

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

ELEVENTH DAY

AUGUST 8, 2000

Minutes Taken By: Alison Mahoney  
Patricia Patriss

Brentwood, New York

[THE MEETING WAS CALLED TO ORDER AT 5:52 P.M.]

P.O. TONNA:

Okay, I would ask that everyone rise for a Pledge of Allegiance led by Legislator Fred Towle.

Salutation

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Thank you very much. I would like to recognize Legislator Cameron Alden to introduce our Clergy for today.

LEG. ALDEN:

We have the privilege tonight of having Father Gerry with us from St. Anne's in Brentwood. Brentwood is a -- well, St. Anne's actually is a very large parish that does a lot of outreach with community work, not only spiritual but just on the physical needs of the people, and aside from being a great priest, he's a great guy. So without further ado, I'm going to just introduce Father Gerry.

(Applause)

FATHER GERRY:

Thank you, Legislator Alden. We read in the Book of Proverbs in the Hebrew Bible, "Wisdom has built her house, she has set up her seven columns. The beginning of wisdom is the fear of the Lord and knowledge of the holy one is understanding. Instruct a wise person and that person becomes still wiser, teach a just person and that person advances in learning."

To God we pray that you bless and guide the deliberations of this body, make them wise in the service of your people. We make our prayer in the name of the Lord. Amen.

P.O. TONNA:

Okay. We have a pretty large agenda and over 70 cards. Let's see, oh, I'm sorry, over 60 cards to be read and we're going to start with Jim Margo from the Long Island Housing Partnership. Jim, let me just -- oh, did we do a roll call yet?

LEG. CARPENTER:

No. I know you're anxious.

P.O. TONNA:

You want to do the roll call?

MR. BARTON:

Sure.

P.O. TONNA:

Let's do a roll call.

MR. BARTON:  
You got it, Mr. Chairman.

(\*Roll Called by Mr. Barton\*)

LEG. CARACCIOLO:  
Here.

LEG. GULDI: (Not Present)

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LEG. TOWLE:  
Here.

LEG. CARACAPPA:  
Here.

LEG. FISHER:  
Here.

LEG. HALEY:  
Here.

LEG. FOLEY:  
Present.

LEG. FIELDS:  
Here.

LEG. ALDEN:  
Here.

LEG. CARPENTER:  
Here.

LEG. CRECCA:  
Here.

LEG. D'ANDRE: (Not Present)

LEG. BISHOP: (Not Present)

LEG. POSTAL:  
Here.

LEG. BINDER:  
Here.

LEG. COOPER: (Not Present)

LEG. LEVY:  
Here.

P.O. TONNA:  
Yep.

MR. BARTON:  
We have 13 present, Mr. Chairman.

P.O. TONNA:  
Thank you very much. We have, before our first speaker, Legislator Levy for the purpose of proclamations. And then I think we have our first speaker. Steve, why don't you use the other podium, there's two.

LEG. LEVY:

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You prefer over there?

P.O. TONNA:  
Yeah, why don't you use that one.

LEG. LEVY:

Thank you, Mr. Chairman. I'd like some members from the Baymen Soccer Club to please stand in the back, and if their coaches can lead them do you know the aisle. We've got some proclamations here. This first one is actually for Fred Towle, we didn't believe he could grow a beard but he proved us wrong; Fred, this one's for you.

LEG. TOWLE:

Thank you, Steve.

LEG. LEVY:

Come on do you know, guys. I'll be very brief because we do have a long agenda here. As the guys are coming do you know, for all of us -- the guys and the gals, I guess, within this room who have gotten involved in local sports, whether it was soccer or little league or a football league, when you are first getting involved in that league and the first day of practice, you're just hoping that over the course of the season you have yourselves a nice personal statistics at the end of the year and that your team does fairly well and gets a winning record. Every once in a while, though, you really get to the point that you're excelling beyond expectations. Sometimes you're lucky enough to win the tournament or the league in any particular case.

In this particular case, this group from Baymen Soccer League went all the way to the state championship and won the Under Eleven Division, and that's why they're here today, to receive our applause.

(Applause)

Thanks as well to all the parents up there who took time off from their schedules to give these kids some happiness during the course of the year, and of course their coaches, three very talented gentlemen who dedicated their time, took time away from their families to help give this team such smashing success over the course of the year. We have our three coaches, Kevin Spellman, the Head Coach, Scott {Mellenchuck} and Jeff Tempera, the Assistant Coaches, and we want to know how good these guys were, let's hear it for those guys.

(Applause)

And we'll admit it now, the team had a ringer, they have Ben {Vialo} who's from the Rough Riders, a professional soccer team here who gave them assistance throughout the course of the year. So Ben, thanks for your help.

(Applause)

Thank you for your time, Mr. Chairman, you're indulgence, Ladies and Gentlemen. And once again, guys, thanks from all the community for  
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such a wonderful season and making us so proud. Thank you very much. We'll go in the back now and take some photos.

(Applause)

P.O. TONNA:

Thank you very much, Legislator Levy. Okay, our first card is Jim Morgo from the Long Island Housing Partnership. Jim? And I think you're over on the -- from our standpoint on the right side, from your standpoint the left side.

MR. McMILLAN:

Mr. Chairman, my name -- we have a group here in support of Jim Morgo.

P.O. TONNA:

Okay.

MR. McMILLAN:

I would like to ask all of the people representing the Housing Partnership to come up and stand right here, and I would like to have each person introduce themselves and their affiliation. I'm Bob McMillan, Chairman of the Long Island Housing Partnership and a partner in the law firm of McMillan, Rather, Bennett and Rigano.

P.O. TONNA:

Thank you.

MR. LINDSEY:

I'm Bill Lindsey, I'm on the Board of Directors of the Long Island Housing Partnership and the Business Manager of Local 25 IBEW.

MR. {NAJACENT}:

Tom {Najacent}, Director of Government Relations for Keyspan Energy, we are proud members of the Long Island Housing Partnership.

MR. {DESO}:

{Daniel Deso}, owner of Casa Blanca agency.

MR. OSTER:

Good evening. My name is Harry Oster, I'm with Astoria Federal Savings.

MS. ELKOWITZ:

I'm Terry Elkowitz from Freudenthal & Elkowitz Consulting Group.

MR. CHEDDA:

Good evening. I'm Paul Chedda, I'm here representing Laura Cassell, Catholic Charities.

MR. {COMPANO}:

Jim {Compano} from The Bank of New York.

MR. NINO:

Alijandro Nino.

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MS. NINO:

And Judy Nino.

MR. NINO:

Homeowners since three years ago thanks by Long Island Housing Partnership.

MS. NINO:

Thank you.

MS. REED:

Mary Reed, member of the Long Island Board Housing Partnership.

MS. NEIMAN:

Fran Neiman, The Bank of America.

MS. MANCINI:

I'm Kim Mancini from the Parkridge Organization, I'm also a member of the Long Island Housing Partnership.

MS. MANFRADONIA:

Nancy Manfradonia from the Central Islip Civic Council.

MR. ELKOWITZ:

Peter Elkowitz, Executive Vice-President of the Long Island Housing Partnership.

MR. {GOODHUE}:

Tom {Goodhue}, Board Member of the Long Island Housing Partnership and the Executive Director of the long Island Council of Churches.

MR. MADDEN:

Brian Madden, National Land Tenure Company.

MR. COFFEE:

My name is John Coffee, I'm the Treasurer of the Long Island Housing Partnership and I'm here representing the Rosyln Savings Bank.

MS. {RODS}

I'm Pat {Rods} Schwartz and I too am a homeowner of nine and a half years.

MS. McMILLAN:

Okay. I would also like to mention, Mr. Chairman, that the representative from the Long Island Association, Mitch Pally, could not be with us because of a family situation that developed late today. But I want you to know that Mr. Morgo, when he presents his remarks, Mr. Pally asked me to specifically say that the remarks are also on behalf of the Long Island Association. Jim Morgo?

P.O. TONNA:

Thank you very much.

MR. MORGO:

Thank you. It's a real pressure to be here this evening.

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I particularly liked it when you called on me and Bob McMillan got up, we don't get confused very often. But I also had the opportunity to see Father Gerry Twomey again and it's been a long time; Father Twomey and I worked on several issues back a hundred years ago together.

The Long Island Housing Partnership supports and urges your approval of Introductory Resolution 1057. In addition to providing funds to stabilize property taxes in the event of an economic downturn and providing funds to help stabilize Police Districts, the legislation provides \$8 million to enter into revenue sharing partnerships with non Brookhaven towns to provide affordable homes in accordance with the previously established procedures of the Suffolk County Affordable Housing Opportunities Program, and right away I think that's a wise move to piggyback on existing legislation and funds.

Most often, most often when the Housing Partnership advocates for affordable home ownership, we emphasize what home ownership means to our families and to our neighborhoods. We illustrate that through providing a little help with do you know payments or closing costs or on the actual sale price of the home, a family can attain the American dream of home ownership on Long Island and their lives and their neighborhoods and their entire communities benefit. With Mr. &

Mrs. Nino, new Americans, and Ms. {Rods} here, we have tangible examples of the kind of families that benefit from home ownership. But tonight, tonight I am emphasizing the importance of affordable homes to the Long Island business community, and that emphasis really gets back to the roots of the housing partnership.

The Housing Partnership began because Long Island employers realize they were at a competitive disadvantage with other regions because of Long Island's high cost of living. Long Island's businesses discovered that our young people, the ones born, raised and educated here at great cost to local taxpayers were moving away with their skills and talents to other more affordable parts of our country. Last November Price Water House Coopers conducted a survey of Long Island businesses and found that the businesses believed that finding and retaining employees is the biggest threat, the biggest threat to Long Island's continued prosperity.

Recent statistics from the New York State Labor Department indicate that there are three engineering job opportunities on Long Island for every engineer who applies for a job, and in certain categories the ratio is even higher, 17 jobs for every applicant in mechanical design engineering and nine jobs for every applicant in software design. It is no better, it is in fact worse, in those jobs that require low tech skills; try staffing a super market on Long Island today. The lack of housing affordable for young people not only separates young people from their families and their friends, it also hurts the overall economy which is the Long Island life blood.

The County's affordable housing initiatives are coming at the right time. The Newsday/News 12 Long Island Our Future Poll of earlier this year ranked the problem of affordable housing right after traffic and taxes as the problems that Long Islanders care about. Did you ever think you would see that? Everybody talks about traffic, everybody

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talks about taxes, but the problem of affordable housing as right after those I find incredible, I never thought I would see it. It's probably because of the many mothers and fathers who still have their adult kids living with them. At the Housing Partnership, we frequently, we daily here of young families living with parents and everyone going crazy because of the tight living conditions. In short, affordable, safe, decent homes are important to the well being of our families and to our communities. A supply of affordable homes is also essential to the economic health of our region.

For these reasons, the Long Island Housing Partnership and our over 140 members of education, labor, union and religious, all urge you to support Introductory Resolution 1057. Thank you.

(Applause)

P.O. TONNA:  
Thank you very much.

LEG. BINDER:  
Mr. Chairman?

P.O. TONNA:  
Okay, Legislator Binder has a question.

LEG. BINDER:  
Actually, I can't stand up with this because there's not enough rope here so I can --

P.O. TONNA:  
All our mikes -- by the way, just to announce, all our mikes are on all the time, so just in case, you know --

LEG. BINDER:  
Good to know.

MR. MORGO:  
Afraid you were going to say something about us, Paul?

P.O. TONNA:  
I know they're going to say something about me, so.

LEG. BINDER:  
Jim, as you know, I have a personal affinity for the Long Island Housing Partnership and the work you do and actually started when I came back to Long Island with the beginning of Long Island Housing Partnership. So I do want to commend you for all the work and how far you've taken it in the years since we were sitting in some dingy office somewhere when the whole thing started. The question I have, though, is you're for affordable housing here, I have two resolutions, you might know that. Recently the Legislature, not thinking I guess about affordable housing, did some open space resolutions also in Huntington; we did Northport Knolls, I think about 80 acres, and what's called the Camelot/Paumenok area from 10.6 acres, and we did them in open space. I have resolutions to change the funding source from open space funding and various fundings on  
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Northport knolls. I am going to be submitting resolutions to change the funding to the affordable housing money from the County Executive's 20 million so we can do affordable housing on that, some ninety and a half acres in Huntington. Could we -- could I guess ask for your support, do you think the Long Island Housing Partnership would support doing it at Northport and in West Hills?

MR. MORGO:  
Of course, Allan, I would like to see the resolutions, and any initiative we would normally support it. By the way, we don't see the push for open space, the initiatives for open space in any way in conflict with the need for affordable housing. They both effect the livability of our community, both are necessary and they can exist side by side. One of the reasons that the Housing Partnership, in fact, has been advocating very strongly for the redevelopment of

areas that had previously been developed, we think that through smart planning intelligent land use you can create new communities where you have a combination of open space and good, aesthetically pleasing design housing that, yes, has higher densities but still is beautiful. We have done that in many of our projects, as a matter of fact, Manorville, Medford, we have done it in many places.

LEG. BINDER:

I will make sure to get you the resolutions, the two resolutions so you can see that. Basically what it is, it's just switching the funding source from open space and other fundings to affordable housing in those two areas.

MR. MORGO:

We would like to see them.

LEG. BINDER:

Thank you.

P.O. TONNA:

Okay, thank you very much.

MR. MORGO:

Thank you.

(Applause)

P.O. TONNA:

Bob Wieboldt from the Long Island Builder's Association? Bob? Going once, going twice? Sold. Mitch Pally. Dick Koubek?

MR. Koubek:

Good evening. I'm speaking on behalf of Laura Cassell, Executive Director of Catholic Charities, Diocese of Rockville center. My name is Richard Koubek and I serve at Catholic Charities as Coordinator of the Diocese of Rockville Center's Public Policy Education Network.

We are pleased to join tonight with the Long Island Housing Partnership and other groups who are here to support Introductory Resolution No. 1057 which will help so many of our neighbors who are suffering from the acute shortage of affordable housing on Long

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Island. We at Catholic Charities have seen this housing shortage firsthand through our ongoing partnership with over 100 parishes that maintain outreach centers. It is through these centers that Long Island's poor and vulnerable people come for food, clothing and other forms of material need because they have nowhere else to turn. It is in our parish outreach centers, usually toward the end of each month, that we hear mothers' heart rending request for food to feed their children because they had to divert most of their cash to pay the rent.

This past March, Catholic Charities released a study we conducted in

20 outreach centers. With the help of Adelphi University School of Social Work, we interviewed 349 outreach clients, their stories paint a dismal portrait of poverty and despair in one of America's wealthiest regions during this nation's longest economic boom. And at the heart of their stories too often is Long Island's housing shortage that drains these people of their resources and their dignity each month of every year.

You should know that 80% of the outreach clients we interviewed were not receiving Public Assistance, almost half are working, most at jobs that pay \$20,000 or less per year; 60%, 60% of these clients paid more than half their incomes for rent. Now, everyone in this room knows that the rule of thumb is to devote no more than one-third of our family budgets to rent or mortgage payments. Imagine how hard it must be for a single, working mom who pays \$1,000 a month for a two bedroom apartment to feed and clothe her children when she earns only \$1,600 a month. This single mother is among the thousands of people who visit our parish outreach centers each month. Their outreach visits too often are forced on them by the simple fact that Long Island's housing costs are devastating their monthly budgets, and these housing costs may very well explain why a shocking 30% of the people we interviewed had gone without food in the previous 30 days. Yes, they went hungry here on Long Island probably because they had to choose between food and housing.

We commend Suffolk County's Government leaders, County Executive Gaffney, Presiding Officer Tonna and the other Legislators, who have stepped forward in recent months to propose and enact creative ideas for creating more housing. We urge the Legislature to fully support the LIPA Pilot Initiative under consideration tonight which would provide yet another \$8 million to help towns purchase parcels of land for affordable housing, but we have to do more.

The poll that Jim Morgo referred to in Newsday did indeed show affordable housing to be among the top three priorities of people here on your Long Island. Yet buried in that Newsday story were interviews with a number of people who said, "Yes, we think affordable housing is important, but we don't want it in our neighborhoods." The current controversy over the construction of 300 affordable housing units among almost 1,200 luxury units at the LIDC site in Melville is a telling example of the kind of resistance that has afforded the construction of affordable housing on Long Island.

I want to point out that most of the family units proposed for the LIDC would have been priced between 90 and \$130,000 a year; people

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would have been earning about \$60,000 a year which is the uppermost HUD guideline for affordable housing. Now, if families earning \$60,000 a year meet such kind of resistance for affordable housing, what is to become of people who are at the low end of the HUD guidelines, working families earning 20 to \$40,000 a year? These are the people who visit our parish outreach centers each month. These are the families who must live with relatives or in illegal or

substandard apartments because there are not enough affordable rental units available, and so I conclude with a special plea on behalf of these people. I urge the Legislature to factor into Introductory Resolution 1057 incentives, if not stipulations, that would encourage towns that receive the LIPA pilot funds to set aside at least 20% of the acquired parcels for people earning less than \$40,000 a year.

(Applause)

All the people who need affordable housing are our neighbors, their need for affordable housing tests the moral fiber of our community. Thank you.

(Applause)

D.P.O. LEVY:

Thank you, Mr. Koubek. Our next speaker is Paul Chedda on Resolution 1057.

MR. CHEDDA:

Good evening. My name is Paul Chedda and I am the Director of Housing for Catholic Charities, the Diocese of Rockville Center. And on behalf of Laura Cassell, our Executive Director, I thank you for the opportunity to appear before you tonight and present our comments on the need for affordable housing on Long Island, some of which would be addressed by this bill.

Catholic Charities is the social service arm of the Roman Catholic Church on Long Island comprised of approximately 1.6 million Catholics who reside here. We respond to the call of all needy residents regardless of their religious affiliation and provide support and assistance to them in the areas of mental health, substance abuse, immigration, disability, senior services, parish social ministry and housing. It is on behalf of our housing efforts that I am here today. I speak with a voice in experience of this church on Long Island.

Catholic Charities has been providing affordable housing for over 20 years. Many of the residents on Long Island, young and old, find the cost of renting or purchasing a home too high, and they have to move off the Island or obtain substandard housing to be able to afford shelter. Many of Long Island's homeowners are on fixed incomes. Many purchased their homes when they were younger but are now unable to afford their high property taxes, taxes that are sometimes higher than the mortgage. Consequently, they have little money left each month for food, clothing and health care. These harsh realities prompted Catholic Charities to find ways of meeting this basic human right, the right to have a place to live that is safe and affordable, a place where they can live with dignity.

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We have concentrated on all types of housing for different population, but especially housing for our seniors above the age of

62 and people with disabilities. Our first housing site was built 20 years ago in Selden, Long Island, providing 200 affordable apartments to seniors, and year after year we sought funding sources and donation of land to build needed housing. Today we have 12 housing sites throughout the Island serving over 1,200 residents and we're building another three housing sites which would provide a place to call home to another 188 residents within the next year. Yet despite our successes, the waiting list is tremendous with well over a thousand names for each existing housing site. At one of our sites under construction, we have a waiting list of 1,100 applicants ready to fill 99 apartments being built.

As you can see, the need is great and the number of residents we serve makes us the largest non profit provider of affordable housing on Long Island, yet the waiting list, the numerous phone calls and cries for help makes it clear that we are still facing a housing crisis.

D.P.O. LEVY:

Mr. Chedda I believe it is?

MR. CHEDDA:

Yes.

D.P.O. LEVY:

The three minutes are up, can you kindly wrap it up, conclude?

MR. CHEDDA:

Sure.

D.P.O. LEVY:

Thank you.

MR. CHEDDA:

We will support this bill for affordable housing, however, our support is for a bill that will be just and fair. And accordingly, we want to make certain that municipalities who receive funding through this bill's authorization support not only home ownership but rental properties for those not yet able to afford a mortgage. We want to make certain that the parcels selected for affordable housing are not just selected from inventories of properties in blighted areas. We want to make certain that affordable is defined not just as affordable to middle class residents, but to all below the 80% median income levels. And finally, we would want to make certain that any bill we support would provide measures to ensure that religion and political affiliation, race, income and gender does not stand as a bar to home ownership or home rental eligibility. Thank you.

D.P.O. LEVY:

Thank you very much.

(Applause)

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Next speaker is John Acompora. You have three minutes, Sir, on Resolution 1734. And as John is approaching the podium, I will just note that a number of Legislators went on a tour a little earlier of a building within the campus and they had hoped to catch a bite to eat but were precluded from doing so. So there are some popping back and forth to try and finally get a little something to eat and they'll be back very shortly. If we could just ask the Legislators to come back as soon as possible. Mr. Acompora, you have three minutes.

MR. ACOMPORA:

I would like just like to talk briefly about my son Louis. Louis was the lacrosse goalie that passed away March 25th during his first high school game at Northport High School. Louis started playing lacrosse just about when he could walk, he started playing competitively in third grade. This was more than him just going out for the team, it was his life.

UNKNOWN AUDIENCE MEMBER:

We can't hear you.

