:
Opposed.
LEG. GULDI:
Opposed.
LEG. CARACAPPA:
Abstain.
P.O. TONNA:
Opposed, Legislator Caracciolo, Legislator Guldi and Legislator Cooper.
LEG. CARACAPPA:
Abstain.
P.O. TONNA:
And Legislator Postal.
MS. FARRELL:
Is a no?
MR. BARTON:
Is a no?
P.O. TONNA:
Yeah, she's a no.
LEG. BISHOP:
Opposed.
P.O. TONNA:
All right, and also Bishop; did you see Bishop, you got him?

MR. BARTON:
Yes. I have 11-5-1-1.
P.O. TONNA:
Okay. 16 -- 1568 - Transferring contingent funding for various contract agencies (Phase II) and amending Resolution No. 79-2000 (Presiding Officer Tonna).
LEG. CARACAPPA:
Motion.
P.O. TONNA:
Motion by Legislator Fisher, seconded by Legislator Caracappa. All in favor? Opposed? Approved.
MR. BARTON:
17, one not present (Not Present: Legislator Levy).
1573 - Amending the 2000 Operating Budget to transfer funds and create staff positions in the Department of Social Services (Foley). Motion by Legislator Foley.
LEG. BISHOP:
Second.
P.O. TONNA:
Seconded by Legislator Fisher.
LEG. BINDER:
Explanation.
P.O. TONNA:
Explanation.
LEG. LEVY:

Henry, I was here for the last one.
LEG. FOLEY:
It's 13 new positions in CSEB. Over a long period of time we have heard testimony about the need, the crying need for additional staff throughout the Department of Social Services and in particular in the areas of the Child Support Enforcement Bureau. We've heard a number of horror stories about the problems there. A number of Legislators have taken different approaches to try and improve the operations at CSEB and one of the fundamental issues in that bureau is the fact -- and we've heard it from people who work there to this day -- is that the caseloads are far too high. So what this resolution will do will greatly assist that bureau to move forward with lowering the caseloads per worker by giving them an additional 13 positions, most of which are Child Support Specialists with a couple of other clerical positions as part of the 13 overall.
What's happened too often -- and I will leave you with this. What's happened too often, and I think others around the horseshoe will concur, that many times our Legislative Offices have become adjuncts to the DSS, and one of the areas that we have been adjuncts has been with

CSEB. I can tell you on a weekly basis that I have staff who have to spend hours doing work that should be done by the department but isn't because the caseloads are so heavy that our constituents can't get a live person at the other end of the phone so they end up calling their local Legislators to do the work that would otherwise be done if there was proper staffing at CSEB.
LEG. CARPENTER:
Mr. Chairman?
LEG. BINDER:
Can you just tell me what the offset is?
LEG. FOLEY:
It's not an offset. I'm sorry. Fred?
LEG. BINDER:
Right, turnover savings.
LEG. FOLEY:
Turnover savings.
LEG. BINDER:
Basically I just want to know how many positions? I mean --
LEG. FOLEY:
Thirteen.
LEG. BINDER:
Right, that's all I needed in the offset, I didn't need the -- well, okay.
LEG. FOLEY:
Turnover savings.
LEG. CARPENTER:
Mr. Chairman?
P.O. TONNA:
Yes, Legislator Carpenter.
LEG. CARPENTER:
Thank you. I'm happy to support this resolution, I would like to cosponsor the resolution. And hopefully at the next meeting we will be adopting the booting bill and we'll have the staff to implement it.

LEG. BINDER:
Yeah. Mr. Chairman?
LEG. CRECCA:
Cosponsor, Henry.
LEG. BINDER:
Mr. Chairman, I would like to be -- I would also like to be listed as a cosponsor. And I think the most important part of this bill is going to be the follow up to see that the staffing actually gets done and I

00398

would hope that we're going to be vigilant in watching as we have in the past. But I would like to make sure I'm cosponsor on the bill.
LEG. HALEY:
Me too.
LEG. CARACAPPA:
Cosponsor.
LEG. GULDI:
Mr. Chairman? Mr. Chairman, if I may?
P.O. TONNA:
Yes.
LEG. GULDI:
I would like to ask the sponsor, the fate -- I had filed a bill previously, we talked about this. I know my bill called for the creation of, what, 40 positions, 30 positions?
LEG. FOLEY:
Forty throughout the County.
LEG. GULDI:
Throughout the County.
LEG. FOLEY:
Throughout the department.
LEG. GULDI:
Why are we limiting this to 13 and how does it address the huge backlog and caseloads in that department?
LEG. FOLEY:
Fair question. This focuses exclusively on CSEB, it doesn't go into the other divisions or units or areas of the department, solely CSEB. Yours is more of a universal approach to other divisions as well.
P.O. TONNA:
Wasn't there a bill that we just approved, though, today --
LEG. FOLEY:
Yeah, the County Executive.
P.O. TONNA:
-- for 23 additional positions?
LEG. FOLEY:
Thirty.
P.O. TONNA:
Thirty positions?
LEG. FOLEY:
It's the County Exec's.