MR. ACOMPORA:

I'm sorry. I said this was more than Louis just playing lacrosse, this turned into almost his life. March 25th was the first game of his high school career. It was a beautiful morning, we had to be at the high school at eight o'clock in the morning, we got there at 7:30 because Lou had to get prepared and get ready for the game; he was the captain of the team. The game was in West Islip. Midway through the second quarter a boy took a shot, a relatively easy shot, Louis blocked it with his chest; he picked up the ball, took two steps and collapsed. We found out Louis died of something called {Comodial Quarters} where a blunt object such as a lacrosse ball, a baseball, a hockey puck, hits a young man's chest precisely at the wrong time during the heart cycle. Louis was pronounced dead at arrival at the hospital.

We have come to find out that the only known way to reverse {Camodial Quarters} is with a device called an AED, Automatic External Defibrillator. These are the machines I am sure you have all seen on TV that restarts the heart. These new defibrillators cost about \$2,500. We have opened up a foundation in Louis' name and we're working diligently to see that these defibrillators are in every school in the country, and not just one defibrillator laying in the nurse's office somewhere but a defibrillator program. We have nothing to lose, my wife and I; our whole thrust is that a parent doesn't have to stand in our shoes. These new devises are relatively inexpensive and very easy to use. And we would like to see them not only in every school in the country, but at shopping malls, theatres, playgrounds, little league, youth soccer, because what happened to Louis can happen to any young athlete, any young boy. There was no preexisting condition, Louis was 100% healthy.

And I'm going to wrap up by telling a quick story. Fifteen years ago

I went to visit a customer and he dragged me into his office, he loved gadgets, and he dragged me in and he said, "John, you've got to see this new machine I bought." Meanwhile, he called a lawyer friend in Florida and said, "Fax me something", I never heard the word. I

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said, "What's this machine called, Sal," he said, "It's called a facsimile machine." The phone rang and a minute or so later a paper came out describing the whether in Florida and a little hello to me, and I looked at him and I said to him, "How much was this machine, Sal", he said \$3,000. And I said, "And who else has one besides you and this guy in Florida", he said to me, "You wait and see, John, everybody is going to have one." I personally have two in both of my homes.

This is where defibrillators are going, my only point is I don't want to wait 15 years. I want to take that time frame from 15 years and bring it do you know to whatever the number may be, two years, three years, four years, let's say five years, because the difference of that ten years is going to save God knows how many lives. And quite honestly, if it saves one young athlete when he steps on to the playing field, in my view it's all worth it, and I have nothing to gain other than the fact Karen and I don't ever want parents to stand in our shoes. Thank you.

(Applause)

D.P.O. LEVY:  
Thank you very much.

LEG. CRECCA:  
Legislator Levy?

D.P.O. LEVY:  
Legislator Crecca is recognized.

LEG. CRECCA:  
Yeah. I just want to thank Mr. Acompora, I want to thank you for coming do you know this evening. I do have some pamphlets and brochures from Mr. Acompora and the Louis Acompora Memorial Foundation, it describes a little bit about it. And I know that this -- for those Legislators who weren't involved in the Health Committee or some of the other committees that looked at this bill, what the task force does is it puts together what we think is a real solid group of people and experts to address this issue and how we can get defibrillators into where the best places are to deploy them in Suffolk County at the most reasonable cost. And the committee has given me their commitment, assuming it goes forward today and gets passed, that they're going to do this quickly and get us back a report within the next 60 days or so. So I am looking forward to it and my understanding is there's overwhelming support among the Legislators, so I won't take up a lot of time.

D.P.O. LEVY:

Thank you, Legislator Crecca. Next Speaker is Suffolk County Comptroller Joseph Caputo. Welcome, Joe.

MR. CAPUTO:

Thank you, Mr. Levy. I appreciate the opportunity to come before you tonight. Tonight I have a message of necessity regarding the gift that has been proposed by New York State to bail out Nassau County and their dilemma with their budget problems.

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As you may recall, back in the late Spring we attempted to get support throughout the County in order to block this from happening. Fortunately, Legislator Fred Towle has picked up our mantle and has a resolution that he hopes to lay on the table this evening in order to be considered for your next meeting. What it calls for is the support of this Legislature by their approval in allowing the Suffolk County Attorney's Office to represent the Suffolk County Comptroller in suing New York State to prevent New York State from giving this gift, and that's all it is, a gift of our money, seven and a half percent of \$105 million because seven and a half percent is the population of Suffolk County, one million four hundred thousand people when compared to the 18 million people in New York State.

On August 1st I wrote a letter to the County Executive seeking his support and asking him to provide you with a Certificate of Necessity so that you would have been able to vote on this resolution this evening. Unfortunately, he does not care as much for the million four hundred thousand people that I do, therefore he has not given us that certificate. So I plead with you as Legislators this evening when Mr. Towle introduces the resolution which is unnumbered at this time for introduction and laying it on the table for consideration at your next meeting, I plead with you to allow it to be laid on the table. Once it has been assigned to any committee or all committees you may assign it to, I will be happy to appear before any committees that it is assigned to to speak on its behalf. With that we can prevent this gift from taking place.

And as you can see, Newsday has jumped on the bandwagon with the \$25 million that LIPA gave to Nassau County under the disguise that it was for energy conservation purposes; in effect, it was never used for that purpose, it was used for the purpose of providing money for their Medicaid shortcomings and their Medicare shortcomings in their budget. Over and above that, you cannot allow this to happen. You cannot allow -- if they want to loan the money to Nassau County, the State Retirement System is there with over \$127 billion that they can loan to Nassau County at an 8% interest rate, the same interest rate that we will pay for the Incentive Program that we've incurred for the over 400 people who retired last year. That Incentive Program is going to cost us \$16 million over the next five years plus interest at the rate of 8%, so let them pay the same interest rate to the retirement system. Let's not bail them out with a gift from our money.

I thank you very much for listening and I shall appreciate it immensely if you allow it to be laid on the table and I will be happy to come before any committee that it is assigned to. Thank you.

(Applause)

D.P.O. LEVY:

I'm sure, Joe, over the next several weeks you may have the opportunity to discuss this issue with reporters, editorialists. I don't know if you're aware, we had some discussion with our Budget Review Office in committee several months ago to discuss the deal and it gets a little tiring when you hear editorials saying that the deal bailed out Suffolk County. Now, while it's true Brookhaven Town was a

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tremendous beneficiary from the plan, we got some information from Budget Review and I just wanted to ask you if you were aware of it because if not, it could be very useful in your discussion with other writers and other elected officials.

From what our budget review tells us, our Suffolk County residents in nine out of the ten towns, those nine towns not in Brookhaven, actually paid more money from this so-called compromise settlement than we would have if we paid the entire judgment that we would lose in court. So it was a very interesting factoid that was given to us from the Budget Review Office and I didn't know if you were aware of it; if not, you might want to discuss this a little more with Fred because I think that's very important for these editorialists to know.

MR. CAPUTO:

Gratefully, Fred Pollert has shared some of his information with us, so we are aware of that. We are also aware that Nassau County benefitted from the certioraris that LILCO and LIPA had against Nassau County for certain properties owned by LILCO within the Nassau County area. So they were excused also from potential lawsuits from many different areas the way Port Jefferson was excused and the way another piece of property in Suffolk County was prevented from the lawsuit, that was part of the give and take for the two counties together. What they don't tell you is that there were supposed to be transitional payments to the fire department of the Shoreham-Wading area, the Rocky Point Fire District provides the fire protection to the Shoreham-Wading River area. Those transitional payments were given up, they were on the books and by law the State was supposed to pay it over, they have not.

They were also transitional payments and transitional payments come into pass when you lose assessments, that's the reason for the State providing for transitional payments. When the assessed evaluation of the property within your district, whether it's a school district, a fire district, a lighting district, a railroad, a right-of-way, a town or the County, in place of that lost assessment the State pays what they call transitional payments until that lost assessment gets an opportunity to build itself back up to what was lost, and those transitional payments were given away and not paid over to anyone.

That's another sacrifice that has been made by the taxpayers of Suffolk County.

D.P.O. LEVY:  
Okay. Thanks, Joe. I appreciate your thoughts.

MR. CAPUTO:  
I thank you for listening.

D.P.O. LEVY:  
Our next speaker is Suffolk County Community College President Sal LaLima. Perhaps we could get some more Legislators in the room. If you could just give us one second, Sal.

MR. LaLIMA:  
Sure.

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D.P.O. LEVY:  
Thank you, gentlemen. Okay, President LaLima.

MR. LaLIMA:  
Thank you, Legislator Levy. I would like to read a statement I prepared relative to the financial background and needs of the college.

Some years ago when this County asked the State of New York to charter a community college to serve its residents, it was generally understood and accepted that as sponsor, the County would provide one-third of the operating costs and 50% of the capital costs of such an institution. Over its 40 year history, Suffolk County Community College has consistently been one of the most efficiently managed community colleges in New York State. Its budgeted operating costs per full-time equivalent student consistently ranking at near the bottom of a 30 college list in New York State. In recent years the County of Suffolk has increased its percentage share of the operating budget from a low of about 25% to currently a little over 30%. This year the County Executive's Proposed Budget, with two amendments that were submitted to this Legislature, would bring the County's share to about 31 or 32%, what I would call both fiscally and morally responsible. These recommendations recognize the County's responsibility to move closer to the one-third level of support to meet the needs of opening a gigantic facility which would be an economic contributor to this County as well as to the college, and to approve the full-time/part-time faculty ratios at Suffolk County Community College as a step towards further enhancing the academic quality that would already recognized high quality educational enterprise.

In the past few years, we have taken steps to reduce the outflow of County residents to other community colleges, to further raise the bar on our faculty hiring and promotion standards, to move sabbaticals to a merit based system from a seniority based system, to

introduce a formal system for student involvement in the faculty evaluation process, and certainly a move to bring about a one college mentality rather than a three autonomous campus mentality which emerged during my immediate predecessor's time as President.

In addition, our technology capabilities have been enhanced by figuratively light years from just a few calendar years ago. We now have a finded backbone linking all three campuses, we have Pentium computers in every computer lab and in every faculty and administrative office. We have constructed three Distance Learning Labs, one at each campus; three Teaching Learning Centers, one at each campus; three Mediated Math Learning Labs, one at each campus; and access for our students and faculty to the Internet from virtually all points within the three campuses as well as from the outside. We have signed partnering agreements with Computer Associates, with Symbol Technologies, with {Cisco} Systems, with Microsoft Corporation and with the U.S. department of Energy. We are getting closer to the possible start up of a small business incubator. This has all happened because of your support which you have provided for this great community college of ours.

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Now we stand at the portal of the 21st Century with community colleges in general being recognized as the major players in this nation's current and future work force development and advancement. Suffolk County Community College is poised to lead the way for Long Island, if not the entire metropolitan region, but we can't do that without your continued support and long-term commitment to our college.

It is my understanding that a number of college Budget Amendment Resolutions have been filed for your consideration this evening, most of which will undermine the continued progress of the college and many of which are fiscally imprudent. More specifically, I am referring to the proposed use of College Reserve Funds which are promptly used for emergency needs and/or one-shot program initiatives, not for ongoing college operations. This approach would produce a structurally unbalanced budget and leave the Reserve Fund at an unacceptable low level. It would set the stage for major budget problems next year as well.

I have conferred with the College Board of Trustees Executive Committee and we agree that drawing do you know the college reserve to a level of about one and a half percent of the college operating budget when State guidelines recommend a 5% reserve is imprudent if not irresponsible, it is the approach that has gotten other municipalities into serious fiscal difficulties. If a budget is adopted using College Reserve Funds in place of County funding, I would have no choice but to advise our board to freeze those funds in our budget and to take drastic stems steps for retrenchment purposes. As for any new hiring, no faculty positions could be filled and the possibility of further staff cuts would have to be explored. The impact on opening the new building would be such as to limit it to

the Police Academy and a few specialized health labs.

As many of you saw for yourself today, the Health Tech Building is huge and complex, the proposed staffing that we had submitted for this budget is minimal for a full operation. We expect this facility to produce significant revenues directly from user fees and indirectly through tax revenues for visitor traffic into the area's restaurants, gas stations and hotels. Without custodians and maintenance staff, these activities may have to be deferred and certainly.

Lastly, any proposal to increase tuition beyond the \$100 increase already included in our budget submission would likely be unacceptable to our Board of Trustees and possibly run into a buzz saw with the SUNY Trustees who do have oversight responsibilities for the entire State University. It would place a very unfair burden on County residents who attend Suffolk Community College. The last year of the budget, already at about 35%, would likely move sharply upwards towards the 40% level while the County's share would drop to below 30%.

I urge you to step up to the plate and approve the County Executive's three proposals. You have a wonderful community college here in Suffolk and I know that in principle each of you want it to continue

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its excellence, you can make that possible, a reality by supporting what really is a modest level of financial support at about 31% of the college's operating budgeting needs. I thank you very much for hearing me and I trust you will act responsibly with us tonight. Thank you.

(Applause)

D.P.O. LEVY:

Thank you. Our next speaker is Carol Finnerty from the American Heart Association, Resolution 1734.

MS. FINNERTY:

Good evening. I'm here to support the 1734 resolution to place AED's throughout Suffolk County, but the priority that I have a focus on is the Louis Acompora case with the {Comodial Quarters}. And we do have one school system that's ready to go with the AED issue and hopefully everyone knows what an Automated External Defibrillator looks like. I have one and maybe I can talk Andrew into doing a quick demonstration, even a Suffolk County Legislator can use it.

LEG. CRECCA:

Thanks for the vote of confidence, Carol.

LEG. GULDI:

Don't mess it up now, Andrew.

LEG. CRECCA:

You have it there, Carol?

MS. FINNERTY:

Yes, I do, come on up.

LEG. CRECCA:

Why don't you keep talking, I'll come down.

MS. FINNERTY:

Okay, I have a letter. Superintendent Bill Broslin from the Northport/East Northport School system could not be here today, he's out of state and he wanted me to read you his letter.

"The Northport/East Northport School District intends to move forward with AED's. At our meeting on July 5th, the Board of Education voted unanimously in support of moving forward with these devices. As of this writing, we have a clearance from our insurance company as well as our attorneys to move forward. Right now our thinking is to purchase between six and eight machines to start and these will be used primarily for the athletic teams."

"We have met with Dr. Joseph {Scamarella} and he is developing a program to train all our coaches which will take place on August 31st, and all our school nurses which is going to take place on September 12th. Our long range intention is to have one machine in each school building, perhaps three in our largest building which is the high school, and also to have each of our teams have an AED at each contest. The complication for us is that we will have several away games and until all the school districts begin to move forward,

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we may need to send an AED with our away teams to these contests."

"Without a doubt, implementing the AED's will be an expense. Not only do we need to purchase the machines, but we need to contract with a medical consultant who will supervise the use of the machines and who will ensure that everyone is properly trained. Additionally, there will be a need to be retrained on a regular basis. While costly, we feel it's an important investment for our children and for our community. Each and every day we have hundreds of children on athletic fields and throughout the week we have hundreds of adults in our schools and at our events. While everyone acknowledges that AED's may not address every heart emergency, everyone agrees that it is far more effective than only CPR. We intend to have this newly available level of effectiveness."

"We would greatly appreciate any assistance from the Suffolk County Legislature or, for that matter, from the American Heart Association in order to assist us with this forward movement on this important initiative. Thank you."

D.P.O. LEVY:

Perfect timing.

(Applause)

MS. FINNERTY:

William J. Brosnin, Superintendent of Schools. Okay, Andrew, you better not embarrass me.

LEG. CRECCA:

Legislator Levy, instead of using the dummy here, I thought maybe we could demonstrate, would you like to be our demonstrator?

(Applause)

D.P.O. LEVY:

Well, you put me and dummy in the same sentence there, Andrew, I don't know.

MS. FINNERTY:

Her name is Annie.

LEG. CRECCA:

I say it only in jest, actually, so we don't need to issue electric shocks. But actually, Carol, if you would come up here and we'll do this, it goes very quickly. I just think it's important to see. A lot of Legislators have asked me about the use of these machines and how difficult they are and should people be trained and all that. I have now done it about three or four times and with no training whatsoever other than about a thirty second course from Ed Stapleton. But what we're going to, so you can listen to what the machine does and how it walks you through, what we'll do is I'll have Carol talk us through; is that all right, Carol, or you want me to do it?

MS. FINNERTY:

No, go ahead.

00020

LEG. CRECCA:

You have to explain.

MS. FINNERTY:

Okay. Now, this person has fallen do you know and appears to be unconscious, so you want to establish unresponsiveness, hey, are you okay, are you all right?

LEG. CRECCA:

The first thing you do is you check and ask if the victim is okay, "Are you okay?" If you get no response, all you're going to do is just you check for breathing.

MS. FINNERTY:

Okay, open the airway and look, listen and feel. If you see they're not breathing, pinch with the nose, give them two breaths, feel for a pulse. Okay, the person has no pulse and no breath, that means they're in cardiac arrest.

LEG. CRECCA:  
The first thing I'm doing is I'm just turning on the machine.

MS. FINNERTY:  
Oh yeah, don't forget that.

LEG. CRECCA:  
I would have at this time --

MS. FINNERTY:  
Dial 911 first.

LEG. CRECCA:  
I would have told them to dial 911 and get help. I don't know if you just heard, but the machine just told me to connect the electrodes.

LEG. HALEY:  
Legislator Levy?

LEG. LEVY:  
I've got to control the mike, you know how it is.

LEG. CRECCA:  
Right on the electrodes it tells you where to stick them on, so you can't even really forget. Now it's wondering why I haven't done it yet so it's telling me to connect the electrodes.

LEG. ALDEN:  
The clock's ticking, Andrew.

LEG. CRECCA:  
Well, the machine is analyzing --

LEG. COOPER:  
Put the mike near the machine.

LEG. CRECCA:

00021

You know what it is? The remote control is not out, because it is a test unit; I apologize. Okay. Now it's telling us to stand clear, analyzing now. It's now testing again to see if the shock worked. I just pushed the button the shock was administered. And then what would happen, let's assume that on this shock here the patient's heart was defibrillated and they were okay, we would go again, test for breathing, test for a pulse, administer CPR breathing if necessary. But the machine is usually simpler than that to use it, but actually is that simple, just connecting the electrodes. The problem was we didn't have the remote handy, but that's how simple they are to use.

There was a study done between sixth graders and trained medical personnel administering this on fake cardiac arrest victims and the results of success and resuscitation rate was about the same between the sixth graders and the trained medical personnel, just because the

machine really does walk you through it. So I know Carol's time is up. But this task force right now doesn't cost the Legislature anything, it's to do a study. We've got some of the top people, including Commissioner Bradley and Jeanne Alicandro and we're going to ask for your support tonight to have this task force make recommendations to the Legislature.

D.P.O. LEVY:  
Okay. Thank you very much.

MS. FINNERTY:  
I just have to add one more thing. Because you had given us the funds to support the CPR in the schools program, we trained over 6,000 children this past school year. Thank you for your help.

D.P.O. LEVY:  
It was a good investment

MS. FINNERTY:  
A very good investment. Thank you.

(Applause)

D.P.O. LEVY:  
Our next speaker is Katheryn Laible on Bill 1057.

MS. LAIBLE:  
Good evening. My name is Katheryn Laible and I am a resident of Huntington. I am very fortunate that my husband and I have an apartment in Huntington, most of my friends haven't been that lucky. Many have graduated college and continue to live with parents because they can't afford a place of their own, others have left the Island to settle in other areas. I know more than a few who have quit school because even with grants and scholarships, achieving the cost of living on Long Island leaves little time for studies.

I would like to forward the opinion that our tendency to sort housing types, and therefore people into piles, folks with more money here, those with less there, older people off to this side and youngsters in another state is a mistake; I don't think it's good for anyone, even the more fortunate among us. We all benefit from being exposed  
00022  
to a healthy mix of age and income brackets.

[SUBSTITUTION OF STENOGRAPHER - PATRICIA PATRISS]

MS. LAIBLE:  
I wouldn't call myself a proponent of affordable housing so much as what I would call life-cycle housing, or put simply, places we can reasonably expect to call home throughout our lives. I advocate for places where young families aren't forced to choose either living near a support network of family and life long friends, or being able to buy a home, or at least provide a bedroom for their child, for places we can afford to raise kids lucky enough to have parents who

aren't both forced to work full-time in neighborhoods safe enough to be explored on foot or by bicycle, for communities where our parents, should they come to find maintaining their current house too much, can find modest apartments without leaving the place they call home, where my best friend can find a legal apartment while working her way through grad school, where our teachers, our police officers, firemen, and countless other professionals devoting their lives to the benefit of our communities can find a home, where a single mother can provide a good home for her child, where people can work to advance themselves in neighborhoods where such dreams seem obtainable, where business owners can find employees who can afford to live here.

In my Town, Huntington, our Chamber of Commerce actually went so far as to form the Huntington Township Housing Coalition. I think that's a powerful statement. I'm interested in a Long Island where our kids don't just go away to college and never come back because they can't afford to start a life here, and where our parents can simplify their lives without relocating, a Long Island with room for all generations.

I believe housing developments providing a wide variety of home options complete with small shops and businesses within walking distance would enhance the quality of our lives. Even more importantly, I believe our practice in recent history of strictly segregating building and housing types are harmful, dispersing and thereby deteriorating our communities and increasing our sense of isolation from one another. There's a need for complete communities on Long Island, locations with a sense of place that by their very diversity of structure encourage a feeling of community. Many of us simply need a home.

I would like to thank Presiding Officer Paul Tonna for sponsoring this bill to assist towns and affordable housing programs, and most especially for the incentive for affordable housing at the LIDC site. Thank you for your time.

(Applause)

D.P.O. LEVY:

Thank you very much, Katheryn. Our next speaker is Eric Alexander, also on Resolution 1057.

MR. ALEXANDER:

00023

Okay. I'd like to share my time with Ron Stein of Vision Huntington. Hello, my name is Eric Alexander. I'm the program manager of Sustainable Long Island, a newly formed coalition of environment, business, religious, labor, education and community groups that have come together as chief proponents of Smart Growth, and Suffolk County is obviously going through a process of addressing Smart Growth. So we definitely would like to applaud the County in that regard.

Smart Growth is a grass roots movement to control sprawl, build sustainable economic activities and conserve environmental resources to improve livability and quality of life. Smart Growth housing solutions for Suffolk County would encourage development that contains a mix of uses essential to the daily lives of the residents including housing, shops, work places, schools, parks, and civic facilities ideally situated within easy walking distance of each other. These developments have been successfully built in Virginia, Florida, Maryland, Tennessee, and other places around the Country in both new and older communities.

We support resolution 1057 with two provisions. One is a provision of an overlay that Smart Growth principles and criteria be put in place tied to the purchase of whatever land would be available. This criteria would flow from the principles that the Town of Huntington have put together, uh, could be mirrored after the Town of Huntington's principles. In November of '99 they adopted Smart Growth principles for development which -- and I quote "encourages sufficiency of housing to meet the needs of all the residents of the Town, which includes a natural diversity of housing types and facilities to enable citizens from a wide range of age groups, ethnic backgrounds and economic levels to live within neighborhood boundaries and interact."

With that being said we'd also like a second provision put on to this proposal, and it be related to the process, the decision making process concerning how the housing is developed. The community based planning process that we'd like to see, that's been successfully applied in other areas of the Country in Smart Growth Developments could be tied to a charette process, a visioning process, a negotiation training process or a consensus building process will submit information of what those models are, and we've been in conversation with many of you in this regard. With those two amendments said I'd like to defer my time to Ron Stein.

In addition I'd just like to say I've seen many of my hard working friends and actually relatives have to leave this region for other more affordable and livable areas, and we applaud Suffolk County for taking the first step to try to address this problem.

(Applause)

MR. STEIN:

Thank you. Thank you Eric. My name is Ron Stein. I'm founder and President of Vision Huntington, one of Long Island's pioneering Smart Growth non-for-profit entities. We have spent a significant amount of time researching affordable housing and what we have found that to make affordable housing work particularly in a community, an Island like ours, it has to be good, and the standards of affordable housing

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have to be on a much higher level than the vast majority of the affordable housing that we are seeing if we are in fact going to support property values, and more importantly, if we are going to have local citizenry support the affordable housing endeavors.

Raising the bar on the quality and standards of affordable housing has got to become an essential component of this Legislation because if you don't, the first bad affordable housing project that you do is going to make it that much more difficult for good affordable housing to take place subsequently because quite frankly, the people have seen deteriorated housing on Long Island and they have certain ideas and stereotypes that we have to get past.

That having been said, I believe it's essential we have to put together a design and planning matrix that Eric alluded to. We would be happy to work with you in that regard. That matrix needs to include issues about where you position the affordable housing. It's got to be near transportation nodes. The amount of money that a family spends on paying for the cost of a car typically amounts to about fifty thousand dollars worth of home equity, and what we have become is car rich and house poor as a result of that. We also need to build some pilot projects. We need to have examples of truly successful affordable housing around Long Island that communities can look to here. It's difficult for us to have to look to Norfolk, Virginia and Baltimore, Maryland and Philadelphia for the truly outstanding success stories.

Finally, what we ought to do through this process is give priority funding, incentive funding, to those towns and communities that are looking to disperse affordable housing in a fair manor throughout the town. Yes, we want to target downtown areas. Yes, want to target existing infrastructure, but we also want to make sure that towns -- that the school districts and school systems throughout the town pay their fair share of the way to encourage affordable housing and with that --

P.O. TONNA:  
If you could just wrap up, sir.

MR. STEIN:  
Yes. With that I'm going to thank you and I will take my seat.  
Thanks.

(Applause)

D.P.O. LEVY:  
Thank you very much. I believe it's just about seven p.m. We have a number of speakers in the public portion, but by charter we are required to go to the public hearings which are predesignated time slots for hearings on Local Laws, and we have six speakers on our public hearings and our first public hearing -- let me just -- if we could make sure we have Legislators come in for the public hearings.

Henry, were all the affidavits and notices completed related to the hearing?

MR. BARTON:

Yes, they are Mr. Chairman.

D.P.O. LEVY:

Okay. Our first public hearing, Resolution 1481, a Local Law to permanently establish living wage policy for the County of Suffolk. Do we have any speakers? Having none, motion by Legislator Crecca to close.

LEG. GULDI:

Second.

D.P.O. LEVY:

Second by Legislator Guldi. In favor? Opposed? Motion carries. If Legislator Bishop wishes to change that, we'll certainly be inclined to do so.

Public hearing 1668, a Charter Law to promote Smart Growth by revising composition of Suffolk County Planning Commission. I do not have any cards on this either. Motion by Legislator Fields --

LEG. CARACAPPA:

Second.

D.P.O. LEVY:

-- to close.

LEG. CARACAPPA:

Second.

D.P.O. LEVY:

Second by Legislator Caracappa. In favor? Opposed? Motion carries.

Public hearing 1672, a Local Law to modify well-water testing requirements prior to acquisition of residential homes. I do not have any speakers on this hearing. Motion by Legislator Towle to close, second by Legislator Caracappa. In favor? Opposed? Motion carries.

1693 adopting Local Law to adopt county-wide pesticide notice provisions. We do have speakers. First speaker, Bob DiBenedetto. Each speaker is allotted ten minutes in the public hearing.

MR. DI BENEDETTO:

I don't have much to say here tonight so I won't be using the ten minutes. My name is Bob DiBenedetto I'm with Earth Save Long Island/New York City. I'm the Chairperson and I run the area school lunch program, the healthy school lunch program for children. Nine months ago we created a petition which called for a number of proactive steps aimed at eliminating the use of dangerous pesticides on Long Island. We've collected close to ten thousand signatures and I'm happy to say that today we have the potential to make three of these items a reality. I congratulate all of you for breaking ground

in this area and looking to protect the health of children and adults by enabling us to reduce the public's exposure to dangerous pesticides.

00026

Suffolk County, as far as I know, is the first County in the State to introduce this Legislation. In the petition that I mentioned we called for due notification for air and ground pesticide application, including neighbor notification by commercial applicators and notification of parents for all school applications. This bill comes close.

A study sponsored by the National Cancer Institute found that children living in homes where garden pesticides were used had as much as a sixfold greater chance of developing childhood leukemia. In another study researchers found that the risk of childhood brain cancer increased two to fourfold in families that used no pest strips, pesticide bombs, garden pesticides, flea collars, and certain head lice pesticides. We know that pesticides are dangerous. The question is are we going to know when these substances are used in houses surrounding our own.

There are horror stories that I hear all the time, and I'm just going to tell you a couple. One is a friend of mine who was out in his yard with his son. The neighbor, unbeknownst to him had a commercial applicator over spraying Malathion. He got sprayed by the mist from the malathion. He said in his words he crumbled into a ball and fell onto the ground and couldn't move. He came out of it eventually, and for weeks he didn't feel himself, and I asked him, "Did you ever report this to anybody?" He said, "No, I never did."

How many people suffer this type of sickness, this type of acute poisoning without reporting it? The only way to avoid this type of situation is to have a neighbor notification where you receive notice that your neighbor is going to spray. There are a lot of pesticides which use toxic substances and these substances are labeled inert ingredients.

I have another very close friend who worked with one of these substances, benzene. At the age of twenty-five she developed Hodgkin's disease. For years after that she was unable to work and is still unable to work. From a blood transfusion she received as a result of the chemotherapy and the lowered immunity she received blood tainted with Hepatitis C. She is still suffering from that. All as the result of benzene.

Well, at the time she was working with the benzene they didn't know about the connection between benzene and Hodgkin's disease. Now they know, but it's too late. Neighbor notification helps us to avoid nightmares like this, and I trust that you forward looking Legislators will make this a reality. Thank you.

(Applause)

[RETURN OF REGULAR STENOGRAPHER - ALISON MAHONEY]

D.P.O. LEVY:

Thank you, Bob. Our next speaker on the same issue is Bettina Barber, 1693. I believe that's Barbier.

MS. BARBIER:

00027

Barbier, yes it is. Six years ago, in the Summer of 1994, I came across an ad in Newsday that seemed a bit different, it said, "Be an activist, make a difference to the environment." This peaked my curiosity and I answered the ad but not very seriously, that was until my interviewer said that the job was in support of a law that would get people notified before their neighbors had their trees sprayed; I was electrified.

I'm originally from a small, rural community off of the Island and I had never seen anything like the amount of spraying and pesticide use as is common here on Long Island. I was so excited to hear about this law because after seeing pesticide truck after pesticide truck all over the Island all summer long, it was getting to where I wanted to knock on every door where I saw spraying and ask if they had any idea what was being sprayed and what it might be doing to their family and to their health. All summer long I am concerned that people around me might be spraying without my knowledge. I have no idea how to gauge my exposure to toxic chemicals and no opportunity to close my windows and stay inside during the spraying, common sense measures that even Suffolk County Health Department is recommending during pesticide spraying.

During that summer six years ago I met a young mother who had recently had her fifth child. All of the previous four were normal healthy children, but this little girl had numerous birth defects, a cleft palate, several organ malfunctions including heart defects, no skin over part of her abdomen, it was horrible. She had as of that time had several major operations and there were more in her immediate future. This mother, upon hearing that I was talking about notifying people before spraying occurred, practically broke down. She showed me her child who at nine months old looked about like a newborn and she told me that during the pregnancy she had been sitting near an open window and suddenly smelled something and felt a mist; upon investigating, she found that the neighbors had had their trees sprayed.

While there's no proof that the spraying caused this child's illness, the incident is certainly very suggestive, and certainly no sane person would recommend that a pregnant mother be exposed to pesticides. All the data I've ever seen on pesticides from the EPA website, EPA documents, the labels of the pesticides themselves suggest that the less exposure any person has to these chemicals the better. I have 17 nieces and nephews, 15 of which live here on the Island and I wonder what the spraying is doing to them and their contemporaries. I'll say it again, I've said it so many times, but

we do not know what the effects of most of these chemicals are.

People go to extreme lengths to protect their children from harm and this legislation is such a wonderful way to help them because parents can't protect kids from something they don't even know is happening.

The Neighbor Notification Law would give us the ability to limit our own exposure to these chemicals and possibly prevent future tragedies, like that baby and like some of the cancers that pesticides are suspected of contributing to or causing. Thank you very much.

00028

D.P.O. LEVY:

Thank you very much, Bettina. I'm sorry, I can't read the handwriting on the last name, I believe it's Annie Harden, Howden? It's very difficult to read the penmanship here. It's either Annie or Arnie.

MS. HAMLIN:

It's Amie Hamlin. Hi.

D.P.O. LEVY:

Amie; all right, close enough.

MS. HAMLIN:

From the New York League of Conservation Voters.

LEG. LEVY:

Oh. Amie, I'm sorry, I've spoken to you on the phone about five hundred times.

MS. HAMLIN:

Right. My organization has worked very hard at the State level to get neighbor notification passed, and so of course we urge the county to opt into it. And I'm going to make it real short. That's all I'm going to say right now because I guess until it becomes law in this state we can't really do anything more until then, but I do support the County opting in. Thank you.

(Applause)

D.P.O. LEVY:

Thank you very much. I didn't even have time to set the clock and it didn't matter on that. Okay. Laurie Farber from the Sierra Club.

MS. FARBER:

Hi. I'm Laurie Farber, I'm the Conservation Chair for the Long Island Sierra Club, and please stop me if I talk to too fast, I know I have a habit of doing that.

Suffolk County has done some really wonderful things this year in regard to pesticides. Between the Sunset Law that we got last year, the further training in organic possibilities and looking into non

chemical alternatives, I think we have made a lot of progress here. And looking forward to the neighbor notification as possibly Suffolk being the first County to adopt that is absolutely wonderful, and I'm hoping that this will be the precise language needed and all of the provisions that the State provides for and we're looking forward to Suffolk County signing on to that. Thank you.

(Applause)

D.P.O. LEVY:

Thanks, Lauri. Joseph Roy.

MR. ROY:

Thank you very much. As a resident of Suffolk County and someone who is very concerned about the environment, I think that this piece of legislation is probably one of the most important one that has come

00029

do you know the road. As a little anecdote to how this fits into me personally, last year during the crisis with the mosquitoes, the notification that went out that advised us when you were going to spray, where you were going to spray, even though I don't think it's one of my top priorities using pesticides, certainly helped me and my neighbor. As we were sitting outside we were talking, we knew it was happening, we were prepared in our house, when the helicopter came we saw the mist, we walked inside. We were prepared because you notified us, you told us it was going to happen and we think it's a viable law for you to use in the County for all pesticide usage. It will protect us, it will protect our children, I'm very much in support of this and I urge you, please use this legislation. Thank you.

(Applause)

D.P.O. LEVY:

Thank you, Mr. Roy. We have two more speakers on this topic. Todd Stebbins.

MR. STEBBINS:

Good evening. My name is Todd Stebbins, I am the Long Island coordinator for NYPIRG, the New York Public Interest Research Group. I have spoken to the Legislature before with regard to pesticides in the past years, but this is a momentous day to see legislation and Suffolk County actually taking a lead in New York State to regulate and to actually give notification to its residents regarding pesticides.

It's been a goal of NYPIRG's for years as well as breast cancer activists throughout New York State and other environmental groups to make sure that people do get notification when these toxic chemicals are being used. I hope that we vote swiftly today and get this piece of legislation passed so that we can lead the State and watch other counties follow behind us in leading the way in notification. Last year you folks voted in a pesticide sunset ordinance and that was a great step. This is one of the next steps to take and I think we're

right on chart to make this a great County to continually live in and not be afraid of chemicals that are being used in everybody's neighborhood right now. Thank you.

(Applause)

P.O. TONNA:  
That was Joseph Roy?

MR. ROY:  
I already spoke.

P.O. TONNA:  
Okay. Kristin Bonds.

MS. BONDS:  
Hi, good evening. My name is Kristen Bonds, I also work for NYPIRG and I will be brief. I just want to reiterate that Suffolk County is really on a fantastic track. And as a couple of people have already  
00030  
said, just passing the sunset ordinance and now being the first County in the state to work to adopt neighbor notification, Suffolk county is being a real leader and I would like to applaud the Legislators for being so aggressive on this and urge that this does pass very soon so that we can get this enacted and implemented as soon as possible. So thank you and let's get this done. Thanks a lot.

(Applause)

P.O. TONNA:  
Thank you very much. Steven Restmeyer? Steven Restmeyer? Going once, going twice; we just got this card, right? Oh, there you are?

MR. LEWIS:  
No, this is Neal Lewis with the Long Island Neighborhood Network.

P.O. TONNA:  
Do you have a card, Neal?

MR. LEWIS:  
No, I don't. I had just --

P.O. TONNA:  
Neal?

MR. LEWIS:  
-- thirty seconds I wanted to add on that.

P.O. TONNA:  
Neal, fill out a card.

MR. LEWIS:

Okay.

P.O. TONNA:  
Okay?

MR. LEWIS:  
On this particular reso -- I'm here for the a different item, but I wanted to get --

P.O. TONNA:  
Fill out a card, okay? I can't, that would be unfair to the other seventy people here who have filled out cards.

MR. LEWIS:  
Okay. I was going to be very short.

P.O. TONNA:  
Thank you very much. Jackie, this was just given to me, right?

MS. FARRELL:  
Yes.

P.O. TONNA:  
00031  
Okay. One more time, Steven Restmeyer? Okay. Let me just check, dealing with public hearing 1693, right?

LEG. FIELDS:  
Right.

P.O. TONNA:  
Okay. Legislator Carpenter, do you want to make a motion?

LEG. CARPENTER:  
Yes, I do. But before I do, I do want to close the hearing, I want to thank the speakers who came to speak in support of this law this evening. And also I want to publicly acknowledge breast cancer activists who I think really led the way as far as this whole issue of notification in the state. Thank you.

LEG. CRECCA:  
And I will second the motion.

P.O. TONNA:  
Okay. Motion to close the hearing, seconded by Legislator Crecca. All in favor? Opposed? Closed.

Okay, Public Hearing No. 1694 - Adopting Local Law No. 2000, a Local Law to stop "hijacking" of parked vehicles (Carpenter) (SEQRA Complete). I don't have any cards. Legislator Carpenter, what would you like to do?

LEG. CARPENTER:

Close, motion to close.

P.O. TONNA:

Motion by Legislator Carpenter to close, seconded by Legislator by Crecca. All in favor? Opposed? Closed.

Public Hearing No. 1741 - Adopting Local Law No. 2000, a Local Law establishing a site selection procedure for sober houses (Towle) (SEQRA Complete). There are no cards. Legislator Towle, what do you want to do?

LEG. TOWLE:

Motion to close.

LEG. CARACAPPA:

Second.

P.O. TONNA:

Motion to close, second by Legislator Caracappa. All in favor? Opposed? Closed.

Setting the date of August 31, 2000, at 2:30 in Riverhead for the following public hearing: Public Hearing Resolution No. 1582, No. 1745, 1754, 1755, 1765, 1766, 1771, 1830. I guess I'll make a motion. Is there a second?

LEG. FIELDS:

Second.

00032

P.O. TONNA:

Motion by myself, second by Legislator Fields. All in favor? Opposed? Approved.

Okay. We're going to go back to the cards. I will say that --

LEG. BISHOP:

Mr. Chairman, while we're --

P.O. TONNA:

Yes?

LEG. BISHOP:

While we're on public hearings. The first public hearing on the agenda was closed, that's the living wage bill.

P.O. TONNA:

Yes.

LEG. BISHOP:

I would like to have a public hearing on that and I discouraged people from speaking at today's meeting because we knew we were going to have a large crowd.

P.O. TONNA:  
Right, so you want to keep it open.

LEG. FOLEY:  
Motion to reconsider the --

LEG. GULDI:  
Motion to reconsider.

P.O. TONNA:  
Okay, motion to reconsider by Legislator Guldi, seconded by Legislator Foley. All in favor?

LEG. BINDER:  
If he was here he might have been on the prevailing side.

P.O. TONNA:  
Excuse me? Were you on the opposing side?

MR. SABATINO:  
It was unanimous.

LEG. FOLEY:  
He was on the prevailing, prevailing side.

LEG. GULDI:  
No I was, on the prevailing side.

LEG. BINDER:  
00033  
Just wanted to make sure.

P.O. TONNA:  
Okay. Motion, second. All in favor? Opposed? Okay, it's in front of us. Now make a motion by Legislator Bishop, second by Legislator Foley to recess the hearing. All in favor? Opposed?

LEG. ALDEN:  
1481?

P.O. TONNA:  
1481 is recessed. Okay. Let's go back to the cards. And I think, just for the sake of time, as we go through the cards I'd ask that Legislators, once we get settled, we're going to take out of order the community college budget. I know there are a lot of people here for the community college budget and because this meeting might go into the wee hours of the evening, or maybe the morning depending on the votes, all I can say is that I'd like to at least finish the business with the voting on the college budget. Okay. Vanessa Pugh?

LEG. POSTAL:

Pugh.

P.O. TONNA:

Pugh, Vanessa? Where are you, Vanessa? Going once, going twice, sold. Nancy Mafradonia? Nancy?

LEG. FIELDS:

She was here, I saw her.

P.O. TONNA:

Okay, going once, going -- is there a Nancy here? Going twice, sold. Meg -- and Meg, I'm sorry, but I just can't read that -- Engermax? I can't read that handwriting.

LEG. CARACAPPA:

She's here.

P.O. TONNA:

She's here?

MS. ENGELMAN:

Here I am.

P.O. TONNA:

Okay, Meg. Okay, are you around?

LEG. POSTAL:

She's on her way, she's coming to the podium..

LEG. FIELDS:

Here she comes.

P.O. TONNA:

Okay, thank you.

MS. ENGELMAN:

00034

It's Engelman is the last name.

P.O. TONNA:

Okay, thank you. Sorry about that.

MS. ENGELMAN:

That's quite alright. I would very much like to thank Legislator Bishop for his bill on the organic landscaping course with the hopes that when they are taught the alternatives they will put them into use. Also to thank Legislator Cooper for 1451 for his bill on alternatives to pesticides which I read has been assigned to the Health and Public Works and Transportation, I can't wait. To Legislator Carpenter for 1693 for her bill on neighbor notification of pesticide spraying, hopefully sometime soon it won't be necessary because safe alternatives will be used instead.