00399

P.O. TONNA:
So I think we're moving in the right direction, 43 all total.
LEG. GULDI:
Add me as a cosponsor to this and to the County Exec's bill, please.

P.O. TONNA:
Great. All in favor? Opposed? Approved.
LEG. FOLEY:
Thank you.
P.O. TONNA:
Congratulations, Legislator Foley. Now we're into Public Safety.
MR. BARTON:
Mr. Chairman, the vote on 1568 was 18, the vote on 1573 was also 18.
P.O. TONNA:
Okay. Now we're into Public Safety:
1423 - Authorizing County Police Department to provide Medevac Helicopter services from Suffolk County Gabreski Airport during summer months (County Executive). Motion by Legislator Bishop, 1423.
LEG. FISHER:
Well, actually there is an error. It says that it's the County Executive and I'm the sponsor.
P.O. TONNA:
Okay.
LEG. GULDI:
Cosponsor.
P.O. TONNA:
That's Legislator Fisher, so now we're going to change that. Legislator Fisher is the sponsor.
LEG. TOWLE:
Second.
P.O. TONNA:
Seconded by Legislator Towle. All in favor? Opposed?
LEG. FOLEY:
Mr. Chairman? Mr. Chairman?
LEG. ALDEN:
On the motion.
P.O. TONNA:
On the motion.
LEG. FOLEY:
Mr. Chairman, does this mean that Legislator Fisher has no fear of flying?

00400

LEG. FISHER:
Okay. We're on 1423?
LEG. GULDI:
You should read the book before you do that.
LEG. ALDEN:
If we could get a couple of questions answered.
P.O. TONNA:
Okay, a couple of questions. Legislator Alden has the floor. Budget Review, are you ready to answer his questions?
MR. POLLERT:
Certainly.
LEG. ALDEN:
All right. How is this going to work now?
MR. POLLERT:
What this is is a policy statement that would set up a second location at Gabreski Airport next year and not the summer time.

LEG. ALDEN:
Okay. And it's predicated on us actually taking delivery of enough helicopters to man those areas?
MR. POLLERT:
That is correct.
LEG. ALDEN:
All right. And what's the cost on this?
MR. POLLERT:
Depending upon how they decide to implement it, if they have a hangar there or if they fly it back and forth. The total estimated cost --
LEG. ALDEN:
Hold it a minute, Fred, I can't really hear you.
MR. POLLERT:
It all depends how they decide to station the aircraft area, if they're going to rent hangar space or if they're going to fly it back and forth. But the bottom line would be that the approximate cost would be approximately $120,000 based solely on additional overtime costs.
LEG. ALDEN:
It's all overtime, though, right?
MR. POLLERT:
That's correct.
LEG. ALDEN:
Okay.

P.O. TONNA:
All right. All in favor? Opposed?
LEG. CARPENTER:
Just a moment. I think Legislator Alden raised a good point. And I certainly have no problem supporting this, but I would just ask Legislators when we're doing the Operating Budget and there are questions about why the police overtime is going up, it's situations like this that cause overtime to rise. We make decisions throughout the year for the services that we want for our constituents, but we also have to be willing to pay for it when budget time comes.
P.O. TONNA:
Okay. We have another --
LEG. ALDEN:
I just have one more question.
LEG. CARPENTER:
And I would like to cosponsor this.
P.O. TONNA:
Okay. Go ahead, Legislator Alden.
LEG. ALDEN:
And I'm not sure if Budget Review can answer this or maybe the sponsor. How much time does this cut down on response to a Medevac situation?
LEG. GULDI:
It depends on where it is.
LEG. FISHER:
Well, today Dr. Alicandro spoke to that issue, it depends on how much time an ambulance would take to get to a hospital. She said that it could take as long as one hour, over an hour to get someone if they're way out on the east end in summer traffic.
LEG. GULDI:

She is here.
LEG. CARACCIOLO:
She is here.
LEG. FISHER:
Oh, Dr. Alicandro can answer that question.
P.O. TONNA:
Okay, Doc, come on up. You have been here for a long time. Are you on call at least or what? No, go ahead.
DR. ALICANDRO:
I'm working here.
P.O. TONNA:
You're working? All right.

DR. ALICANDRO:
It's important, though.
LEG. ALDEN:
Basically, because if --
DR. ALICANDRO:
Do you mean between Islip and Gabreski, the time difference?
LEG. ALDEN:
Well, if you had a situation out on the east end that needed an air Medevac and they had to come out of Islip as opposed to coming out of Gabreski, how long is the difference of the time saved?
DR. ALICANDRO:
The pilots have quoted 15 to 20 minutes difference.
LEG. ALDEN:
I'm sorry, what?
DR. ALICANDRO:
The pilots have quoted a 15 to 20 minute difference, closer to 20 minutes from what I've been told, in ETA.
LEG. ALDEN:
So they're going to be able to respond to --
DR. ALICANDRO:
Quicker, 20 minutes quicker.
LEG. ALDEN:
By 15 to 20 minutes.
DR. ALICANDRO:
From Gabreski, yes.
LEG. ALDEN:
Okay.
DR. ALICANDRO:
Which when you're talking about an hour total is significant.
LEG. CARACAPPA:
Mr. Chairman?
P.O. TONNA:
Yes, Legislator Caracappa.
LEG. CARACAPPA:
A lot of the cost is also predicated upon what the policy decisions will be of the Police Department relating to the east end location. Number one, will it be Gabreski -- it's getting late -- the hangar issue, as well as the overtime issue with regards to the staffing. I had asked the Police Department if they had planned to have personnel driving out to the eastern location on a daily basis or will they have

a manned crew out there to be assigned out east instead of having to

expend the overtime for sending someone out there just in regards to travel. And also, you have to look at the maintenance on the ship itself because they're still unaware if they're going to keep it at Gabreski or an east end location or fly it back routinely to Islip. And you have to take into account the fuel, the maintenance, the wear and tear on the machine, the air time that it will lose on the ground during that maintenance. So these are all factors that are going to play a large part in the daily cost or the yearly cost or the entire cost of the operation of having an east end helicopter. Now, I had asked for those --

P.O. TONNA:

Joe, just wait a second. Could I ask everyone, please, there are Legislators on this side of the horseshoe that can't even hear, please. Okay, Joe.

LEG. CARACAPPA:

I had asked for some preliminary policy decisions with regard to this and I haven't received them yet, and I do think it plays -- and we should know what are the policies going to be. Will there be a crew manned out on the east end or will we be paying them overtime, is the vessel going to be kept out there and where, will it be flying back to Islip? You know, the costs associated with those three things alone could be enormous. And I really do feel that we should know these things before we move forward.

P.O. TONNA:

Okay. Legislator Fisher.

LEG. FISHER:

Okay. The Police Department, when they did the presentation on the consultant's report, included a partial report on how they would treat an eastern facility. And when we discussed this, we discussed the pilot program which is basically what this turns out to be because we're only doing it in the summer. It's only for the summer months so that we can see -- it will help us see the feasibility of an actual working program, and that is the time when we need the helicopter to be on the east end the most. That's when many of our constituents from all over Long Island are traveling out to the east end, there's a tremendous amount of traffic out there, the congestion makes it very difficult for ambulances to get out there. And people have to be brought back to the tertiary trauma center which is Stony -- the Regional Trauma Center which is Stony Brook University, and that's why we need to do a summer program.

P.O. TONNA:

Okay. Is there any other speakers?

LEG. CARACAPPA:

Mr. Chairman?

P.O. TONNA:

Legislator Caracappa.

LEG. CARACAPPA:

I agree with the program, I think it's necessary. But I do think we

need to know the answers with regards to what I said before we know what we're doing. We don't have all the particularies and that's going

to be a lot of the costs associated with what we're going to do here. They're simple questions and I would just like some answers and I haven't gotten them, not even close, not even a phone call from either Stony Brook Hospital, the Police Department, nothing. It's like these questions just fly in the wind, better than the helicopters for that matter, and I'm kind of shocked that I haven't gotten an answer yet. I am, I'm shocked.
P.O. TONNA:
Okay, could we please have the vote? As the sponsor said, may we please have the vote? Okay. All in favor? Opposed?
LEG. CARACAPPA:
Opposed -- abstain.
P.O. TONNA:
Abstain, Legislator Caracappa.
LEG. CRECCA:
I'm abstaining also for the same reasons stated by Legislator Caracappa.
LEG. BINDER:
Put me down as an abstention.
LEG. D'ANDRE:
Put me down as a cosponsor.
P.O. TONNA:
Make that three abstentions.
LEG. D'ANDRE:
Put me down as a cosponsor.
P.O. TONNA:
Cosponsor, Legislator -- four? Legislator Crecca, Legislator Binder and Legislator Caracappa. Okay, thank you very much.
MR. BARTON:
15, 3 abstentions.
P.O. TONNA:
1430 - Authorized volunteer Fire, Rescue & Emergency Services advertising space at the County ball park in Central Islip (Postal). Legislator Postal, do you have a motion?
LEG. POSTAL:
Motion to approve.
P.O. TONNA:
Motion to approve Resolution 1430, seconded by --
LEG. FIELDS:
Me, me.