Just a point of information. Only 5% -- and this is as per the

public Health Department -- 5% of the spraying that is being done is for the west Nile virus, the other 95% is for nuisance mosquitoes. So far the only person that has come do you know with a virus is a man in Staten Island I believe that is 78 years old and he's recovering, so maybe it's because the doctors are looking for the signs and symptoms and people can get treated. However, people don't -- a lot of people don't realize whether they spray for the virus or they spray for nuisance mosquitoes, they are the same poisons with a capital P, and there is no studies done on the long-term effects of pesticides on human beings and the environment.

There are a lot of safe alternatives out there for personal mosquito repellants. I'm using one called All-Terraine, I think I gave the information to the Legislature at a meeting a month ago or two months ago, and it really works. It's a combination of essential oils in beeswax which makes it water and sweat resistant and it's microencapsulated so you get four hours of timed-release protection. I have used it in Jamaica Bay twice, I have used it in Oceanside at the Nature Marine Study which is a salt marsh and out in Westhampton Beach walking through the mosquitoes with no bites whatsoever.

Because there are safe alternatives out there, we really have to start using them now; just think what kind of Earth we are leaving for our children and our children's children without doing that. Thank you.

(Applause)

P.O. TONNA:  
Thank you very much. John Pogese?

LEG. FIELDS:  
Porgis.

P.O. TONNA:  
Porgis; sorry about that, John.

MR. PORGIS:

00035

Good evening. I'm John Porgis, I'm a member of Central --

P.O. TONNA:  
Thank you, John.

MR. PORGIS:

Sure. I'm a member of Central Islip Properties and Vice-President of JD Carlisle Development Corp which is constructing the shopping center on Carleton Avenue. It's come to our attention that a committee is being established to select what's being called a children's center -- shelter and it's in fact a juvenile detention center adjacent to this shopping center. And for a community that has worked very hard in conjunction with the State and the County and

the town to revitalize the downtown and worked closely with a lot of the communities to revitalize this area and is succeeding with the EAB Ballpark and Federal Court Houses, Touro Law Center and a number of other very successful projects, one of which we hope will be ours, we'd like to make sure that this committee, as it considers the selection, does not consider the site that is adjacent to our shopping center on Carleton Avenue as a potential location for this juvenile detention center, as we feel that the momentum and revitalization that has been brought to this community could significantly be impeded and damaged by such a decision. We've heard from other local community members that the County has reassured them time and time again that this site is not in consideration, but we would like to -- we are here today to express our support for the community and the town and its continued success and revitalization by asking that this site not be considered. Thank you very much for your time.

P.O. TONNA:  
Thank you, Sir.

(Applause)

Okay, George Glass? George, are you here?

MR. GLASS:  
I'm here.

P.O. TONNA:  
Okay. And then the next one after that, just so that we can be prepared -- I know it's like one of these Price Is Right things, come on do you know -- Mark Dougherty is the next one after George. Mark, are you here?

MR. DOUGHERTY:  
Right here.

P.O. TONNA:  
Okay.

MR. GLASS:  
Good evening. My name is George Glass, I'm the president of the Park Row Civic Association and an active civic leader in Central Islip. I'm also here tonight to hopefully discourage the formation of this  
00036  
selection committee to be used to select a site for this detention center.

As John stated just previously, we have been through this process back in November of '98 and I have in my possession a letter that was sent from a Mr. Roy Dragotto -- Dragotta?

P.O. TONNA:  
Dragotta, but that's pretty good.

MR. GLASS:  
I beg your pardon?

P.O. TONNA:  
No, that's pretty good.

MR. GLASS:  
Oh, okay. To a Mr. Vincent Iaria --

P.O. TONNA:  
Right.

MR. GLASS:  
-- Director of Probation. Very quickly, what it says here, "Please be advised that the premises comprising of approximately two acres located at North Research Drive, Central Islip, New York, and referred to in your recommendation to the Legislature pursuant to Resolution No. 54-1998, is no longer available as a proposed site for a detention facility."

P.O. TONNA:  
Right. Okay.

MR. GLASS:  
So my question is, number one, why is a selection committee or this committee being formed? Because it was my thinking when I voted for the Legislature of my area --

P.O. TONNA:  
Right.

MR. GLASS:  
-- back in November that we gave them the -- gave that person, and I'm sure everybody else did the same thing, the responsibility of their representatives to represent us, not to pass it off on to a committee so they could, you know, just walk away from it.

P.O. TONNA:  
Right. I don't --

MR. GLASS:  
That's not the way to do that. It must be a new type of governing, I'm not familiar with that. But all I could say is that something -- if this detention center ever comes to be in CI, you will personally, I'm sure, be responsible for hurting us and all our efforts that we've made and how we've progressed to this date turning this community around, that it will be a devastation, it really would. I

00037

mean, we have donated a lot of land to the County in other areas, give somebody else a chance, please. I appreciate it.

LEG. CRECCA:  
Can I just address that very briefly?

P.O. TONNA:  
No, you can't address it, you can ask him a question.

MR. GLASS:  
Who's talking?

P.O. TONNA:  
Okay. I'm just saying, Legislators, it's time to ask questions.

LEG. CRECCA:  
You're right.

P.O. TONNA:  
Thank you, Sir.

MR. GLASS:  
All right. Thank you very much for the opportunity.

P.O. TONNA:  
Thank you. Mark?

(Applause)

MR. DOUGHERTY:  
Hello. My name is Mark Dougherty, Vice-President of College Wood Civic Association, Central Islip.

We too, on behalf of our community and residents, 400 plus residents, we too oppose picking Central Islip as a site for this juvenile detention center, and one of the main reasons is that it will impact our community, adversely impact our community or efforts made to revitalize the community. And with respect to that, I believe that the SEQRA process calls that any committee making recommendations or a government agency is involved in actions that may adversely impact the community follow the environmental review full process, and I believe that's stated in Section 617 of the SEQRA process. And in order for a committee to present factual information to make a sound judgment on facts rather than NIMBYism and politics of the day, that they utilize this process and failure to do so could give a community I believe standing under Article 78 of the State Constitution to take some legal action if due process is not followed. Thank you.

P.O. TONNA:  
Thank you, Sir. I have a question for you, Mark. Mark, are you aware, I don't know, of the minutes from the last couple of meetings when we were debating this, the issue of a committee or not. We still have -- you know, are you aware that we still have appropriation power? In other words, somebody can -- the committee can make a decision that this is where they want it to go, but each Legislator here still has

00038

not -- we still have appropriation power. So no money can get funded

to any project unless a Legislative majority and a County Executive, I think, you know, approval of a place. And I think -- I don't know, are you aware of that?

MR. DOUGHERTY:  
No, I'm not.

P.O. TONNA:  
Okay.

MR. DOUGHERTY:  
But I would like to just comment --

P.O. TONNA:  
Sure.

MR. DOUGHERTY:  
-- on your statement. Has a full environmental review been done on the sites proposed --

P.O. TONNA:  
There are no --

LEG. CRECCA:  
There are no sites.

MR. DOUGHERTY:  
-- to see if there's any adverse effects, economically, aesthetically, property values?

P.O. TONNA:  
I can say that -- all I know is that this committee hasn't been convened yet. But I am aware that in discussing with Legislators and discussing with people who would be placed on this committee, I am not aware that any site in Central Islip is being even remotely considered, okay. So I just say it, and I know that there are Legislators -- Legislator Carpenter, Legislator Levy, Legislator Alden, Legislator Fields -- who have been very, very clear about, you know, how they feel about, you know, these issues. So all I can say to you is that if somebody is expressing to you that this is a way of advocating legislative responsibilities so we can go into Central Islip, there is nothing further from the truth, okay. That's all I can tell you. That's not true, and it still has to come back to the Legislature for appropriation of funds. So it's not like a decision is made, that's it, all of a sudden they start building, all right? That's not how this works.

MR. DOUGHERTY:  
I would just like to add one more thing, if I may.

P.O. TONNA:  
Yes, Sir.

MR. DOUGHERTY:

00039

The Town of Islip has adopted a master plan and to my best knowledge, there is no plan for a Juvenile Detention Center.

P.O. TONNA:

And I'm sure that's going to be taken into consideration, Sir.

MR. DOUGHERTY:

And I would once again reiterate that if the environmental process is a process of due process, it takes into consideration all impacts and will help to factually identify the proper location for a facility like this which would be in the best interest for everybody

P.O. TONNA:

Right. And we hear --

MR. DOUGHERTY:

Including the youths.

P.O. TONNA:

And we have heard a thousand times over, Central Islip is not the place to put that.

MR. DOUGHERTY:

Thank you, Sir.

P.O. TONNA:

That you. Wait, Legislator Crecca.

LEG. CRECCA:

You've covered most of my questions, Presiding Officer. I just would add -- I just want to ask you if you are also aware that it will go through that process, we have the Director of Planning, Steve Jones, on the committee who is well aware of the process it needs to go through. And just so you're -- Central Islip has not been targeted in any way as an area where this is going to go. Currently it's my district is the only district that I know of, at least in recent history, that has had a juvenile detention center. We still do have a juvenile detention center in my district, it's about a half mile from my home, if that, and I just want to let you know that there's never been a problem. I've never had a complaint as a result of having that juvenile detention center there, I think most people don't even know it's there. So I just want to -- rest assured that all those things get taken into consideration and be aware that I can give you my assurance, as the person who drafted the bill, that Central Islip is not targeted as a location, there really is none.

MR. DOUGHERTY:

Just one other thing, if I may.

P.O. TONNA:

Yes, Sir.

MR. DOUGHERTY:

Who is going to be the lead agency on this; has that been identified yet? Because we would like to be fully informed of any progress with regard to this matter.

00040

LEG. CRECCA:

It's a task force, Sir, made up of different members both within County government and from the private sector who are going to make a determination as to the best site selection, also they're going to make recommendations as to how many beds it should have and all that. There is no particular lead agency, but a juvenile detention center, the lead agency would eventually be the Probation Department because they would be the ones whose jurisdiction it comes under.

P.O. TONNA:

And I could just say, you know, that the last place that I'm thinking about in any shape or form is Central Islip, okay? And I think that's generally a consensus among a lot of Legislators here. So just whatever fears or whatever else, the past where they were talking about things like that, and just because there are courts there, that doesn't make it the most logical site. Okay?

MR. DOUGHERTY:

Thank you.

P.O. TONNA:

Thank you, Sir.

LEG. FOLEY:

Mr. Chairman?

P.O. TONNA:

Yes.

(Applause)

LEG. FOLEY:

Just as a further clarification, your point is well taken on the appropriation process, once a building, a site is found. But as a matter of fact, as many of us know, it's actually a two step process to construct a building; first we have to put it into the program --

P.O. TONNA:

Right.

LEG. FOLEY:

-- and then at a later date we actually appropriate the monies. So in other words, there is plenty of time for public input, not only in the selection process but also at the time when we actually do appropriate the monies.

P.O. TONNA:

Right.

LEG. FOLEY:

It being a two step process, there is no way, shape or form that anyone could think that we could rush this thing through. It's a very deliberate process and it's one that as a County Legislative body, we always try to have as much public input as possible, and the good people from Central Islip will certainly be made fully aware through Legislator Fields' Office as well as other Legislators who

00041

represent that area.

P.O. TONNA:

Carpenter, Crecca; okay, thank you. Okay, Legislator -- sorry, Robert Caputi? Robert Caputi?

MR. CAPUTI:

Here.

P.O. TONNA:

Thank you.

MR. CAPUTI:

Good evening, Mr. Chairman, Members of the Legislature. Robert Caputi, I'm an attorney and I represent the owner of a parcel in Greenlawn that is under consideration by the MTA for establishment of a railroad yard.

I know that several members of the local community will be here to present opposition to that, and I merely want to state the position of the owner of the premises, Lou Bonavita. It's a 40 acre site in Greenlawn and I want to state unequivocally that we as the owners will not cooperate in any way with the MTA, we will not negotiate with them --

(Applause)

We will not negotiate with them for any other purpose. It's our intent to construct one family dwellings on the premises as soon as our subdivision procedure is completed and we would urge the Legislature to hear the objections of the local neighbors promptly. Thank you.

P.O. TONNA:

Thank you, Sir.

(Applause)

Noel Bonilla?

MR. BONILLA:

Right here.

P.O. TONNA:

Not here? Oh, right here. Okay, thank you, Noel. And then after that, just so -- the Mary Belowski after that. Okay. Thank you, Sir.

MR. BONILLA:

Good evening, Ladies and Gentlemen. My name is Noel Bonilla, I was born and raised in Central Islip and I'm proud to serve on the Board of the Park Row Homeowner Association. The homeowner association has 487 families as its members, it represents a little over -- and represents a little over 5% of the total population of Central Islip.

I would urge you to defeat Resolution 1703 and leave the decision making power in the hands of the Legislature. However, in your  
00042

wisdom, if you do create the committee, I would ask that in -- I also say that we are encouraged by the Chairman's comments; many of the people that were here earlier have left now because they are encouraged. But I would urge you in your wisdom to express upon this committee, if you vote it into office, that they do consider disparate impact upon the community.

P.O. TONNA:

Absolutely. I mean, that -- absolutely. There is not a Legislator here who is not with you on thinking of those things, trust me.

MR. BONILLA:

Then I need not stress that the actions in Central Islip and the community activists would be killed, the inertia, the initiative, the energy here would just dissipate. Central Islip has been ravaged over the years by the loss of the psychiatric center, its economy, its reputation has been ravaged, and we at this point would not stand for the location of a detection center in Central Islip.

P.O. TONNA:

No, and I understand.

MR. BONILLA:

Thank you.

P.O. TONNA:

And I think other Legislators here understand.

MR. BONILLA:

I also have here correspondence from Nancy Manfredonia, the Executive Director of the Central Islip Civic Council who was scheduled to speak earlier; with your permission, I would like to give that to you.

P.O. TONNA:

Yes.

MR. BONILLA:

It's correspondence addressed to each of the members of the Legislators.

P.O. TONNA:

Thank you, Noel. Thank you very much.

LEG. CRECCA:

Can I ask a question?

P.O. TONNA:

Yeah. Noel, there is a question to be asked by Legislator Crecca.

LEG. CRECCA:

What is the great opposition to a juvenile detention center? I mean, I'm not saying it's going there, we know it's not, but what is the objection to be there as opposed to anyplace else?

LEG. FIELDS:

Can I answer that?

00043

MR. BONILLA:

I'm sorry; who's asking the question?

P.O. TONNA:

Legislator Crecca. Go ahead. He asked the question about why are you opposed?

MR. BONILLA:

Why are we opposed to the location of a juvenile detention center in Central Islip?

LEG. CRECCA:

Yes.

MR. BONILLA:

We feel that the detention center would detract from the business initiatives that we're trying to put forward in Central Islip, it's against the reputation that we're trying to develop in Central Islip. We're trying to overcome a very negative reputation after many years. We believe that economically, again, we would thwart any additional economic development in Central Islip by the location of a detention center there. We're already hurting from multi-family dwellings, from a poor educational system, and the location of a detention center would just go to embarrass and, again, thwart the initiatives of many of the developers and many of the community activists who are trying to improve Central Islip.

LEG. CRECCA:

Well, just -- you know, I live in Hauppauge, we have a juvenile detention center there, we have probably -- out of all of Suffolk County, we have the strongest economic base with the Hauppauge Industrial Association and park that's there and --

MR. BONILLA:  
And we have one of the lowest.

(Applause)

LEG. FIELDS:  
That's right, Andrew.

LEG. CRECCA:  
And it hasn't -- I find it just offensive as a resident of Hauppauge that you would say that having such an institution in your town would somehow degenerate your town, because that's saying that that makes Hauppauge a bad place to live and I'm proud to live there and I'm proud to represent my constituents from my community.

MR. BONILLA:  
Well, perhaps if we had the industrial base of Hauppauge we may not have such a strong objection. But again --

(Applause)

But again, Sir, we are suffering from many years of degradation of  
00044  
the reputation for our community. We're just getting on our feet, do not kill us now. Thank you.

P.O. TONNA:  
Thank you very much. Mary; where are you, Mary? Going once -- Mary, are you here?

LEG. FIELDS:  
Mary who?

P.O. TONNA:  
Belowski.

LEG. CARPENTER:  
Yes, I saw her in the audience.

P.O. TONNA:  
Going once, going twice. Okay. Richard Maughan, Jr..

MR. MAUGHAN:  
My name is Richard Maughan, President of the Lowell Avenue Civic Association. And basically I stand the same as the other civic associations, that we don't need something like this in our community. We've worked very hard to turn things around and we're in a positive direction and we don't need anything to pull us do you know now. Thank you very much.

(Applause)

P.O. TONNA:

Thank you, Sir. Jeanine Alisandro, Alicandro, depending on the C if it's hard or soft; what is it?

LEG. CRECCA:  
Jeanne Alicandro.

LEG. CARACAPPA:  
Dr. Alicandro.

DR. ALICANDRO:  
It's Alicandro.

P.O. TONNA:  
It's hard; okay, thank you.

DR. ALICANDRO:  
I'm Jeanne Alicandro, I'm the Medical Director for Emergency Medical Services in Suffolk County and I wanted to just make some comments on Resolution 1734 which calls for the creation of a task force concerning defibrillator placement in Suffolk County.

Just a few facts for background. There are about 300,000 cardiac -- sudden cardiac deaths a year, most of which present the rhythm called ventricular fibrillation, I know some of you have already heard this, where the heart muscle is chaotically twitching and causes the heart to cease effective pumping. The therapy for this is defibrillation

00045

with the device such as you saw earlier that cause the muscle to contract as one and effectively pump again. The key issue is that this is a very time dependent therapy. In order for you to have successful restoration of a normal rhythm, you need to institute this therapy within the first few minutes. Your success rate deteriorates by 10% for each minute that passes, so you have a very small time frame in which to apply this device, after ten minutes your chance of survival neurologically in tact is virtually nil. So you can imagine that by the time you recognize that a victim is in cardiac arrest, call for help and wait for that help to arrive, your chances have already significantly decreased of having an effective conversion of that rhythm.

This is why new technology was developed such as the AED's that you saw in order for them to be rapidly available and people with minimal training been using these successfully, including in our own County where the Police Department each carries an Automated External Defibrillator; they have been very successful and have many survivors through use of this technology. In O'Hare Airport they're on the walls as fire extinguishers might be for use by the general public and they've resuscitated successfully nine out of eleven patients with the use of this technology.

The school districts became interested in these devices following the tragic death of the athlete that you heard about, and there have been others. And although sudden death of school age athletes is not

common, each is a tragedy of such magnitude that it behooves us to look at ways to deal with each one that occurs. I had the fortunate experience of being at a meeting in Albany between the State Education Department and the State Health Department and it was recommended that local communities form a task force involving representatives from the educational community, EMS, Health Departments and local community leaders to address how best to implement programs to create a hierarchy of needs and address where, how many and how to implement these programs, which is exactly what this legislation proposes. So I think it's an excellent piece of legislation, it's very timely and it definitely behooves us to look at our community and how best to make it safe. Thank you.

(Applause)

P.O. TONNA:

Thank you. John Turner, and after John, Reverend Gerry Twomey is up after John. John, the mike doesn't work?

MR. TURNER:

No, I'm just handing out a letter for dissemination.

P.O. TONNA:

Okay. Now, John, is it true that the Nature Conservancy is having their golf tournament at Fishers Island this year.

MR. TURNER:

This is true. Are you interested?

00046

P.O. TONNA:

I was but they told me that there's no way, I would have to swim over there to play.

MR. TURNER:

We could arrange so you could stay dry.

P.O. TONNA:

Okay.

MR. TURNER:

Good evening, Presiding Officer Tonna and Members of the County Legislature. For the record, my name is John Turner and I serve as Director of Conservation Programs for the Long Island and South Fork-Shelter Island Chapters of the Nature Conservancy, and I would request your indulgence to read a letter into the record tonight.

"I write to you today to express the nature conservancy's support for Introductory Resolution 1588 of 2000. I would like to take this opportunity to specifically commend Suffolk County Legislator Ginny Fields for introducing the resolution and to encourage the Members of the Legislature to support it."

"If enacted into law, this resolution would require businesses that sell All-Terrain Vehicles, known as ATV's, to inform the purchaser about existing legal restrictions relating to the use and operation of these vehicles on public land and on private property. This information would be made available to the purchaser via a conspicuously placed notice at the point of sale and by a written copy of the notice. The measure would also revise the strengthen the penalties relating to criminal violations and the seizure of ATV's."

"The intent of the proposal is straightforward; to discourage the use of ATV's on public parklands in Suffolk County and on private lands when it occurs without the landowner's permission. The component requiring the posting and dissemination of information should provide" -- excuse me, "should prove especially valuable in this regard by helping ATV users to establish realistic expectations as to where ATV's may be legally ridden."

"There is widespread interest in discouraging ATV use in publicly-owned areas due to their well documented adverse environmental and ecological impacts. ATV use can cause erosion and associated sedimentation problems, they can disturb and disrupt many species of wildlife in fragment forests and other natural systems.

Perhaps the greatest adverse impact of ATV's, though, is direct physical destruction of vegetation and plant and animal habitat."