P.O. TONNA:
Legislator Fields this time. All in favor? Opposed? Approved.
LEG. CARACAPPA:
On the motion, Mr. Chairman. Just so everyone knows, we're already doing through verbal addresses at the ball park these types of announcements until we move forward with some sort of video or program to do at the ball park. So it's a nice commercial and it does get the attention of the people at the ball park to volunteer for the services that they're talking about.
P.O. TONNA:
That's great. Can I ask you, do you have any say in --
LEG. BISHOP:

Let's roll, we've got one hour.
P.O. TONNA:
I have a question, just wait.
LEG. CRECCA:
Cosponsor, Henry.
P.O. TONNA:
Who is the one who determines the different public safety addresses or whatever else?
LEG. CARACAPPA:
Well, it's up to the ball park operator being the Ducks.
P.O. TONNA:
Well, I would ask, since you talk to The Ducks on a regular basis, I'm sure --
LEG. CARACAPPA:
I've been talking to the ducks for a long time, but that's another story.
P.O. TONNA:
Right. Could you also do something with regard to Foster Children? Maybe we can do something about volunteering for foster adoptive children.
LEG. CARACAPPA:
Sure, that could probably be handled.
P.O. TONNA:
I think those are two good things.
LEG. CARACAPPA:
And I'll speak to you or someone in your office first before we move forward.
P.O. TONNA:
Absolutely. Legislator Cooper and I will work on that project. Thank

you. Okay. 1559 --
MR. BARTON:
The vote on 1430.
P.O. TONNA:
Yeah, go ahead, tell us.
MR. BARTON:
All in favor? Opposed? Abstentions? It's 18.
P.O. TONNA:
All in favor? Opposed? Abstained?
MR. BARTON:
18
P.O. TONNA:
You got it.
1559 - Accepting and appropriating $25,000 made available by the State of New York Governor's Traffic Safety Committee to apprehend aggressive drivers with 92% support (County Executive). Is there a motion?
LEG. FISHER:
Yes.
P.O. TONNA:
Motion by Legislator Fisher, seconded by Legislator Carpenter. All in favor? Opposed? Approved?
MR. BARTON:
18.

LEG. BISHOP:
Same motion, same second.
P.O. TONNA:
1560 - Accepting and appropriating $25,000 made available by the State of New York Governor's Traffic Safety Committee to enforce regulations regarding junior license operators with 90% support (County Executive). Is there a motion?
LEG. BISHOP:
Same motion.
P.O. TONNA:
Same motion, same second, same vote.
MR. BARTON:
18.
P.O. TONNA:
1561 - Accepting and appropriating 75% Federal Grant Funds from the District Court of Suffolk County to the Department of Health Services, division of Community Mental Hygiene Services, for the Criminal Drug

Court Program (County Executive).
LEG. FISHER:
Same.
P.O. TONNA:
Is there a motion? By Legislator Fisher, seconded by Legislator Fields. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Social Services:
1405 - Adopting Local Law No. 2000, a Local Law to strengthen Deadbeat Parent Occupational Licensing Law (Postal). Motion by Legislator Postal.
LEG. FOLEY:
Second.
P.O. TONNA:
Seconded by Legislator Foley.
LEG. HALEY:
Quick question?
P.O. TONNA:
All in favor? Okay, on the motion.
LEG. HALEY:
Explanation, please, Max, just real quick.
LEG. CRECCA:
Henry, cosponsor on that.
LEG. CARPENTER:
Cosponsor.
LEG. TOWLE:
Cosponsor.
LEG. POSTAL:
It just makes it consistent. There was an amendment to the law that allowed CSEB to kind of give a statement that a person had come up-to-date with his or her payments and they would get their license, but the amendment only affected certain occupations and not all of them. So this would just include all of them.

LEG. GULDI:
Second.
LEG. COOPER:
Cosponsor.

00408

P.O. TONNA:
All in favor? Opposed? Cosponsor. Who's a cosponsor? Legislator Cooper, Legislator Carpenter, Legislator Crecca, Legislator Alden -- I mean Legislator D'Andre, Legislator Binder. Okay, all in favor? Opposed?
LEG. BINDER:
No, on the motion.
P.O. TONNA:
Oh, on the motion, you're not a cosponsor.
LEG. BINDER:
Yeah, cosponsor.
P.O. TONNA:
Okay, go ahead.
LEG. BINDER:
I'm just wondering, do they have enough staff? I mean, with what's going on at CSEB, is this the right time that we should be doing this?
LEG. POSTAL:
They said they wanted it done.
LEG. BINDER:
Is this putting a burden --
LEG. CARACAPPA:
They're getting 43 new staffers.
LEG. CRECCA:
It's okay.
LEG. BINDER:
No, I guess not. All right, all right, I won't rub it in.
LEG. CRECCA:
Legislator Postal should be commended, actually, it really fills in a gap that was in the law.
MR. BARTON:
18.
P.O. TONNA:
All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
There you go, Henry.
LEG. FISHER:
Henry, cosponsor.
P.O. TONNA:
Okay, Health. Ginny, you ready? 1546, motion by Legislator Fields,

00409

seconded by Legislator Fisher. All in favor? Opposed?
MR. BARTON:
You skipped one, you skipped one.
LEG. CRECCA:
What happened to 1538?
P.O. TONNA:
1538 - Authorizing the creation of 30 positions in the Department of

Social Services to be funded in the 2000 Fiscal Year by the Department's Turnover Savings (County Executive). Motion by myself, seconded by --
LEG. LEVY:
Motion to table.
P.O. TONNA:
Motion to table by -- okay. You have a second?
LEG. HALEY:
There is no second.
LEG. LEVY:
I think -- Dave, weren't you going to table this bill?
LEG. POSTAL:
You're going to table this?
LEG. HALEY:
What are you nuts?
LEG. CRECCA:
It's social service, why would you table this?
LEG. LEVY:
I'm sorry.
P.O. TONNA:
Okay. There is a motion to approve 1538 by myself, seconded by Legislator Fisher.
LEG. TOWLE:
Explanation.
P.O. TONNA:
All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Health:
1546 - Authorizing the approval for Suffolk Health Plan to pay membership dues for the participation in an organized Managed Care

Association (County Executive). There was a motion by Legislator Fields, seconded by Legislator Foley. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Now, 1563 - Amending the department of Health Services 2000 Operating Budget to reallocate budgeted funds within the Division of Patient Care Services in contract agencies and fees for services (County Executive). Motion by Legislator Fields, seconded by Legislator Foley. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Parks, Land Acquisition & Cultural Affairs:
1060, the famous 1060 - Implementing Greenways Program in connection with acquisition of active parklands adjacent to Northport Veteran's Administration (Town of Huntington) (Cooper).
LEG. COOPER:
Motion to approve, please.
LEG. FISHER:

Second.
P.O. TONNA:
I will second by myself this one.
LEG. FISHER:
Okay.
P.O. TONNA:
All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1118 - Approving acquisition under Suffolk County Land Preservation Partnership Program (Manorville Branch Road - CR 91) (Town of Brookhaven) (Caracciolo).
LEG. CARACCIOLO:
Motion.
P.O. TONNA:
Motion by Legislator Caracciolo, second by Legislator Guldi. All in favor? Opposed? Approved.
MR. BARTON:
18.
LEG. LEVY:

I'm going to abstain.
P.O. TONNA:
Abstain, Legislator Levy.
LEG. CARACAPPA:
Two, right here. Question on that.
P.O. TONNA:
You have a question on this?
LEG. CARACAPPA:
You know what? Let it go.
P.O. TONNA:
Yeah, let it ride.
LEG. LEVY:
I apologize, put me in favor of that.
LEG. CARACAPPA:
I'm going to vote yes.
P.O. TONNA:
Okay, so he's not abstaining on 1118.
MR. BARTON:
The vote is then 18.
LEG. CARACAPPA:
I'm sorry.
P.O. TONNA:
Okay.
1202 - Approving acquisition under Suffolk County Land Preservation Partnership Program (Property adjacent to Veterans Administration) (Town of Huntington) (Cooper). Legislator Cooper makes the motion, I second it. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
Okay, there you go.

1205 - Implementing Greenways Program in connection with acquisition of active parklands at Bellview Avenue, Center Moriches (Town of Brookhaven) (Towle).
LEG. TOWLE:
Motion.
P.O. TONNA:
Motion by Legislator Towle, seconded by Legislator Caracappa. All in favor? Opposed? Approved.

00412

MR. BARTON:
18.
LEG. LEVY:
I abstain.
P.O. TONNA:
And Legislator Levy abstains.
MR. BARTON:
17.
P.O. TONNA:
1315 - Approving acquisition under Suffolk County Land Preservation Partnership Program (Potts Property, Fort Pond, Montauk) (Town of East Hampton) (Guldi). Motion by Legislator Guldi, seconded by Legislator Caracciolo. All in favor? Opposed? Approved.
MR. BARTON:
18.
P.O. TONNA:
1396 - Approving the appointment of Ronald Parr as a member-at-large of the Suffolk County Planning Commission (County Executive). Motion by?
LEG. FISHER:
Motion.
P.O. TONNA:
Legislator Fisher.
LEG. LEVY:
Hold on, hold on.
LEG. TOWLE:
Question.
P.O. TONNA:
Okay, hold it a second.
LEG. FIELDS:
We're talking about 1396?
LEG. FOLEY:
Yes.
P.O. TONNA:
1396.
LEG. LEVY:
Abstain.
LEG. TOWLE:
Question.
P.O. TONNA:
All right, everybody, hold it a second.

00413

LEG. GULDI:
Who made the motion?
P.O. TONNA:

Motion by -- actually, the motion was by Legislator Fields, seconded by Legislator Carpenter.
LEG. FIELDS:
No, no.
P.O. TONNA:
Fisher, Fisher; the hand is over there, I meant Fisher. Seconded by Legislator Carpenter.
LEG. GULDI:
On the motion.
P.O. TONNA:
On the motion.
LEG. GULDI:
It's come to my attention today that this application is replacing Mardooni Vahradian from Southampton over his objections and without his consent, in spite of his years of service on this board. And I'm going to oppose the resolution on that basis alone.
LEG. TOWLE:
Motion to table.
P.O. TONNA:
Okay. So motion -- I mean not a motion, he's just in opposition. Let's call the vote.
LEG. FIELDS:
Wait, wait. Can I say something?
LEG. GULDI:
I will second the motion to table.
P.O. TONNA:
Okay, there is a motion to table by who?
LEG. TOWLE:
Me.
LEG. FIELDS:
I will make a motion to table.
LEG. GULDI:
I'll second.
P.O. TONNA:
Okay. Legislator Fields made a motion to table.