And I brought a series of photographs tonight that I would like to disseminate, if Ms. Julius would be so kind, which I think quite graphically illustrate the adverse impacts that I'm talking about. These photos were taken in places in the Pine Barrens -- throughout actually the Pine Barrens and I think you will find them pretty graphic.

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"The severity of the impacts caused by ATV use on public parkland is but one dimension of the problem. The related aspect, the scope or magnitude of use, is also a concern as borne out by the number of publicly-owned sites throughout the County that have been degraded or adversely affected by illicit ATV use."

"The nature conservancy is especially interested in reducing illicit ATV use in parkland located in our priority conservation sites, such as the Long Island Pine Barrens. Several natural communities here are particularly vulnerable to ATV use. For example, many coastal plain ponds and pond shores," again, the photos showing those areas, "such as those found at Robert Cushman Murphy County Park, have been degraded by ATV's. These natural communities have significant global ecological value and, in fact, those specific areas contain, the ecologists tell us, the highest concentration of rare plants and animal species in the entire State of New York." It's not the Adirondacks, it's not the Catskills, it's in the Pine Barrens and specifically those wetland areas in the Pine Barrens.

"We recognize that this measure in and of itself will not solve all the problems caused by ATV use. It is one strategy, albeit an important one, in what should be a broad array of strategies designed to address the problems caused by ATV use. Another component strategy must include better access control measures both at parkland and adjoining land uses, especially utility right-of-ways. Also, it may be appropriate to engage ATV users in exploring the feasibility of identifying a site in the County where ATV use is suitable."

"In closing, I would like to reiterate The Nature Conservancy's support for this proposal, and please feel free to call on the conservancy if we may provide any additional information to you as deliberate this important measure." And I thank you for your time.

(Applause)

LEG. FIELDS:

Thank you, John. Can we keep those photographs or you want them back

MR. TURNER:

Yes, you certainly may.

LEG. FIELDS:

Thanks.

P.O. TONNA:

Thank you. Reverend Gerry Twomey? Going once, going twice. Okay. Rica Packard; are you here?

MS. PACKARD:

Yes.

P.O. TONNA:

Okay. And after that, Sister Regina McAuley, are you here?

SISTER McAULEY:

00048

I'm here.

P.O. TONNA:

Okay.

MS. PACKARD:

Good evening.

P.O. TONNA:

Good evening. My name is Rica Packard. I'm a resident of Huntington and I am currently the President of the Board of Directors of Habitat for Humanity of Suffolk. Habitat is a non-profit organization that builds decent, modest homes for people in need. We have built over 50 homes throughout Suffolk from Huntington to Riverhead.

What becomes very clear very quickly to those working on housing issues on Long Island is that there's no community where affordable housing is not needed; no town where families, single working folk and senior citizens are not living in deplorable, substandard yet very expensive housing. We just in Habitat alone have known far too many families living in such circumstances. For every family chosen for one of our homes, there are many, many others who could have been chosen. I just wanted to give you one example of one of the families that we chose. It was a family with three children who were living in a cramped apartment, there was no room for dressers, people were living in what would be considered the living room, clothes had to be kept in boxes, the only amenities in the kitchen were an old refrigerator and a hot plate; the rent was over \$800.

Finding acceptable, affordable housing is a real problem for families in Suffolk. It must be seen, I feel, not just as a problem for those who need such shelter but as everyone's problem. It should be of concern to every resident of this County. Without affordable housing there is no place for so many of the very people that we all depend upon on a daily basis, people who provide essential services, the hundreds of people employed by small and medium sized businesses through Long Island; hospital lab technicians, school bus drivers, home health care aides who care for our elderly and disabled citizens to name a few.

The need for affordable housing has never been greater. Land is a finite and precious resource. It is imperative that we take advantage of the opportunity that this resolution provides to ensure that affordable houses and homes will be built in our community now and in the future.

I urge you to support the passage of Introductory Resolution 1057. Thank you.

(Applause)

D.P.O. LEVY:

Before we go for further, could we have -- Linda, perhaps, could we get a quorum in here, please, get more Legislators in here. Our next speaker will be Sister Regina McAuley.

SISTER McAULEY:

My name is Sister Regina McAuley.

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D.P.O. LEVY:

If you want to hold on one second, Sister, we're just going to wait to get a few more Legislators for you, okay? The following speaker will be Dr. Alvin Kravitz. We just want to make sure we have enough of a contingent here that you have a quorum to listen to, okay, Ma'am? We'll just give it one more second.

I will leave it to you. If you want to start speaking it's certainly your prerogative, if you want to wait for more Legislators we'll

wait; what is your preference? What's your preference, Ma'am?

SISTER McAULEY:

I will wait.

LEG. LEVY:

Okay.

LEG. LEVY:

I would just like to get one more for a quorum, please.

Okay, Legislator Alden and Legislator Foley have arrived.

Go ahead, sister. Thank you for waiting.

SISTER McAULEY:

You're welcome. Thank you for allowing us to speak. I came to speak on behalf of myself. I'm a member of the Sisters of St. Joseph and I've been a teacher here on Long Island in Suffolk, particularly I taught high school in Holy family, Huntington, which is now St. Anthony's, but I'm also associated with Long Island CAN and I'm on the Board of Habitat For Humanity of Suffolk.

I worked as a parish outreach coordinator in a parish for eight years, a parish which was not known to be in a poor neighborhood, and it was those people that I dealt with who lived in the not poor neighborhood who came at the end of the month needing food, needing pampers, needing other things to take care of their children and their families. And also I needed to find them places to live, because these people were living and working in an area where things were not affordable. There was -- many parish outreach coordinators, besides myself, learned how to find illegal apartments since the towns, particularly the Town of Islip tries to be careful about not having apartments there were considered to be illegal, and we had helped to feed the underground economy by this.

As a board member of Habitat For Humanity of Suffolk, I'm now dealing with families who are of a much lower income than that. They too live in Suffolk and those -- and they're poorer by far than those who lived in the area of the parish outreach that I worked in. I would like our citizenry and our Legislators to join our committees and habitat some day to visit some of the dwellings of the potential habitat homeowners. I did not know that Rica was going to describe some of the housing conditions that they have, but to be a habitat homeowner we choose those who are able to work on the building of their homes because that's part of what habitat is about, and also those who are living in the most dire of circumstances. I think it

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would be an eye opener to know that some of these dire circumstances are in very nice neighborhoods, because people in these nice neighborhoods are renting out a room for a family to live in, and these people may have -- in this one room they may have kitchen privileges if the family is not at home; in other words, they have no kitchen privileges at all when the rest of the family is living there

or present in the house that they own.

So I thank you for Resolution No. 1057 and I ask that everybody consider that our County is in very great need of affordable housing which is really affordable to people who are poor, because we do have poor people here. Thank you.

(Applause)

D.P.O. LEVY:

Thank you, Sister. Dr. Alvin Kravitz to be followed by Mary Reid.

DR. KRAVITZ:

Thank you. I assume that my voice is heard clearly. I would like to express my appreciation for the opportunity to speak on the issue of the MTA in our area.

We have a 39 and a half acre area which was originally zoned R-40 meaning, of course, 40 homes could be built on that property, fifteen 15 years later we find the MTA wishes to put an abomination in our community; a rail yard, a 24 and seven, operating 24-hours a day, seven days a week with trains coming from all of Long Island to be resupplied, to have their have toilets cleaned, the lights on all night, polluting the area and absolutely destroying the value of our entire community. I represent the Lake Ridge Homeowners Association which abuts that property on the northern side. We have 20 acres, they are beautiful, they are manicured. We have a four acre lake stocked with fish, it's a lovely place to live. How could we possibly have a rail yard in the center of that area affecting not only our homes but every home in a radius of five miles? Speak to any real estate broker who will tell you what has happened to our property value in the time that the MTA has placed its plan in the public view.

Now we are faced with this issue, how do we deal with it? We're not going to lie do you know in front of the bulldozers because we're a civilized group of people. Our presence this evening is part of the Democratic process and I appreciate that, and I hope that the State will appreciate the same Democratic process that we have as citizens in which we do not want that rail yard in that community. You cannot find one person out of the many thousands who live there who would approve of that rail yard. Consequently, what are we to do about that? We come here this evening, and I guess I must be the second speaker in this area, without any vested interest, no profit involved, but only as a community resident, as a citizen expressing our outrage at such a monstrosity to be placed in our community. I can think of nothing worse except a nuclear waste disposal unit.

(Applause)

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And that would contaminate all of Huntington, not just the five mile radius. And so I urge our State and local and County Legislators who

are fiercely independent, remember when only a Town Supervisor could veto a project. Well, we're far from that today, it's one man/one woman vote, and so we have 18 Legislators here and we call upon you to support us with the State, although MTA does have eminent domain. But we are citizens, this is a democracy and we must be heard. It's not like there are people who really want this terrible facility to be built, no one wants it built. You must help us. We look to you for support and we would appreciate any suggestion and political emphasis you could place upon our plea for support in this measure. Thank you.

(Applause)

LEG. BINDER:  
Mr. Chairman?

D.P.O. LEVY:  
Legislator Binder.

LEG. BINDER:  
Sir, I don't know if you are aware, but I have a Sense Resolution that I will be waiving the rules and asking -- it's been filed and I will be asking for a vote tonight on a resolution asking the MTA not to pick Greenlawn. As you know, there are two sites, it's either Syosset, the zero wire, or Greenlawn and I'm going to be asking that Greenlawn not be picked as the site, that's the first thing.

The second thing is I'm going to be putting in legislation that will at least put a gun to their head in the sense that what the MTA can do is they can actually purchase -- rather than purchase, if Mr. Bonavida won't sell, and I don't think he will and my understanding is he didn't even know this was coming, hasn't spoken to them and is not happy about this, they can condemn as a government authority, they can condemn the land. I am putting in legislation also to condemn, and I won't be pulling that trigger unless I think that the MTA is looking to move to do that. Because I would rather Greenlawn decide what happens to that land, whether it's houses, whether it's open space, fields, whatever it is, but in the event that they're going to -- the MTA is going to condemn, I will try to move quickly through the Legislature and condemn before they do for a mixture of active use, parkland and open space.

D.P.O. LEVY:  
Allan, if you could just wrap it up, please.

LEG. BINDER:  
Yeah. And so I --

D.P.O. LEVY:  
It's supposed to be a question but I'm giving you leeway.

LEG. BINDER:

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Well, there are a lot of people here and I wanted them to know what was --

D.P.O. LEVY:

I'm giving you some leeway --

LEG. BINDER:

Right, I appreciate it.

D.P.O. LEVY:

-- but I know Legislator Fields and a few others were cut off from making the speeches. But go ahead, finish it up, okay?

LEG. BINDER:

Okay, well, there are a lot of people.

LEG. FIELDS:

You are supposed to just ask a question.

LEG. BINDER:

I do appreciate your being do you know here and speaking out, but you're speaking to people who are going to be voting on a resolution tonight and so hopefully we can get the support to make sure that this passes and we send a message to the MTA.

(Applause)

DR. KRAVITZ:

Thank you, I appreciate that. I hope that I'm not just preaching to the choir, I realize that, and we would appreciate any support. I don't know how effective the resolution would be, I'm not that well politically connected to determine how effective that would be. But I am knowledgeable enough to say that if a community is totally opposed to a particular project, it should not and cannot happen to us.

LEG. BINDER:

Thank you.

DR. KRAVITZ:

Thank you, Sir.

D.P.O. LEVY:

Okay. Thank you, Sir. Mary Reid to be followed by Isabella Marzullo.

MS. MARZULLO:

Good evening. I would just like to speak briefly on the matter of --

D.P.O. LEVY:

I'm sorry; is this Mary or this is Isabella?

MS. MARZULLO:

Isabella.

D.P.O. LEVY:

Is Mary Reid here; is Mary still around? Okay, Isabella, the floor is yours.

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MS. MARZULLO:

Okay. I just wanted to speak briefly on the matter of the MTA. I just recently graduated a couple of years ago from high school in Greenlawn and when I heard about this I was really concerned about it considering for the future to come, my parents have worked really hard for their home and to see this being destroyed by the MTA would break my heart considering maybe one day I would like to live in Greenlawn. I have gone through high school and everybody always wants to leave Greenlawn cause, you know, it's boring, it's this, it's that, but to see it being destroyed like this, seeing that there's homes across the way -- I live directly across -- there's beautiful homes there and to think that somebody would want to destroy that with all this pollution and noise and stuff, it just hurts, so. And I'm here speaking on behalf of the younger generation of Greenlawn which is probably a surprise, but I just wanted to show my concern. Thank you.

D.P.O. LEVY:

Thank you very much.

(Applause)

Debra Dougherty is the next speaker to be followed by William Rabe.

MS. DOUGHERTY:

Good evening, everyone. I would like to thank you for this opportunity to address all of you in relation to Resolution No. 1703, establishing a County Site Selection Committee for construction of a Suffolk County Children's Shelter. I apologize if this is repetitive, however as the President of the Civic Association, I would be remiss in my responsibilities if I did not get this on the public record.

We're all very much aware of the needs to have a juvenile detention center located in Suffolk County. We understand that these children need access to medical care, education, recreation, however there are two issues that I wish to bring forth at this time. The first being in the second half of 1998, a document was prepared by the Suffolk County Department of Public Works and presented to the Suffolk County Legislature in response to Resolution 54-1998. This document evaluation ten potential sites for a children's shelter in Suffolk County, one of which was located in Central Islip. It was also stated in this document that the position of the Probation Department was that a site in close proximity to the Cohalan Court Complex would be a desirable location to reduce travel time and transportation costs. It was then that the Central Islip and adjacent communities expressed their oppositions to the location of such a facility in our community for the following reasons.

Central Islip has been struggling for many years to rebuild and improve its impoverished economic base since New York State deinstitutionalized and closed its psychiatric hospitals. Conditions in the area had deteriorated such that it met the criteria and qualified as an economic development zone. Economic incentives have been provided to attract new businesses and increase home ownership to help stabilize the tax base. Additionally, we have been faced with a myriad of challenges including deeply rooted social, educational

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and infrastructure issues. It is only recently, approximately 15 years later, that Central Islip has been able to begin its recovery from the spiraling, economic losses suffered as a result of the hospital shutdown. Many people at all levels of government have demonstrated their commitment to the area by working side by side with vigilant community volunteers who have dedicated countless numbers of hours and kept a watchful eye to ensure that the revitalization efforts have progressed at a steady positive pace.

Central Islip has not fully enjoyed the economic boom during the past eight years of most other areas on Long Island -- on the Island have. Real property values have increased in proportionately smaller increments in comparison to the rest of the Island. The placement of a juvenile detention facility would not only contribute to the erosion of the tax base we've all been working so hard to rebuild, it would negatively impact the real property values in the area by reinforcing the past image to those who are unaware of the strides made over the past few years.

The second issue I would like to call attention to is the pro's decision making mechanism of a committee. The most disturbing part of this is in the -- of this resolution in its present form is contained in the last two lines of the resolution read as follows; "The determination made by the Site Selection Committee shall not be overturned by the County Executive or the County Legislature." This makes the committee the final authority on the site removing all checks and balances from the legislative process. It allows the Legislature to delegate their voting authority, therefore removing all accountability of individual Legislators to their respective constituents as well as undermines the pluralistic values on which democracy was built. This is a gross violation of the trust we have placed in each and every one of you when we voted for you as our representatives on Election Day. Please do not permit this process to become common practice when a controversial issue is at hand. We have placed our trust in each of you to make this type of decision, not nameless, faceless, politically appointed committees.

D.P.O. LEVY:

Debbie, if you can just conclude, please.

MS. DOUGHERTY:

In closing, we will keep a watchful eye over the vote of our Legislators on this resolution, and should it pass in its present

form we would like to form our own task force to closely monitor the progress of this issue and see that proper oversight of the environmental review process is properly executed. Thank you.

D.P.O. LEVY:  
Thank you, Debbie.

(Applause)

LEG. FIELDS:  
Debbie?

00055

D.P.O. LEVY:  
Debbie, you've got a --

LEG. FIELDS:  
I have a question.

D.P.O. LEVY:  
Legislator Fields has a point or a question.

LEG. FIELDS:  
Debbie, do you feel that it would degrade the Town of Central Islip?

MS. DOUGHERTY:  
I believe it would reinforce the negative image, as people have expressed more recently, that we are trying desperately to overcome over the past ten years.

LEG. FIELDS:  
Well, I am going to ask the sponsor this evening -- he's not here now, nor is the cosponsor -- if they will think about removing the word binding in the legislation and also to ask them if they would remove that fifteenth clause which is the one that you referred to.

MS. DOUGHERTY:  
Okay. Thank you.

(Applause)

D.P.O. LEVY:  
Thank you. I will second that with you, Legislator Fields, when you are ready on that. Walter Rabe to be followed by Susan Anderson. Walter? Going once, going twice.

MR. RABE:  
I'm here.

LEG. LEVY:  
Okay. Oh, I'm sorry.

MR. RABE:

Good evening. My name is Walter Rabe, I'm am the President of the Greenlawn Civic Association and I'm here tonight to talk about the possible MTA car cleaning facility in Greenlawn.

First let me fill in the residents that are here that may not know all the facts and the other Legislators that are here, is that for months now rumors have been surfacing that the MTA was considering putting one of these facilities in Greenlawn, calls to the MTA have resulted in an answer that they said they weren't planning on coming to Greenlawn. Low and behold, all of a sudden the big report comes out and they hold a meeting in June, which they don't notify the local residents, that the MTA yard in Greenlawn was a possible site; and I do say only a possible site because they have many others planned, but they did indicate that it is a preferred site.

00056

Now, the site is 40 acres, it's on the corners of Pulaski and Lake Road, it's bordered on two sides by residential houses. A builder has been planning now for years to put some houses there, actually next month there's going to be a hearing at the town hall to down zone the property. When Legislator Binder heard about this possible MTA yard, he volunteered to make a resolution here tonight to help the residents of Greenlawn and we want to thank him for that, we can use all the help that we can get. I want to thank all the residents that are here tonight in support of this.

Okay. Moving along, I want to mention that one of our members went to the Babylon Railroad Yard, and I'm going to leave some pictures with the Legislators that they can look at to show that the MTA is not a good neighbor. Okay, the yard over there is littered with debris and the landscaping on the outside looks terrible. There is probably a health hazard over there and we could expect the same in Greenlawn that they have there. As the Legislature already knows, I believe they had problems already in the past in Port Jefferson where the residents in Port Jefferson have been complaining about the yard out there in Port Jefferson, so we expect the same if they ever come to Greenlawn.

Some of our residents are educators and some of the neighbors have been talking that even a yard like this is a 24 hour operation, trains will be moving in and out, they're going to cleaning these trains, doing some maintenance on them, that there will be a lot of noise, possibly a lot of noise, might even disturb the children in the area causing them to lose sleep, okay, and it will be a detrimental effect to their education. At this time, and we waited a long time, I would like to have all the residents of Greenlawn that came here tonight to stand up please.

(Applause)

I'm sure some of you are going to be speaking, I want to thank you

for coming. Our organization has over 500 members and we are definitely against this MTA yard in Greenlawn.

D.P.O. LEVY:

Okay. Thank you, Sir.

(Applause)

Our next speaker is Townsend Shean to be followed by Marilyn Beck. You mentioned Susan Anderson before?

D.P.O. LEVY:

I didn't mention Susan Anderson.

LEG. ALDEN:

You mentioned her before.

D.P.O. LEVY:

Did I?

MS. ANDERSON:

00057

Somebody mentioned Susan Anderson.

LEG. LEVY:

Okay, Ms. Anderson.

MS. ANDERSON:

Okay. My name is Susan Anderson and I'm the Co-Chair of the Pink Ribbon Task Force and I represent over 4,000 Estee Lauder employees. I first want to thank Cameron Alden for assisting us with Resolution 1673.

A cure in our lifetime, that's our goal driving the Estee Lauder Company's Breast Cancer Awareness Program. We believe that there will be a cure in our lifetime and that we will continue to work and bring awareness to the end to this dreadful disease. We can all be proud that in just a few short years the breast cancer campaigns have made the pink ribbon a universal symbol of the fight to eradicate breast cancer and a reminder to all men and women of the importance of early detection in saving lives.

This year we want to support and honor the Suffolk County survivors with a commitment to further bring awareness. We want to bring forward an illumination initiative. This special effort is being spearheaded in New York City where negotiations are well under way with local city officials to flood the Empire State Building. We in Suffolk County and the employees of the Estee Lauder Companies bring forth a resolution to illuminate the H. Lee Dennison and the Cohalan Complex. With your help we will start to orchestrate the pink illumination of significant landmarks including Suffolk County and as many major cities as possible throughout the US, as well as around the world, beginning in unison at 7 PM local time on Monday,

October 2nd. It is our hope that the hazy pink glow visible in large cities around the country and around the globe will galvanize the world community in a joint effort, in a commitment not to rest until the threat of this disease has been removed from the lives of all men and women everywhere.

So with that, we ask for your support in passing the resolution and we await your response. On behalf of the Breast Cancer Awareness Task Force, my colleague, Lorraine Arciano, we thank you for your support. In addition, Lorraine Pace is here this evening in our audience and she also supports this campaign. Thank you.

(Applause)

D.P.O. LEVY:  
Thank you. Legislator Fisher.