LEG. HALEY:
On the motion.
P.O. TONNA:
Seconded by Legislator Guldi.
LEG. HALEY:
On the motion.
P.O. TONNA:
On the motion.
LEG. LEVY:
On the motion. On the motion. Who you calling?
P.O. TONNA:
I told Legislator Haley.
LEG. HALEY:
I know Moon pretty well, but I know that there's no way that he's probably going to get the supervisor. So you're either going to leave that position blank or you're going to accept what the Supervisor suggests. So I don't think it serves a purpose to table it.

LEG. FIELDS:
Okay. I have a bill -- can I go?
P.O. TONNA:
Yeah.
LEG. FIELDS:
When this came before the committee, I opposed -- well, I don't know if I opposed this one.
LEG. CARPENTER:
No, you did not.
LEG. FIELDS:
-- but I opposed another one, right, but I would like to oppose it now. I have a concern about the composition of the Planning Commission and I am working on a bill to change that composition. I think that we need some diversity and with the Smart Growth Bill that we have passed, I think this has some problems with it and it has inherit conflicts to have big developers on the Planning Commission without it being more diversified.
P.O. TONNA:
Okay.
LEG. CARPENTER:
On the motion.
P.O. TONNA:
Wait, wait. Legislator Levy had the floor, then Legislator Carpenter.

LEG. LEVY:
I have a question to either the County Executive staff or to Counsel; how many total positions are there on the Planning Board and how many do we know are developers?
MR. SABATINO:
Well, I know there's 15 members, there's three at-large, 10 come from each of the 10 towns geographically, and two are to represent villages. I don't know the breakout of the developers, I think that was addressed at the Parks Committee but I don't recall what the number was.
LEG. FISHER:
I can't remember the breakdown. I think there were six developers.
LEG. LEVY:
Okay. You know, it's one thing if you want to have a representative at large for the builders institute it's another thing when you start having numerous builders providing influence on this panel. Some, I've overheard, said that should be a town decision; no, this should be a County policy statement. These are the people who are going to determine the future land use patterns of this very fragilely environmental area, and we have to make sure that we don't create a system where the fox is guarding the chicken coop.
Like I say, you could have an environmentalist, you can have a builder, but you can't have too much of any one entity or it gets out of balance. And there seems to be a number of developers who are on the panel and, you know, maybe one representative is fine, when you start getting into three, four, maybe five, I think it's going a bit overboard and it's tilting the balance a little too much toward a predisposition of development.
LEG. D'ANDRE:
Mr. Chairman?

LEG. FISHER:
Mr. Chairman?
P.O. TONNA:
Yes. Wait, just wait. Legislator Haley I think.
LEG. FISHER:
Well, I was first --
P.O. TONNA:
Okay.
LEG. FISHER:
-- and then he was following me, again.
P.O. TONNA:
All right. And who's over here that said Mr. Chairman? Okay, just wait. Actually, Legislator Fisher --

LEG. FISHER:
Okay. I have to concur --
P.O. TONNA:
Actually, it was then Legislator Carpenter, then Legislator Haley, then Legislator D'Andre.
LEG. CARPENTER:
That's all right, it doesn't matter.
LEG. FISHER:
Okay. Well, as Chair of Parks and I have reviewed the resumes and I concur with everything that Legislator Fields and Legislator Levy have both said, that we need establish some kind of guideline that asks for diversity in the makeup of the -- of this Planning Commission, we can't have the equilibrium, the balance skewed to developers and builders. It's important to have some developers on it, I think it's a good idea, but we need to have a balance. When we did look at the resumes that we received, there were a number of people who had very good qualifications and backgrounds and planning from different municipalities and some that had come from other areas and had been planners in other areas, so that was a good sign.
I think it will be very important to have Legislator Fields' resolution calling for a balance and I've asked her if I could cosponsor that resolution with her, because we need to spell out what we're looking for. I don't think it's fair to the appointees who are coming before the committees as volunteers to be scrutinized and torn apart if they're well meaning people who are coming to pay some service to their community if we're going to take them at their word that that's what they're doing. So I think it behooves us to set forth guidelines so that we're not faced with that kind of confrontational or adversarial type of dialogue between the Parks Committee and the people who are coming before us as appointees. So I applaud Legislator Fields' initiative with this resolution and I certainly support her and hope that you will.
LEG. HALEY:
You've got to be kidding me.
P.O. TONNA:
Okay. Legislator Haley.
LEG. HALEY:
You've really got to be kidding me. And when you look at the Charter and you look at the whole intent of it -- first of all, the towns have