LEG. FISHER:  
Susan, I would also like to thank you and Estee Lauder for your efforts.

MS. ANDERSON:  
I can't hear you, I'm sorry.

00058

LEG. FISHER:  
I don't know if my mike is on; is it on?

LEG. HALEY:  
Yes, just pull it closer.

LEG. FISHER:  
I just wanted to thank you for your efforts. It's very important to have corporate support. Thank you very much.

MS. ANDERSON:  
Thank you.

(Applause)

D.P.O. LEVY:  
Townsend Shean, to be followed by Marilyn Beck.

MR. SHEAN:  
Good evening. My name is Townsend Shean, I'm Chairman of Save Our Farmland, an east end --

LEG. LEVY:  
Townsend, if you could please talk into the mike a little closer, please. Thank you.

MR. SHEAN:

Yeah. Is that better?

D.P.O. LEVY:  
That's much better.

MR. SHEAN:  
Sorry. I have to move it up a touch, I guess. My name is Townsend Shean, I'm Chairman of an East End Organization called Save Our Farmland. I am here to support Resolution 1843, a bill to be filed tonight as a late starter. Terry Pearsall has given you a handout which includes an advertisement from our group which appeared in the East Hampton Independent, there was also one in the East Hampton Star.

The property in question here, the Schwenk Property on Long Lane, is surrounded by farmland that has already been preserved by Suffolk County, 250 acres, it's 42 acres. The intent of the town under -- is to ask -- has been to ask the Suffolk County legislature and government to purchase this under the Greenways as a 15 field sportsplex type of recreation facility. This is a keystone piece of farmland for a block that runs do you know Long Lane and Route 114 and effectively would scar a large part of that area and go really counter to what I think Suffolk County has looked at doing with farmland preservation in preserving large blocks together. It also presents some planning problems as indicated by the letter enclosed to Supervisor Schneiderman from Mayor Rickenbach, the Village of East Hampton. The majority of users of this facility would be located in Springs and in Amagansett and to the east where we have housing in Montauk, quite a few now what were migrant laborers who were playing

00059

soccer on these fields. It doesn't make sense to us and I think we're concerned about continued and increased crowding in a village that sits on 27 that has substantial traffic problems right now.

We are not against recreation, we recognize the need for it and a large number of our supporters on that ad are residents of Springs and Amagansett who don't have recreation facilities in and near their schools and do not want to spend an hour in the car round-tripping their kids do you know to Long Lane. Marilyn Beck is going to follow me up here, but I think what I have given you is relatively self-explanatory and I hope you will consider Mr. Guldi's resolution and pass it. Thank you very much.

(Applause)

D.P.O. LEVY:  
Next speaker, Marilyn Beck.

MS. BECK:  
Yes, I'm Marilyn Beck. I'd also like to speak to the proposed 15 field recreation complex on prime farmland, Long Lane in East Hampton.

My concerns are two-fold. Firstly, as a parent of four children who are very actively involved in sports, I'm concerned about the location and the size of this recreational complex with respect to traffic and safety. Having children walk a hundred yards from a parking lot crossing a trafficked road, which is Long Lane, to reach this complex is dangerous; this is what is proposed. I cringe to think of my children on foot or bike crossing this road, it will only be time before we have our first fatality.

As it stands now, there are plenty of accidents on Long Lane. The extra traffic, the extra noise, pollution and congestion that would be caused by such a large complex emptying on to a main artery of East Hampton's Village as well as its surrounding streets simply reflects poor planning.

Recognizing the need for recreational sites, I feel East Hampton will be better served to locate and place these fields within its hamlets so children could access them safely by bike or by foot. After having the opportunity to speak with approximately 200 people this past Saturday outside of the post office and the drug store, the opinions that I got from a vast majority of them reflect what I'm saying.

My second concern is that we are rushing into a plan whether or not it is best for our town. Our Town Board has allocated \$38,000 which they are spending on a Recreational Need Study as part of its comprehensive plan. This plan will identify alternative, suitable areas for recreation located throughout the entire town. We should continue to seek to preserve our prime farmland and wait for the results of our very expensive recreational assessment before making hasty and regrettable decisions. Thank you.

(Applause)

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D.P.O. LEVY:

Thank you, Ma'am. Next speaker, Bud Peyton to be followed by Robert Ralph.

MR. PEYTON:

Good morning. I come this evening to speak on Resolution 1057. My name is Bud Peyton and I live in Huntington, I am a member LICAN.

I would like to make some comments on the subject of the separation of government powers and the development of affordable family housing. Clearly the need for additional quality affordable housing in Suffolk County is undeniable. The responsibility and the authority to promote this type of housing lies within the individual town governments. In addition, as part of the town's program to attract new business, they must frequently assure or demonstrate the existence of a suitable supply of units for lower income workers. On the other hand, our County Government has the responsibility for administering our welfare programs as well as our Welfare-to-Work Programs; affordable housing is a vital part of these welfare

programs.

When there is a common need for affordable housing at both the town and County Government level, the logical question is how can the County Government encourage, assist, incentivize the Town Governments to promote and support programs which will encourage developers to build affordable family housing for low income, and that's 30 to 50% of the HUD median income, and moderate income 51% to 80% of the HUD median income for families.

The County should have a major program which could include a variety of elements. For example, some ideas would be identifying large plots of available County land which could be passed to the townships for the development of affordable family housing units, or providing cash incentives for the townships for each new construction, low or moderate income family unit built, sold or rented and occupied using HUD standards and fair housing marketing plans. Another idea would be covering 35% of the sewer treatment cost for a HUD defined affordable family housing development of greater than 75 units.

There is a major possibility of increased homelessness if not nothing is done. The demand for housing has driven the price of existing housing units up and threatens the stability and security of lower income families. We may be entering a period where we will find it difficult to find apartments for families with Section 8 Certificates. The County and the town have common interest in attacking this problem and there is no time like the present for them to begin to work together. Thank you.

(Applause)

D.P.O. LEVY:

Okay, thank you. I believe Robert Ralph is next, to be followed by Jason -- I can't -- it begins with a B, looks like Buddy, but right now it's Robert Ralph.

MR. RALPH:

My name is Robert Ralph, I reside in Huntington. My comments are  
00061

addressed to Resolution 1057. The idea that the County should provide leadership for affordable housing by offering incentives to providers is a concept to be heartily embraced. If we're going to ask the Huntington experience is instructive. Under New York Law, towns have the zoning power and the responsibility to provide for the balanced -- development of balanced, cohesive communities that make efficient use of the towns available land and to give consideration to regional needs and requirements.

Here's what we find in Huntington. The town is under a 12 year old Federal Court Order for racially discriminatory zoning and continues to interfere with the development of the housing that was the subject of a suit. Between Matinecock Court and Paumonok Hills, Huntington has prevented 263 families from having a decent place to live for nearly 20 years. If the average family turnover had been at five

years, more than 1,000 families have been denied a decent place to live involving perhaps 4,000 women, children and men. Luxury rental housing does not labor under the same interference from Huntington Town.

At Avalon, a luxury housing complex, occupancy was achieved within two years of the developer's submission of an application to the town. Why the difference? Do you think it's just an accident or an unhappy coincidence? Then take a look at the Long Island Development Center. For the last five years the town has used the parsimony of land as an argument for why it will not build additional assisted housing. In that five years it has rezoned more than 150 acres away from residential use in contradiction with its own comprehensive plan and its consolidated plan.

Now we come to the 382 acre LIDC site which we believe is the largest remaining undeveloped property in the town. What does the town propose? It proposes to shrewd all assisted family housing from the entire 382 acres. Presumably, if enough people complain loudly enough, the town may be willing to provide a 110 studio and one bedroom so-called family units at another distance, at another site some distance away. That site consists of eight acres and would have a density nearly four times greater than that at the LIDC. LIDC will be spacious with soccer fields, pedestrian and bicycle paths, a swimming pool, clubhouse and a golf course; none of these amenities can fit on the eight acre site being discussed for family housing.

The 1988 exclusionary zoning decision by the Federal Court and supported by the U.S. Supreme Court, found that the exclusion of housing for those with limited incomes was racially discriminatory because it adversely impacted minority families disproportionately. A majority of the town board is supporting the same, blatant exclusionary zoning at the LIDC; it is unfair to the town, unfair to the County, unfair to the region. It is time for the County to look into its tool box of carrots and sticks to assure that this illegal, unprincipled, racially discriminatory land use is turned into a program that is fair to all of us. Thank you.

(Applause)

00062

D.P.O. LEVY:

Last name illegible, but it's Jason Burdy, perhaps, to be followed --

MR. BRODY:

Jason Brody.

D.P.O. LEVY:

Brody, to be followed by Charles Kerner. Yes, Sir, the floor is yours.

MR. BRODY:

Hi. This is my testimony for affordable housing. My name is Jason Brody, I am a voter and I reside in Deer Park, Suffolk County. I also have a disability. With all that, I was able to actually go to college, this college in part, and secure employment with an organization called Federation of Organizations which is a mental health agency whose administrative office is in West Islip. I'm also on two Suffolk County Boards, the Suffolk County Subcommittee of Mental Health and -- Mental Health Subcommittee rather, and the full advisory board that that subcommittee reports to.

Affordable housing is so important to myself and many others who are suffering with any disability, no matter whether it's a psychiatric disability or a physical disability or anything else. Because we are able to live somewhat comfortably with less stress within affordable housing, we are able to function better in our lives and on the job, therefore, we can keep our jobs longer and possibly even earn promotions eventually as I have enjoyed. We can also live a better quality of life in the community. Another problem is that even though many of us who have a disability are going back to work, we often become employed in positions of relatively low income, and because we lost our government assistance we have to live on the income we earn.

In summary, persons with disabilities want to get back into the mainstream, go to work and pay taxes. Because of our higher levels of recovery, many of us can do this, but only with certain supports can we even entertain the idea in all practicality or have any kind of success in doing it. Affordable housing is necessary for the success of our endeavors to enter into normal life again; without it, we are vulnerable and helpless, with it we can do it and be more successful. Please help us to help ourselves to live. Thank you.

(Applause)

D.P.O. LEVY:

Thank you. Charles Kerner to be followed Megan Masterson.

MR. KERNER:

My name is Charles Kerner and I'm a member of the long Island CAN, Long Island Congregations, Associations and Neighborhood Housing Committee. And I rise today to speak primarily about the part of and support IR 1057, but primarily the part that refers to Huntington that is that \$1.8 million will be given to Huntington for affordable housing in exchange for 30% affordable housing at the former Long Island Developmental Center.

What I see as the main opposition to this is what we call NIMBY, Not  
00063

In My Back Yard. And I would like to try and explore this concept a little and I see in it the opposition not only to the LIDC but also to affordable housing in general, and I'm sure that the Ladies and Gentlemen on this legislative -- in this Legislature see that NIMBY comes up often in the projects that we're trying to do. What is -- what I see as a root of NIMBY is the individualism that envelops us in our society, and many people operate exclusively on the principal

that everybody ought to follow their own individual economic interest, the glue of society is threatened by that. And if a civic association that focuses on increasing property values to the exclusion of the common good, that is another thing that would prevent affordable housing. The more prosperous a neighborhood becomes the less they are likely to see the need for the rest of us.

You know, in our market economy we get an orientation that we can buy the people around us, we don't see the needs of the people who might want to live in affordable housing. In fact, you might be touched by the fact that prosperous people see that Legislators are a commodity to be bought and sold, at least they think that's the case. So individualism also effects the developers who see profits in the future and who have the money and organization that money brings to oppose affordable housing.

So underneath NIMBY is a concept that this is our neighborhood and not yours. And of course Suffolk County is not part of the LIDC yet it represents more than just the people who live three or four blocks away, it represents the people in the entire County and Huntington Town Board should represent the people in the entire Huntington town, not just the people who live around there. Yet we have --

LEG. LEVY:

If you could just wrap up, Mr. Kerner, please.

MR. KERNER:

We have signatures on a petition for 30% affordable housing from 1,200 people who live in that development and we have 2000 in the Town of Huntington. So what I'm trying to say is that sometimes the Legislature in passing a bill might get opposition NIMBY but remember, you guys are doing pioneering legislation with this for a County to be involved in affordable housing. I appreciate all of your efforts, you're doing a great job and you're holding the glue together that keeps communities together rather than just a NIMBY group that lives near a project. Thank you very much.

(Applause)

D.P.O. LEVY:

Thank you, Mr. Kerner. Could we get a few more Legislators in here, please, for a quorum. Megan Masterson to be followed by Ivan Strickon.

UNKNOWN AUDIENCE MEMBER:

Megan left.

D.P.O. LEVY:

Is Ms. Masterson here?

00064

UNKNOWN AUDIENCE MEMBER:

No, she left.

D.P.O. LEVY:

Ms. Masterson is gone, Ivan Strickon is gone as well. We just -- for anyone who is keeping score, we're up to number 42. Edward Hernandez to be followed by Neal Lewis.

MR. HERNANDEZ:

Good evening. My name is Ed Hernandez, I'm Director of Long Island Programs for Community Housing Innovations, I'm also a board member and Co-Chair of the Legislative Committee for the Nassau-Suffolk Coalition for the Homeless.

First of all, Suffolk County is to be praised to talk about affordable housing, this is the second bill we're hearing about, IR 1057. I don't have a polished speech tonight because I'm too busy being on the front lines, few successes, many failures. I mean, even the State has come to me asking for assistance with housing. Just a few facts and statistics, first on home buying. The median home price in Suffolk County in May, 1999, was \$158,000, in May of 2000 it's \$176,000, according to Long Island Business News, an \$18,000 increase in one near year. It would take an income of \$70,400 to be able to afford the median price of a house in Suffolk County. We're an agency with over a million dollars to give away, yet we have trouble finding people able to qualify for mortgages despite hundreds of applicants; so yes, affordable housing is definitely needed. However, there is affordable housing that goes unwanted by communities, affordable rental housing.

Here are a few facts that I cited in my Letter to the Editor in Newsday that was published on Friday, August 4th. According to statistics from the Department of Housing and Urban Development, the fair market rent on Long Island exceeds \$906 a month for a one bedroom apartment and \$1,105 for two bedrooms. In order to be able to afford a one bedroom apartment according to government standards, \$17.42 per hour or \$3,600 a year in income is required and those rent figures are probably out the window by now. Suffolk County estimates that 76% of renters are rent burdened paying more than 30% of their income for rent. This is a serious problem. I also said that the median family income in Suffolk is \$73,300 and people earning up to \$61,000 a year can qualify for subsidies.

And aside from the Newsday article, the shelter system is so full that there are currently 50 families living in motels which the County closed do you know several years ago, but because of no place else to use it's the only option open for people to live right now. If left up to the towns and the communities, then there will be no affordable rentals. We must dedicate a fair share of these funds and properties for rental units.

I concluded my letter in Newsday by saying, "While subsidies if affordable housing are unpopular, they are critical for the economic well being of Long Island. If those who fill entry-level jobs and the basic service industry positions cannot afford to live here, we

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will all suffer in the long run. It is essential that we overcome our fears and selfishness. We must get government to foster the creation of affordable housing in sufficient numbers and in an equitable manner. Those in need who we reject today could very well be our children tomorrow." Thank you.

(Applause)

D.P.O. LEVY:

Thank you, Ed. Neal Lewis to be followed by John Harras.

MR. LEWIS:

Honorable Deputy Presiding Officer and Members of the Legislature, thank you. My name is Neal Lewis, Executive Director of the Long Island Neighborhood Network. I'm here today to speak in favor of Resolution 1664. Briefly, however, I want to make a comment in regards to Local Law 1693. There's no one more anxious than myself, it's been eight years since I first proposed the idea of neighbor notification of pesticide spraying to Assemblyman DiNapoli, however the Governor has not yet signed the bill into law. I have spoken with DiNapoli's staff and Marcellino's staff and they are all in agreement that the counties do not have the authority to opt in until after the bill has been signed. But I do support the efforts in this regard and I just bring that point to your attention, and I apologize for jumping up earlier to make the point out of order.

In regards to 1664, this Legislature today has an opportunity to move Suffolk County ahead. I want to be clear that this is not the last step in the process by any means, but nonetheless today's step is a critical one. This allows us to move ahead in an effort to make history, to design, construct and maintain the first truly organic golf course on Long Island and in all of New York State. This resolution will allow us to go back to the court, to settle the litigation that the Neighborhood Network was successful in against the County and allow the County to move ahead in sending out RFP's. This resolution that's before you today has taken a long time to get here, this represents a model proposal which is well designed. This model will hopefully be followed by new golf course proposals across Long Island, whether private or public, and frankly across the country.

Briefly, some of the key elements of this plan are, one, the creation of a volunteer oversight committee; two, the hiring of an environmental specialist as consultant on this project; three, ongoing drinking water monitoring which is critical considering today's news; four, highly innovative soil testing and {microcrobial} activity counting which is critical to the idea of bringing science to organics; and of course a strict organics program. Today when this room was full we saw some young soccer players here, this proposal is referred to as the organic golf course proposal, it should be noted, however, they are also building organic soccer fields. The County should be thrilled that it has the opportunity to be in the

leadership in providing this for our children, this is really very exciting.

(Applause)

00066

Thank you. In regards to the Yaphank site, this is a site that is not ideal for other uses, it's perfect for the use that we're proposing here, there's a landfill nearby, a sewage treatment facility nearby, the Grucci Fireworks Testing Facility nearby, the area has already been harvested for lumber in the past and there's currently illegal activity taking place at this site. This is a perfect site to design an organic golf course that will improve the environment of the area and become a model and, once again, Suffolk County will be a leader on environmental issues that can be followed, as I said, across the Island and frankly across the country. So I'm really excited that we're here today to hopefully get this resolution through the Legislature.

And I just in closing want to thank the Parks Commissioner, it's been some six years since the first -- some three Parks Commissioners ago when this proposal was first made. But the current Parks Commissioner has worked really hard on this proposal and I really want to thank his effort that we can have a meeting of the minds here and present one, well designed proposal to this Legislature that you're hopefully going to be able to act on. Thank you.

LEG. LEVY:

Before you go, Neal, Legislator Foley.

LEG. FOLEY:

Just as one Legislator and a member of the Parks Committee, I would also like to state on the record to thank you, Neal, for challenging the County to move forward in ways that you had challenged us to do so, and the fact that this would never have happened -- and I will be the first to say it on the record, this would never have happened without your -- not only your input but your legal expertise and you challenging us and challenging the County Government to do the right thing in this regards. So as one Legislator, I want to thank you for your efforts. And like many other areas of public life where you have made a difference, this is one major area that you have made a difference. And what's really exciting about this is that this could be, hopefully will be the start of something great not just in this County but could be replicated, as you said, throughout the country. So I thank you on behalf of my constituents.

MR. LEWIS:

Well, thank you.

(Applause)

D.P.O. LEVY:

Thank you, Neal. John Harras to be followed by Marie Chidichimo.

LEG. FIELDS:  
She's not here.

D.P.O. LEVY:  
Since Marie is not here, next on deck is L. Von Kuhen.

UNKNOWN AUDIENCE MEMBER:  
00067  
He's gone.

MR. HARRAS:  
Good evening. My name is John Harras from Morton, Weber & Associates, attorneys for the owners of 382 acres formerly known as the LIDC site in the Dix Hills/Melville area. I'm here to address Paragraphs B and C of Section II of proposed Resolution 1057 which strangely limits Huntington's pilot money to the LIDC project which is the only project in all of Suffolk County which is singled out in such a fashion. By so doing, those particular paragraphs direct the expenditure of pilot monies in a manner that is adverse to a project that has already had its change of zone hearing, has already been heard before the town board, has already been heard in front of over 1,500 people who came do you know to town hall to support that project.

[SUBSTITUTION OF STENOGRAPHER - PATRICIA PATRISS]

MR. HARRAS:  
Because our project has been singled out, I thought it would be helpful if I could briefly describe the project, its status, and why the resolution, those particular two paragraphs, are not well conceived when applied to the project. That project, which has been christened the Greens at Half Hollow, is a planned community predominantly for seniors fifty-five years of age and over in accordance with the Federal Fair Housing Act and the Housing For Older Persons Act of 1995. It will, in a single stride, help alleviate the critical and well documented shortage of housing for seniors who are the fastest growing segment of our population, a segment which will count among its members one out of every five americans in the year 2030.

On July 25, 2000 there was a public hearing, the one I just referred to, before the Huntington Town Board, on our application to change the zone of the LIDC Property from R-80, which is two acre residential, which would only allow very large two acre luxury houses, to a planned community with a variety of housing types offered at a wide variety and range of prices. As I said before, fifteen hundred people showed up to the hearing in support of the project. This unprecedented support could not under any analysis or definition be construed as NIMBYism, for then NIMBYism would have to include the entire school board of the Half Hollow School District, the Superintendent of Schools, the entire PTA, a large, large, large, portion of the community, and I would say almost a one hundred

percent support for the project. That is not NIMBYism. That is democracy and action. And the unprecedented support for that project is very clear to understand.

First, our client's project has adopted the recommendations of a State appointed task force, which was comprised of State, County, and Local officials as well as Local Civic Leaders. That task force recommended the project that we are implementing in the Town of Huntington. Number 2, the project provides --

AUDIENCE MEMBER:  
Point of order.