zoning, all right, and it was a stretch to allow the County to even pass any judgment, all right, which they give a little bit of judgement because if they disapprove of a resolution that is presented before a town, then the town has to come up with a super majority, a majority plus one.
The whole intent was to already infringe somewhat on the zoning of various towns, but what they did in return for that infringement, they have said that those towns could select the representation on the zoning -- on this Planning Commission, three being at-large and I used

to be one of those, ten towns and two villages. If you think that the at-large members needed to represent a specific slant then perhaps you can approach that, but I don't think it's appropriate at all to tell the towns or the villages who they should send as representatives to the Suffolk County Planning Commission. But that's on the general question. Where are we, 1396?
LEG. CARPENTER:
1396.
P.O. TONNA:
Yeah. Legislator Carpenter.
[RETURN OF COURT STENOGRAPHER-LUCIA BRAATEN]
LEG. CARPENTER:
Thank you, Mr. Chairman. What you were saying, Legislator Fields, was a little contradictory when you were saying that we should not be bringing people down and asking them questions, which is exactly what we did with these appointments.
LEG. FIELDS:
You said Fields.
LEG. FISHER:
No.
LEG. CARPENTER:
Fisher. Sorry.
LEG. FISHER:
No, I didn't say that we shouldn't be asking them questions.
LEG. CARPENTER:
No. You said that it isn't fair --
LEG. FISHER:
You asked --
LEG. CARPENTER:
-- to bring them down and scrutinize them.
P.O. TONNA:
Wait, wait, wait, wait, wait. Legislator Carpenter has the floor. Legislator --
LEG. FISHER:
I was correcting the quote.
P.O. TONNA:
Right. But you -- let her finish and then you can -- you can correct her.
LEG. CARPENTER:
Thank you. What we did was these people were brought down, they were questioned. In fact, they weren't just brought down once, they were

brought down twice, and I thought that was most unfortunate. There

were like four or five members of the public who had come to the committee meeting, had been told that they would have to appear to be questioned, and then they were dismissed, because it seems that there wasn't enough time to review their resumes, was what was said on the record.
LEG. FISHER:
Their resumes were not available.
LEG. CARPENTER:
Well, we had the resumes.
LEG. FISHER:
Not the first time.
LEG. CARPENTER:
Yes. But they were there.
P.O. TONNA:
Just everyone gets a chance to speak. Legislator Carpenter has the floor.
LEG. CARPENTER:
The people were. We could have questioned them, but they were sent away. Then they came back the following meeting and we questioned them, and almost all of the appointments, except maybe the last one, but I know in particular this first appointment, were all -- were all approved unanimously. They were questioned. This particular appointment, I know for a fact, did some projects in the Town of Islip that were really applauded for how they were done, the Park Row over y the Cohalan Court Complex. And the question of the perspective that a developer brings to the Planning Commission, I think the -- Mr. Jones, our Planning Commissioner, addressed those concerns. And I think it would be an injustice at this point in the process to deny these appointments. Now, if you want to come forward with some criteria for future appointments, I'd be happy to review it and most likely support it. But I think, at this point, we would do them a gross injustice not to approve -- not to approve these appointments.
LEG. D'ANDRE:
Mr. Chairman
LEG. FISHER:
Perhaps you misunderstood my statement. I certainly am not proposing that we not approve of these. That's certainly not what I was --
LEG. CARPENTER:
Okay, that's terrific. So then why don't we move forward with these?
LEG. FISHER:
That's certainly not -- I was just supporting what Legislator Fields and Levy had said. But what I was trying to say was that we might avoid making this kind of statement after people had been appointed.

LEG. CARPENTER:
Okay
LEG. FISHER:
That if we're going to have guidelines, let's do it before the fact rather than putting people in an awkward situation.
LEG. CARPENTER:
All right. Could we move forward, then?
LEG. FISHER:
Okay. We did approve these in Parks and I would like to vote on them.

P.O. TONNA:
Okay. In deference to -- I think Legislator Fields makes a very good point about the composition of the board. I happen to know Ron Parr personally. I think he's an excellent choice. And, as a matter of fact, I remember having a personal conversation with him months ago about, you know, what his vision is of the County and different things. I'm going -- I'm going to vote to approve Ron Parr. I think he's really a gem. But the rest of them, I am going to -- I'm going to vote to table until we do have some resolution that comes up with dealing with some type of composition. Anyway, so in front of --
LEG. HALEY:
Mr. Chairman.
LEG. FISHER:
Wouldn't that be going forward?
LEG. HALEY:
Mr. Chairman.
LEG. FISHER:
It's not really fair to --
LEG. HALEY:
Mr. Chairman, you can't do that.
LEG. FISHER:
-- base the judgment on these.
LEG. CARPENTER:
Well, why don't we take these one at a time?
P.O. TONNA:
Okay. Let's -- we'll take one at a time and I'll reconsider it. Let's do one at a time. Okay?
LEG. CARPENTER:
So we're on 1396.
P.O. TONNA:
We're on 1396. Motion --