00068

LEGISLATOR LEVY:  
No. No, no, no, sir. Sir, you're out of order.

D.P.O. TONNA:  
There's no points of order. A speaker has the right to finish his comments.

LEGISLATOR LEVY:  
You've got to extend courtesy to the speaker. When he is finished, you can give your concerns to the clerk and we'll decide if it's appropriate to be heard at that point.

Sir, why don't you continue? By the way, you're out of time Mr. Harras, if you would just wrap up your remarks, please, and you're going to be followed by L. Von Kuhen.

P.O. TONNA:  
Thank you.

MR. HARRAS:  
Yes, Mr. Presiding Officer. I would just like to point out that the project that the board, the -- may not be, or it contains a substantial affordable housing program. Four hundred units will be priced at under a hundred and eighty thousand dollars. One hundred units will be offered at one hundred and twenty-five thousand dollars. We hope that there will also be rental units constructed under the HUD 202 Program for seniors of the lowest, lowest, income levels. Also, we are contributing 2.5 million dollars to a housing trust fund, which is more than 10% of the Affordable Housing Program that this body enacted recently for the entire County of Suffolk.

I would say that this project is a benefit to the community. It has an affordable component and if that -- if the money specified in the resolution is available in connection with such a project, then we could support it. However, if it is going to impose conditions which are incompatible with the senior nature of the proposed community, and which are in fact incompatible with the requirements of the Fair Housing Act, we must respectfully oppose Paragraphs B and C and request that all references to the LIDC Project be stricken. Thank

you.

(Applause)

LEG. BINDER:  
Mr. Chairman, Mr. Chairman.

P.O. TONNA:  
Yeah.

LEG. BINDER:  
John. Mr. Chairman. John, John Harras.

MR. HARRAS:  
Yes.

LEG. BINDER:  
00069  
I'd like to just ask you a question.

MR. HARRAS:  
Yes, Legislator Binder.

LEG. BINDER:  
In the Town of Huntington can you tell us how much senior housing other than what you're planning -- is there much senior housing available to your knowledge?

MR. HARRAS:  
No. Actually, it is -- there is an unprecedented critical shortage. Right now in the Town of Huntington there are only three hundred, I'll repeat that, three hundred independent living that's for seniors, they're all occupied, and the waiting lists are huge. So there is a critical, and in very real fashion, scary shortage of senior citizen housing in the Town of Huntington.

LEG. BINDER:  
Which obviously is very different than the other towns who have built a number of -- hundreds and hundreds beyond Huntington has. One of them I think is in Melville Knolls. What is the -- have you heard what kind of waiting list or what's happening there?

MR. HARRAS:  
Melville Knolls, which is a hundred and seventy-eight units of senior citizen housing, which contains a 20% percent affordable component is -- the waiting list at this point is seven hundred.

LEG. BINDER:  
Seven hundred is the -- and how many openings are there right now at Melville Knolls, do you know?

MR. HARASS:  
Well, there's only a hundred and seventy-eight units. They already have seven hundred people on the list.

LEG. BINDER:

Okay, thank you.

P.O. TONNA:

Okay. L. Von Kuhen. Is that person here? No. Emily D'Angelo? Emily? Once, twice, three. No. Steven Schwetz? Okay, and then after that Tom Williams. Is Tom here? He is? Okay, after Steven.

MR. SCHWETZ:

Thank you, Legislators and elected public representatives serving us. God be with you all. For the sake of suffering public humiliation because I get nervous occasionally, you know -- my family moved to Greenlawn in 1956 and we're located within a one quarter mile radius of the proposed property for the MTA target for that facility in question. I just -- it's just like the only thing I can say is for any one of us, if we're to respond in a manner that is out of character to our natural nature, or to our grain, to go against the grain is awkward, and it's difficult, and it causes conflict, and -- in effect, I guess that's what I'm really trying to say is that this

00070

is not a good thing for Greenlawn, and that's about all I would like to say at the moment. We're not happy about it. Thank you.

(Applause)

P.O. TONNA:

Thank you very much, sir, and I thought you were quite eloquent. Thank you. Tom.

MR. WILLIAMS:

Good evening. Thank you. Thanks for the opportunity to speak. I'm speaking in favor of IR 1057 to provide revenue sharing to Townships for affordable housing. I think that recent articles in Newsday have pointed out the tremendous need for such housing with the articles about overcrowded multifamily houses, fires in them, and the disasters that occur when there's not adequate housing.

A recent article in the New York Times speaks of the woeful act of affordable housing and rentals on the east end. Quoted there was, "We're building an average of a house a day out here," the supervisor said, but none of them will house the people who are going to service these new houses. First the carpenters, the lawn guys, the house cleaners, the whole infrastructure to maintain the estates cannot be supported out on the east end.

I think we're slowly creating a very divided community here in Suffolk. Many residents of Suffolk with special needs find it difficult to find housing, victims of domestic violence, individuals returning to their communities from jail, individuals with mental health problems, people with disabilities, and of course senior citizens.

According to a human care summit held two years ago the salary needed to support a family of four is approximately thirty thousand. Someone working forty hours per week at the minimum wage would only make eleven to twelve thousand per year. With a rental of only a thousand per month, which is hard to find, a family will have nothing left on which to live.

Recent figures have shown that there's approximately three and hundred and fifty-five people in emergency housing in the public assistance roles. Those are figures that are approaching the numbers that we had five to seven years ago before welfare reform, and when we had sixteen thousand people on public assistance. Currently there are only six thousand people on PA.

We're terribly concerned about the lack of affordable housing. The Community Council represents over a hundred and thirty agencies that provide health and human services, and we feel that it's very important for the health of our community for this initiative and to promote affordable housing. Thanks so much.

(Applause)

LEG. BINDER:  
Mr. Chairman.

00071

P.O. TONNA:  
Yes, Legislator Binder.

LEG. BINDER:  
Tom.

MR. WILLIAMS:  
Yes.

LEG. BINDER:  
Could you tell me about what your thoughts are when it comes to the woeful act of senior housing in the Town of Huntington and the senior affordable housing? Is there a concern when you hear that there is a seven hundred plus waiting list in a facility that has a hundred and seventy-eight apartments or units?

MR. WILLIAMS:  
Sure. Of course. We're concerned about senior housing, housing for families, housing for a wide variety of people. There just isn't -- there isn't enough out there. We certainly are in favor of more affordable housing.

LEG. BINDER:  
So here's an opportunity especially, particularly in the Town of Huntington where they haven't done senior housing, where the numbers are just so much lower. There's, I could show you, almost nothing, and in Brookhaven, Islip, everywhere else, large numbers, and so an

idea comes to do affordable senior housing and you know, a senior community, and that's not something that's of interest to your agency?

MR. WILLIAMS:

I don't think I said it wasn't of interest. I don't --

LEG. BINDER:

Well, it -- I mean it's -- that's what I'm generally hearing is that it has to be affordable family, and the senior housing, senior affordable is not really an option. Because that's what they're trying to do here and that's what the -- I mean that's the cutting edge question.

MR. WILLIAMS:

Well, we're also interested in the other townships where this revenue sharing would be made available. I have not done a good analysis of the LIDC and the Huntington situation to be that familiar with it. I think that I'm promoting a general idea of affordable housing to support County initiatives, the incentives that you're proposing and if it needs to be fine tuned, then I would certainly look at that, but I'm not in a good position to analyze the Huntington situation.

LEG. BINDER:

Well, the problem is you come here to support Legislation and it has a specific provision in it that only speaks to one town, one town's revenue sharing. One town is told what to do, every other town not, and in that town the question is whether it can be senior affordable

00072

and whether they can take care of this question. So I think it's something you should have -- I -- you know, maybe you need to look at before coming out and saying I support because it's still part of the bill. So --

MR. WILLIAMS:

Okay.

LEG. BINDER:

Thanks.

P.O. TONNA:

Bob DiBenedetto.

MR. DI BENEDETTO:

Hello again for those who are still awake. I am here to speak about the Cooper Resolution H-1451 and the Bishop Resolution to establish organically trained certificate program for licensed landscapers. As I mentioned before, nine months ago we circulated a petition that we have about ten thousand signatures on, and we have three of the items being discussed tonight, and two of the items are Number 1, on our petition it's stated as were calling for the training of all licensed pesticide applicators and the use of nontoxic pest control on lawn garden maintenance as part of the licensing requirements. The Bishop

bill is a major step in this direction. Thank you, Mr. Bishop.

(Applause)

And we also called for the allocation of any resources necessary to Vector Control Departments for research implementation and expansion of nontoxic alternatives and preventative measures for their pest management programs. The Cooper bill is a major step in that direction, and thank you, Jon Cooper.

Why do we need these bills today? Because our pesticide exposure in this area is well above what can be considered as safe. In New York State alone there are close to 17 million pounds and 2.5 million gallons of pesticides from known carcinogens to reproductive hazards, to endocrine disrupters used each year. This is not a single exposure, but happens each and every year. These chemicals have rarely been tested to ascertain the synergistic effects of the many combinations that are used.

One study has been done which was quoted by Carl F. Jensen of the US EPA in the Journal of Toxicology and Environmental Health. It's in reference to the Gulf War Syndrome and its connection to the pesticides used by soldiers there. He says, "Even though the dosages of Pyrethrin were well below the amounts needed to kill the animals it was found that when pyrethrin was combined with DEET it created brain damage within test animals that is similar to those observed following near lethal doses of pyrethrin," and he concludes that this study demonstrates that concurrent administration of any two compounds of PB, DEET and Pyrethrin, results in neurotoxicity that is markedly greater than that resulting in treatments with any individual compounds.

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It's worth noting that this study looked at the affects of Synthetic Pyrethroids and DEET used in combination and/or in Scourge, are synthetic Pyrethroids, and the use of DEET continues to be pushed by health officials even though the EPA has recently stated that it is not considered child safe.

Why else fund the search for nontoxic alternatives to pesticides used for mosquitos? Aside from the known and unknown health risks it's important to note that repeated pesticide spraying is ineffective. The journal of the American Mosquito Control Association published scientific studies which show that repeated indiscriminate spraying of pesticides results in a long-term increase in the number of mosquitos, the new generation of which are immune to the spray, and a fifteen to fifteen hundred percent increase in the rate of mosquitos infected with Encephalitis Viruses. The article which was written by a New York State Department of Health official also states that it seems likely that any mosquitos exposed to pesticides are vulnerable to viral infections.

Finally, as for the Bishop bill, I understand that there will be

resistance by those who are in the business, which earn their bread and butter on the use of toxic chemicals. I would suggest however that these people will be the greatest beneficiaries. They will gain personal health and increased income as they're trained in delivering the safe alternatives that an educated public will increasingly demand.

As for the Cooper bill we need to be ground breakers in this area as well. We can't wait for others to do the research that will reveal tomorrow's truly non toxic solutions to a pesticide situation that's out of hands. Five years ago DEET and Dursban were a-okay in the eyes of most people. Last year Malathion was talked about as a safe chemical. Now Anvil and Scurge are described the same way. We need to learn from our mistakes.

At a chemical symposium that one of my colleagues attended at Hofstra University this year one chemist mentions that when he attended conferences throughout the country Long Island was always singled out as the most highly sprayed area, and that is was a wash in toxic chemicals. So please carefully consider the gravity of the situation for all the residents of Suffolk now and in the future. Let's create a Long Island that's singled out as being proactive in it's resolve to create a truly healthy environment for all its citizens. Thank you.

(Applause)

P.O. TONNA:

Dan Linn and then after that will be Kevin Gary. Dan are you there?

MR. LINN:

My name is Dan Linn. I'm a rare animal. I'm someone that came back here to retire after forty-five years away from the Island. I'm here -- and what I was going to say is probably redundant to Dr. Kravitz and what Mr. Binder said, but I moved into the Greenlawn area because it had a mix of people. It was a quiet neighborhood. It had children. I didn't want to go to Miami beach and retire to --

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waiting to die, but now, I never expected to be speaking before this body either, but now we have something in the neighborhood being put there that is absolutely so incompatible with the current usages, and so much of an environmental concern.

We've been talking about other environmental concerns here. Anything that uses cleaning substances will have an environmental impact. I operated a thousand man plant, and you have stuff in the plant that will have an adverse impact. When it's out in the open it will sink into the ground. It will sink into the water table. I just raise those issues and thank you for your time.

(Applause)

P.O. TONNA:

Thank you, sir. Kevin Gary. Janet Allen. Janet Allen, are you

here? Yes? Okay. And after Janet will be Bernice Bulgatz. Did I pronounce that correctly? All right. Okay, Janet.

MS. ALLEN:

I'm Janet Allen speaking tonight basically in support of Resolution 1057. I'm Director of Family Advocacy for Family and Children's Association, which provides programs for children, families and the elderly in Nassau and Suffolk. Our Suffolk programs include a runaway and homeless youth shelter on the east end, and a program to help youth who are aging out of foster care prepare to live independently. They have a terrible time since they're basically on their own trying to go to work and to school and to find places to live.

We are encouraged by the intent of the proposed resolution to use available County funds to help towns increase the supply of affordable housing throughout the County, but we have some real concerns in regard to specifics. The most obvious question concerns the likelihood that the recently announced police settlement may require more than the approximately two thirds of the LIPA Shoreham settlement funds that this resolution proposes to set aside for that purpose. I wonder if the rainy day may have already arrived.

It's not clear whether the intent of this resolution would cover already developed land that could be redeveloped into housing or only vacant land. Smart Growth principles suggest that planners focus where possible unimagined reuse of inappropriate developed or underused land near transportation, shopping, employment, and amenities. We know this is being successfully and economically done in other parts of the Country. On Long Island we have fallen far behind in offering alternatives to our young people, to those living with disabilities, and to our hard working young families who have yet no savings and wisely resist launching into premature home ownership.

To comment specifically on the proposals for the Town of Huntington, I'm a Huntington resident, will Suffolk County use the towns own priorities of it's comprehensive housing affordability strategy as the guideline in determining the appropriateness of plans to use this special set aside? We believe this is essential if planning is to

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have any meaning.

Does the County contemplate setting any conditions as to who would administer such housing to keep it affordable should the developer accept your offer? And why is Suffolk dictating only quote "co-ops, condos, or detached housing in Section 2-B"? Apartments for rental can be readily made more affordable on a flexible basis. The carrying costs of other types of housing ultimately rule out too many young adults and young families, particularly those working either in service industries or human service, or for any of the non-profits such as my own. It should also be noted that the quote "affordable housing for seniors" is going to be way beyond the means of many of

the seniors with which agencies such as mine are acquainted.

Despite rapid increases in fields such as financing and technology, salary scales have not tracked upwards across the board. Those working at or just above the minimum wage doing work important to our social well-being are unable to compete now in the open housing market. What happens to them if one more program passes right over their heads? The County must encourage the Towns to open the door for residents across the income spectrum. Thank you.

(Applause)

P.O. TONNA:

Thank you very much. Bernice.

MS. BERNICE:

It's difficult to speak when you can't see to whom you are speaking, but I will try my best.

(Applause)

P.O. TONNA:

I apologize for that and I know half of it is a shine on my head, I didn't realize with the lights, but um, it's -- with not being able to see us, it's a little better than traveling all out to Riverhead, right, I guess.

MS. BULGATZ:

That's true.

P.O. TONNA:

So you take some and you lose some. Thank you.

MS. BULGATZ:

The Huntington League of Woman Voters has since the late '60's recognized the need for incentives for builders to develop affordable housing. It is important for Federal, State and Local Governments to take positive steps to encourage the building of affordable units.

Although the Town of Huntington has acknowledged a need for the past twenty years of over twenty-seven hundred affordable units, it is only within the last two months that an affordable home program has been proposed. It is now in these times of prosperity that our business community is hurting because the housing market is much too

00076

tight and expensive to attract workers. Our college graduates look elsewhere for jobs where they can afford the available housing. Young families are doubling up in tight quarters and spending more than fifty percent of their income on housing. So much so that many have to make use of soup kitchens for food towards the end of the month.

We approve of Part 3 of bill number IR 1057, which provides an

incentive for affordable housing with special emphasis on the three hundred eighty acres of former state property known as the Long Island Developmental Center. We would hope that an example of Smart Growth Planning would be established on this large parcel that would recognize the needs of the entire community not only for seniors, but for young singles and families as well. We hope that this resolution will be passed. Thank you.

(Applause)

P.O. TONNA:

Thank you very much. Bettina Barbier. Bettina, are you here? Yes? To be followed by Michael Warren.

MS. BARBIER:

Hello again.

LEG. LEVY:

She spoke already.

P.O. TONNA:

You filled out a card on --

MS. BARBIER:

This is 1451 and 1584, Cooper's bill and Bishop's bill.

P.O. TONNA:

Okay. Oh, you spoke at the public hearing, that's why right?

MS. BARBIER:

Yes, that's right.

P.O. TONNA:

Okay. It's no problem. Thank you.

MS. BARBIER:

Those of you on the Health Committee may have heard some of this before, but there is a little new information. I support bill 1451 to establish research into safer alternatives to pesticides for Vector Control, and bill 1584, which would establish an organically trained certificate program for licensed landscapers.

There is evidence that all chemical pesticides have ill affects on human health to one degree or another. Pesticides are not required to be tested for health affects in order to be placed on the market. We don't know the full affects of pesticides that are now in use and any statements that do exist regarding their affects come from animal testing which is a poor predictor of human response. Consider how long it took us to accept the idea that spoking was harmful. Must it

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take as long for us to at least investigate whether pesticides are similarly harmful? And should we not encourage the least toxic means of pest control in our neighborhoods where the children grow and play?

Financially it makes sense to do the research and to establish the organic training program. Farms, golf courses, schools, and other entities who have made the transition away from chemical pesticides have found that their initial cost was more than recovered over time. The price of an intern or of a program seems small when measured against the potential savings on chemicals for the County and its citizens, not to mention the piece of mind of knowing we are using less harmful methods.

Many pesticides suppress the immune system. Now we have a disease that is known to be most severe in people with more vulnerable immune systems, the very old, the very young, and the very ill. It makes little sense to use chemicals that may actually weaken the immune system. Exposure to the very pesticides that are being sprayed to help us may actually weaken us and render us more vulnerable to this disease. Both of these bills would reduce exposure of these pesticides.

If the County undertakes this research and is instrumental in finding nontoxic means of curbing the mosquito population, and if the County makes it easier for those who now use toxics privately to make a transition to less toxic means it will have made a major contribution to the well-being of all people everywhere, not only by discovering a better methodology, but by providing a shining example of how Local Government should work when confronted by a problem. Thank you very much.

(Applause)

P.O. TONNA:

Thank you. Michael Warren. And then after that is Winn Rea.

MR. WARREN:

My name is Michael Warren. I live in East Northport and am here as a member of Long Island CAN, Association of Congregation and Association of Neighborhoods, and I want to address resolution IR 1057. I support the initiative of Legislators Tonna and Alden in this resolution.

I find that Huntington Town and all Suffolk County has a notable record of concern for wildlife. It is time now for it to affirm human life in the person of working families.

(Applause)

This proposal, IR 1057, awards 1.8 million dollars of Shoreham Pilot money to purchase land for affordable housing. This money is to be used to purchase land of which at least 30% should be used for affordable housing. In Huntington over the past twenty-four years incredibly only thirty-one units of affordable housing have been built, and they were built in 1978 on the property of a former Lincoln School in a high minority area. An additional fifty-eight

00078

units including equity units at Avalon I and II, and equity units at the Villages in Melville are still being built, but they cost a hundred and fifty-eight thousand dollars, plus common charges. A family would have to be earning about seventy-four thousand dollars to be able to take on such a home.

In 1990, ten years ago, the Town itself reported that twenty-seven hundred and sixty-three new family housing units were needed, but it did nothing. In fact, the Huntington Housing Authority closed its own waiting list that year, 1990, ten years ago, and it hasn't still been reopened.

Behind the facts and figures there is real present and well known human misery. I think we need to have for our poorer citizens, and these are people who work at taking care of our needs, the removal of our trash, keeping our lawns trim, working on and in our homes, on and in our stores, hospitals and so forth. I think it is time to show for these poorer citizens at least as much compassion for them as we have for our endangered wildlife.

My concerns can be summarized by this statement by the wonderful Jewish philosopher, Emanuel Levinar, he said, "My neighbors material needs are my spiritual needs." When are we going face these material needs for homes? This is the cutting edge question.

(Applause)

P.O. TONNA:

Okay. Winn Rea. Are you there? Angela Parisi. No. Denise Le --

MS. LEPARIK:

Here I am.

P.O. TONNA

Oh, wait. Is that Angela?

MS. LEPARIK:

No, Denise.

P.O. TONNA:

No, Denise. Okay, Denise Leparik.

MS. LEPARIK:

Good evening. My name is Denise Leparik. My family and I live directly south of the proposed MTA Car Cleaning Facility in Greenlawn. Six and a half years ago when we purchased our home we looked into what was going to happen to this empty field. We were able to go ahead with our purchase comfortably because we understood that the property was zoned residential and that a builder owned the land. Now we are presented with the situation that we feel we have absolutely no control over. This mammoth facility will be built across the street from our neighborhood and we don't want it.