LEG. FISHER:
Wasn't there a motion to table?
P.O. TONNA:
Motion -- no.
LEG. FISHER:
I think somebody made a motion to table.
P.O. TONNA:
Is there a motion to table?
LEG. GULDI:
Yes.
LEG. CARPENTER:
I make a motion to approve.
P.O. TONNA:
By Legislator Guldi.
LEG. GULDI:
Fields' motion, and I second it.
P.O. TONNA:
Okay, Fields and Guldi to table. All in favor? Let's do a roll call.
LEG. D'ANDRE:
Why are we tabling?
LEG. CARPENTER:

We're not.
P.O. TONNA:
We're not. Well, we are. We're voting to table right now.
(*Roll Called by Mr. Barton*)
LEG. FIELDS:
Motion to table, yes.
LEG. GULDI:
Yes, to table.
LEG. COOPER:
Yes, to table.
LEG. BINDER:
No.
LEG. POSTAL:
Yes.
LEG. BISHOP:
Pass.

LEG. D'ANDRE:
No, to table.
LEG. CRECCA:
No.
LEG. CARPENTER:
No.
LEG. ALDEN:
Nope.
LEG. FOLEY:
No.
LEG. HALEY:
No.
LEG. FISHER:
No.
LEG. CARACAPPA:
No.
LEG. TOWLE:
Yes.
[LEG. CARACCIOLO-NOT PRESENT]
LEG. D'ANDRE:
Motion to approve.
P.O. TONNA:
Just wait. Wait, let them finish.
LEG. LEVY:
Yes.
LEG. TONNA:
No, no. No, to table.
LEG. BISHOP:
No.
MR. BARTON:
Six. (Not Present: Leg. Caracciolo)
LEG. CARPENTER:
Motion to approve.
LEG. HALEY:
Second.
P.O. TONNA:

There's a motion already and a second.

LEG. FISHER:
I already had a motion.
P.O. TONNA:
There's a motion by Legislator Fisher and second by Legislator Carpenter.
MR. BARTON:
Okay.
P.O. TONNA:
Go ahead.
(*Roll Called by Mr. Barton*)
LEG. FISHER:
Yes.
LEG. CARPENTER:
Yes.
LEG. COOPER:
Pass.
LEG. BINDER:
Yes.
LEG. POSTAL:
No.
LEG. BISHOP:
Yes.
LEG. D'ANDRE:
Yes.
LEG. CRECCA:
Yeah.
LEG. ALDEN:
Yes.
LEG. FIELDS:
No.
LEG. FOLEY:
Yes.
LEG. HALEY:
Yes.
LEG. CARACAPPA:
Yes.
LEG. TOWLE:
No.

LEG. GULDI:
No.
LEG. CARACCIOLO:
Yes.
LEG. LEVY:
Abstain.
P.O. TONNA:
Yes, to approve.
LEG. COOPER:
Thanks, Paul. Yes.
MR. BARTON:
Thirteen. (Not Present: Leg. Caracciolo)

P.O. TONNA:
Thank you very much. Okay. Is there a motion?
LEG. HALEY:
On what?
P.O. TONNA:
On 1397 (Approving William Cremers as a member of the Suffolk County Planning Commission replacing Lydia A. Tortora representing the Town of Southold).
LEG. FISHER:
1397, Town of Southold. It's the person -- anybody --
LEG. CARACCIOLO:
Yes, yes. Motion, motion, motion.
LEG. LEVY:
Can anybody give us an idea who Lynn Tortora is?
P.O. TONNA:
Motion by Legislator Caracciolo.
LEG. FISHER:
Second.
P.O. TONNA:
Seconded by Legislator Fisher.
LEG. LEVY:
On the question.
P.O. TONNA:
On the question.

LEG. LEVY:
Who is Lydia- Tortora and why is she not being --
LEG. CARACCIOLO:
No, no, Lydia's being replaced.
LEG. LEVY:
That's why I'm saying, who is Lydia Tortora and why is she being replaced?
LEG. CARACCIOLO:
She works for Assemblywoman Acampora.
LEG. LEVY:
She just recently took the job?
LEG. CARACCIOLO:
No. She had the job. I don't know how long this position's been up for reappointment, but I know she's an employee of the Assemblywoman's Office.
LEG. CRECCA:
Why don't we put a little faith in the committee and the process.
P.O. TONNA:
Just what I would ask is this. The Chairman of Parks who --
[Firealarm was activated]
LEG. TOWLE:
Evacuate the building.
LEG. LEVY:
See that, that was Miss Tortora who did that.
P.O. TONNA:
Somebody pulled that. Okay. Can I just say something, just so whatever? All file out in single file. Please don't talk as you're leaving. Thank you very much.

[THE MEETING WAS RECESSED AT 11:15 P.M. AND RESUMED AT 11:15 P.M.]

It's the Presiding Officer's prerogative, in the time of national emergency, to second that to cancel the meeting. All right?

[THE MEETING WAS ADJOURNED AT 11:15 P.M.]

{ } Denotes Spelled Phonetically.