We have many fears as to what this industrial complex will bring to our neighborhood. The most obvious being the air, ground, noise, water, and light pollution that will envelop our community. We are  
00079

concerned about how this will change our lifestyle. I can't tell you how many of the children in the neighborhood have told me that they are frightened that they're going to have to move if this facility comes in.

Will we still be able to enjoy our backyards without the constant sound of train engines, cleaning machines, and shift changes? Will we feel comfortable sending our children outside where the air is full of garbage stench and chemical fumes from the cleaning materials? Will we now have to retreat back into our homes away from our neighbors who have become our friends because the MTA atmosphere is disruptive to our sanity? The development to the MTA's car cleaning facility will also reduce our home values considerably. If this facility is built, will our homes have enough value for us to sell so we can relocate our children to a healthier environment?

From newspaper reports I have read, communication from people who live near the Port Jefferson Facility, and pictures I have seen, the MTA does not make a good neighbor. Their maintenance of the Babylon Plant with the garbage littered around the building site and the opening of the plant directly into a residential neighborhood leaves much to be desired.

If this is the best site for this facility, then why didn't the MTA come forward with their decision more promptly and publicly? The communication from MTA with our Town representatives, who then had limited time to advise our community, was abhorrent.

We will not be misled, misinformed, or ignored by the MTA, and now we are turning to you, our representatives, to assist in preventing the MTA from turning our quiet residential community into an around the clock industrial nightmare, and I would like to ask Mr. Binder, if this resolution is passed, will this give us a definitive no to the MTA? Is he here?

LEG. FIELDS:  
No.

MS. LEPARIK:  
Can anyone tell me if the resolution is passed if this would give us a definitive no?

MR. SABATINO:  
The answer is no because the County of Suffolk doesn't control the final decision making for that property. The resolution would simply request on behalf of this Legislative body that the State MTA take into consideration your views and reject the site.

MS. LEPARIK:

Okay, then the Legislation Mr. Binder was referring to about then taking over the property, would that then give us a definitive no to the MTA through the County being able to taking over the property?

MR. SABATINO:

Well, first of all, I think what he's proposing -- I heard him make  
00080

the statement before. I think what he's proposing is to authorize a condemnation proceeding. The condemnation proceeding would take some period of time. If the MTA acted before the condemnation proceeding was concluded, then it wouldn't be a final determination, and the second issue is that once the County took the property, the MTA could -- the County would be in a stronger position, but it still wouldn't be a final conclusion because the MTA has powers also.

MS. LEPARIK:

They can still come in and take it from you?

MR. SABATINO:

Yeah, but I mean, it's probably less likely to the extent that it becomes governmental property. It would probably become less likely. You'd feel more secure because there's more leverage with the County than there is with a private developer holding the company.

MS. LEPARIK:

Well, I appreciate your time. Thank you very much.

(Applause)

D.P.O. LEVY:

Was that Amie Hamlin? Amie Hamlin. Amie, are you here again? Okay, I know you did the hearing. Now she's back for the public portion.

MS. HAMLIN:

My name is Amie Hamlin. I'm the director of the Long Island Chapter of the New York League of Conservation Voters and Conservation Education Fund. We're also members of ASAP, the Alliance for Safe Alternatives to Pesticide, an alliance of about two dozen environmental and health organizations including breast cancer groups.

I'm here to register our support for two bills tonight. I'd like to thank Legislator Bishop for his bill to offer a volunteer organic training certification program for licensed landscapers. I'd also like to thank Legislator Copper for his bill to test non-chemical alternatives to pesticides to control mosquito populations.

Obviously it's not until we have some effective alternatives that the health department in Vector Control will consider replacing pesticides, and it's not until landscapers are familiar with organic alternatives that they will be able to offer them. With the increasing concern about pesticides and the increasing demand for

safe alternatives, this course should provide landscapers with an economic benefit.

I feel the large experiment is being conducted on Long Island residents. DDT, Dursband and other pesticides once considered safe are now banned. DDT is highly associated with breast cancer, and was responsible for the near extinction of ospreys. Thirty years after being banned it is still found in human tissue. We really don't know what long term affects the pesticides being used now will have.

Now that there is some evidence that certain pesticides, the  
00081

synthetic Pyrethroids, which are not crushed chrysanthemums, may cause estrogen dependant breast cancer growth on top of the already high rates of breast cancer on Long Island. I think it is an extra call for precaution. Why take the risk? I have extensive estrogen dependant breast cancer in my family and I hope as a result of my move to Long Island that I'm not next.

I heard a New York City Health Department Official on TV say that we need to spray to prevent thousands of deaths from West Nile Virus. Excuse me, and I don't mean to in anyway minimize the seven deaths, one of which occurred on Long Island, but this is mass hysteria.

I once toured the laboratory at Dow Chemical where they test pesticides. One of the tests was to determine what quantity of pesticides it would take to kill 50% of the Beagles, dogs, they were using. This is called the LD50 Test. It stands for Lethal Dose that kills 50% of the animals. The results of the test are not used to prevent the product from coming to the market, they're simply used for information to be placed on the material data sheet. It make sense to invest in our future and to protect the public and the environment from future potential and likely harm.

Thank you again, Legislators Bishop and Cooper. The League hopes that you'll all support these bills.

[RETURN OF REGULAR STENOGRAPHER - ALISON MAHONEY]

LEG. BISHOP:  
Mr. Chairman?

D.P.O. LEVY:  
Legislator Bishop.

LEG. BISHOP:  
I make a motion to discharge from committee 1584-2000. I'm offering it to be discharged from the Consumer Affairs Committee, that's the landscaper training.

D.P.O. LEVY:  
Let me just see. I don't have a problem with it unless we're going to start opening the door here to about 50 others. Is there any

others that are going to --

LEG. BISHOP:

Well, Chairman Alden of the committee I spoke with, he has no objection to the discharge.

D.P.O. LEVY:

Are there any other -- are there going to be any other attempts for this? No? Okay.

LEG. HALEY:

Yes.

D.P.O. LEVY:

As long as there's not going to be 20 of these that we start going  
00082  
into debate for the next three hours.

LEG. BISHOP:

I don't think it's controversial.

LEG. LEVY:

Okay. Being this is the only one, we have a motion by Legislator Bishop --

LEG. CARPENTER:

Second.

LEG. LEVY:

To discharge -- give us the number, please.

LEG. BISHOP:

1584, it was distributed earlier.

LEG. CARPENTER:

Second.

D.P.O. LEVY:

1584, it's been distributed. Second by Legislator Carpenter.

LEG. TOWLE:

Is the chairman of the committee here to confirm that he has no problem with that?

D.P.O. LEVY:

Well, according to Legislator Bishop, the Chairman has concurred, we'll take his word on that. In favor? Opposed? It's discharged for one hour, or is it laid on the table for an hour?

MR. SABATINO:

No, it's discharged, it has to wait one hour before you can vote.

D.P.O. LEVY:

Okay, so be it. Okay, our next speaker, Stanley DeVeaux, to be followed by Steven Sobstyl.

MR. BARTON:

Mr. Chairman, the vote on the discharge was 14.

MR. DeVEAUX:

Mr. Presiding Officer and Ladies and Gentlemen, I wish I could bring you the wisdom of Soloman here tonight. But in the few minutes that I have I will give you my wisdom from 35 years working as an economist, a human personnel executive and, for the last 14 years, a Pastor of the Long Island World-Wide Church of God.

They tell me that figures do not lie, but man may lie with figures. Over the years, working as an economist, doing research as well as reading, I've come to see that affordable housing of homes, that concept is good for a community, a town such as Huntington, Suffolk County and for our state. The shortage of affordable housing homes,

00083

despite six years of unprecedented economic growth in this area, the state as well as this nation, I'm told and in my congregation I have people who cannot afford to live on this Island. I have young couples who have moved Upstate, I have couples who have moved to Pennsylvania and to that so-called great state of Florida simply because they cannot afford to live here. I'm also told -- and I have worked as a human resource person recruiting people, that employers and finding it very difficult to attract young people, professionals, particularly those who would like to start buying a home for the very first time.

Now, working as a minister, I have the opportunity to work with people who are in my congregation who live all over Long Island, who live out in Nassau County, also out east, and many of these people are what I would like call decent citizens, hard working people. On a number of occasion during the last nine years, I have had to help them, and these people would like to own homes. Some of these people are young people who are having to live with their parents. Many of them would like to buy their very first home. I feel that this particular bill that we have before us is a very good bill. There may be things in that bill that I would not like, but I think we need to make a start simply because if we want to have a community for all, a community that everyone can have a part of, then we do need to have affordable homes. So Ladies and Gentlemen, I recommend that you pass this resolution.

(Applause)

D.P.O. LEVY:

Steven Sobstyl to be followed by Marcia Stern.

MR. SOBSTYL:

Hello. My name is Steven Sobstyl and I'm accompanied by Mr. Jim

{Kogel}. I have been a resident of Greenlawn for six years and I'm here to speak out against the MTA proposed rail yard. I have worked here on Long Island for a well recognized environmental consulting firm for the past 12 years. I have a letter which I submitted to the County Legislature that expresses just a few of the many environmental concerns associated with MTA's proposed rail yard. I want to take this opportunity to summarize the environmental concerns that could potentially impact these fragile ecosystem should it be developed by the MTA.

The planned conversion of this land to an industrial utilization is problematic. There are many potential contaminants or means of contamination inherent with this kind of land use. For example, the storage and ongoing maintenance of numerous railroad cars and car parts, active operation of at least 16 electrified tracks, new lighting, noise, industrial traffic, generation of airborne toxics, the storage and handling of potentially hazardous chemicals, cleaning solvents and waste materials; all of these things are associated with the painting and washing operations as well as the presumed need to handle and dispose of rail car wash water. These are all recognized environmental conditions.

To complicate matters, it is believed that the specific area is  
00084

currently unsewered, meaning waste water could potentially find its way into the underlying soil and ground water. The applicant, MTA, should nonetheless be requested to cooperate with SEQRA's intent, the intent is particularly with respect to its close proximity to this kind of industrial land use to the surrounding residential neighborhoods, schools, homes and everything that's in the community. And although we have not yet had the opportunity to review any of the related environmental impact materials developed by MTA, we do wish to draw attention to the importance of the specific location of this site within one of Long Island's very important aquifer recharge areas. We specifically request the applicant demonstrate how they would intend to accomplish such environmental stewardship consistent with the community's concerns.

In closing, I want to express that industrial development of this parcel of land is not appropriate and there are environmental ramifications that will impact both human health and the environment of the Greenlawn and surrounding communities.

(Applause)

D.P.O. LEVY:  
Thank you, Sir.

LEG. FOLEY:  
Mr. Chairman?

D.P.O. LEVY:  
Legislator Foley.

LEG. FOLEY:

As serious as this issue is, just maybe a moment of levity but there is some seriousness to it and that is the fact that for those who will remember, some time back -- and I can recall my older brothers and sisters playing some records from the Kingston Trio, and they had a record about the MTA. So if someone can dig that up, maybe we can find a couple of the former members and have them attend some protest that inevitably will be held in Huntington to protest this particular proposal by the MTA. So I just leave that out there. Thank you. For those who remember the Kingston Trio.

D.P.O. LEVY:

Marcia Stern. Marcia not here. Peter Barnett. Peter is not here. Charles Abner. Charles, going once, going twice. Charles Abner is not here. Cheryl Haiken.

MS. HAIKEN:

Here.

LEG. LEVY:

Cheryle Haiken to be followed by Adrienne Esposito.

MS. HAIKEN:

Good evening. Thank you for allowing me to speak. I'm talking tonight about the IR 1057. My first comment is on July 25th the Huntington Town Hall had a public hearing about this subject with  
00085

LIDC and for me that felt like it was democracy, they were hearing both sides and they will come out with a decision. And now with IR 1057, it feels like this is a threat, that if you don't do what we want you're not going to get what we actually deserve, and I don't think that is extremely fair. I mean, there's a lot of things and I respect all the different sides and all the different issues that's come here, but I need -- I think we need to be listened to.

And one thing that I said at the town meeting which I am going to also repeat here, since it's just as important for you to hear it now, I feel I need to defend and support my community because of these recent comments from the Housing Coalition at previous town meetings and as here. I have to tell you, I'm extremely insulted by being called a NIMBY. The impression is given that half hollow hills is strictly a wealthy and upscale community who do not welcome diversity; this could not be farther from the truth. In fact, I moved to this community because of the diversity in the district and to hear some of your comments insults and offends me. Half Hollow Hills prides itself on all the different economic, cultural and learning differences that make up our population. The PTA has a Diversity Committee dedicated to celebrating this fact.

Now, the reason there is so much support for the senior housing is because of the enrollment numbers in our district. Recently we reopened a much needed elementary school because of severe

overcrowding and the community went through a very difficult process of redistricting to find we are still at our maximum capacity or close to it. I have a three children. My oldest has a speech problem and received early intervention with no problem, now he does not receive services, not because he doesn't need them but because there are too many other children in the school and the times and the services are limited. My second child has reading difficulties and also does not receive services anymore for the same reasons. I don't care what kind of homes you are discussing, this is not an affordable housing issue. As a district, we cannot afford such a large number of children from any economic group.

You keep on discussing -- from the Housing Coalition, they keep on discussing about our district and I question if you have ever visited our district and have the facts from what you hear or from what you see. We are not equipped to add such large numbers into our district, and as it is we are experiencing the effects from the present population growth. I beg you to think of the children and to think of the future of our community. Thank you.

(Applause)

D.P.O. LEVY:

Thank you very much. Adrienne Esposito to be followed by Elizabeth Angebrandt. I think Adrienne is here, I think I saw her.

MS. ESPOSITO:

I'm here, I can see you.

D.P.O. LEVY:

And I can't see you. Go ahead, Adrienne.

00086

MS. ESPOSITO:

Good evening, Legislators. As the seventieth speaker this evening, I will be extremely brief. My name is Adrienne Esposito, I'm with Citizens Campaign for the Environment and we just want to offer our strong support for two pieces of legislation that will be considered this evening. The first is Legislator Bishop's bill, 1584, which will require landscapers to be trained in organic methodologies, and the second is Legislator Cooper's bill, 1451, which is a bill that will require that the Vector Control Department in Suffolk County have pilot programs for non toxic alternatives to control mosquitoes. This bill is a simple bill but yet it has a monumental effect on pesticide use here in Suffolk County.

I'm not going to talk to you about pesticides because I think you probably feel you have heard plenty about that over the last several months this summer. But one thing I think is very unique about this bill and very important is that it accomplishes two what sometimes seem to be opposing goals, and that is that it reduces pesticide use at the same time increasing the arsenal in the Vector Control Department for reducing mosquitoes in Suffolk County. So this bill

is a simple bill but it is a very, very important bill and the first step to addressing mosquito control with non toxic methods. We urge you to vote yes on this bill. We would like to thank Legislator Cooper for working so closely with the Alliance for Safe Alternatives to Pesticides to get this bill to become a reality, and so thank you very much.

In addition, one of next two speakers, there is a card for Rosalie Yelen from the Huntington Breast Cancer Action Coalition? She has left but she has asked me to mention that Huntington Breast Cancer Action Commission, also a member of the Alliance for Safe Alternatives to Pesticides, strongly support both those bills as well. Thank you.

(Applause)

D.P.O. LEVY:

Thank you. Elizabeth Angebrandt to be followed by Alissa Sue Taff.

MS. ANGEBRANDT:

Good evening. My name is Elizabeth Angebrandt and I have lived in Melville for the past 15 years and it certainly has changed. The roads have changed, the land has changed and the Legislators have changed. I am here due to that change and due to the proposed changes that Legislator Tonna is attempting to implement. I am here most importantly, though, because I am a parent of two children within the Half Hollow Hills School District, the district that has been the most targeted school district within the Town of Huntington with regard to the affordable and low income housing initiative. And so I strongly oppose Resolution 1057 with regard to its discrimination or discriminatory nature with regard to LIDC, and I address it as follows.

Whereas the Half Hollow Hills School District is currently burdened with an overcrowding problem in a majority of the schools due to new  
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constructions within the last five years, new families buying retiree homes and a mandated curriculum change that demands additional space for lessons. Whereas the superintendent of schools has asked that this school district not be additionally burdened, you resolve to place more homes and children there. Whereas Melville has more than fulfilled its responsibility when it comes to implementing a percentage for affordable housing within the newly constructed housing developments. We have The Villages, Avalon I, Avalon II, Country Point and 122 units slated for construction on Ruland Road, and the ever infamous Paumonok Hills now presently known as Millenium Hills. You resolve let's do more in Melville' Melville has done its share and more is what I say. Whereas the proposed plan for the property known as LIDC encompasses affordable housing for seniors and is within the Half Hollow Hills School district, you attack a plan in place for the benefit of that community and I say leave it alone and endorse the senior plan, allow Long Island to still have green on it. I resolve -- no, I insist that past, current and future plans to

devastate Melville and Dix Hills stop. We need this Legislator to provide for and protect the individuals who have sacrificed to live here, we who must presently sacrifice to stay here. This Legislature must respond to those loyal residents and voters who time and time again come out and support you.

I have only two children and still both my husband and I have to go out to work full-time in order to provide for our family in order to reside in Melville. We must live on what we earn. Our parents sacrificed so that we could be the first generation to graduate from a university and we sacrifice so our children will still have a great goal to strive for. There are no lists to place our names on and certainly no areas on a map to select so that someone other than ourselves could provide housing for us. There must be a balance. This urban renewal is destroying what once was a beautiful suburban community. City housing projects do not belong in Melville and Dix Hills. This area does not have expandable roads, nor are any of our schools made of rubber.

We within the Half Hollow Hills School District cannot financially nor academically afford for any developments that would initially burden it, regardless of color, creed or bank account balance. It is time for you the Legislature to do what is right for the people who have and who continue to struggle, sacrifice and be active within this community. It is time that this proposed legislation by Mr. Tonna be strongly opposed by you the Legislature because it singles out a property within a town, it is at the very least discriminatory in itself.

In closing, I ask you the Legislature to consider this. You presently have on your political platter the educational future of approximately 8,500 children, do not politically manipulate it to satisfy the plight of lobbying religious groups, Legislators or petitions created by a multitude of people residing outside of this school district. Thank you.

(Applause)

P.O. TONNA:

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Thank you very much. Alissa Taff.

MS. TAFF:

Good evening. I'm Alissa Sue Taff, I'm President of the Half Hollow Hills School Board. A lot has been said about Half Hollow Hills affordable housing and LIDC. I would like to provide you with some information, some facts which might help you in your decision tonight.

We have had in the Half Hollow Hills School District all of the affordable housing that has been built in the Town of Huntington with the exception of the development near the railroad station. So every affordable housing development with one exception has been in Half

Hollow Hills, and as a result of that our enrollment is soaring. Our projected enrollment by a demographer which was paid for with tax dollar money, we were given three projections, low, medium and high; our high projected enrollment for the end of 2001 was 8,460. As of this morning, we have 8,530 students enrolled, so we are way over our projections and we haven't even reached the end of 2001.

The outgoing graduating class this year was 491 students. Our incoming kindergarten class without completing our enrollment yet, we still have time, is 705 which is a 44% increase of our outgoing compared to our ingoing students. Nineteen children registered today alone, so that just gives you a number of where we're going every day. In June of 2001 we closed schools with 8,117 students, now a month and a half later we have 8,530 students which is a 5% increase in a month and a half; how many other school districts are facing that? And of the 400 plus new students that have come in in the last month and a half, it's widely distributed, half K-5 and half 6-12, so every single school is being impacted.

As far as NIMBYism, and it's just a small community, we are a 34 square mile district. Representation on our school board from all 34 square miles is in favor of The Greens at Half Hollow as a senior project, simply because of the numbers we have presented to you and the fact that we are in an area that is worsely rated roads according to the Department of Transportation. So between enrollment and between traffic we have had enough, and without any relief we just can't handle any more students and that's why we have said what we have.

The other issue was tax rates. There has been a fair amount of literature about how low the tax rate is in Half Hollow Hills because of the 110 corridor. Well, our tax rate may be the second lowest but our assessment is the second highest, and you must look at the assessment multiplier. And with that assessment multiplier, we pay the second highest amount on our tax bills. Every single average household in the Half Hollow Hills School District pays an average tax bill just to the school of forty-six ninety-seven, 4,697. South Huntington which has the highest tax rate, our tax rate is 84.898, South Huntington which is 113.643. And on paper it sounds like, wow, they pay so much more, but their multiplier for assessment is 31.42 as opposed to ours which is 55.33, so their average bill per household is \$3,571, \$2,000 less per average household than Half Hollow Hills, and I have all those numbers for you. So although our  
00089

tax rate is what it is, you must look at the assessments and you would be very surprised at the higher numbers paying a lot less taxes than the districts who have a lower tax rate, and you must consider that. I would like to read you a portion of a letter that I delivered to the Town Board at the July 25th hearing representing the school district.

P.O. TONNA:

Alissa, can you just wrap up, if you can, just cut the part that you

want. I don't want to interrupt you.

MS. TAFF:

Yeah, there's just a couple -- there are a couple of points. We supported this plan because of the task force that was in place, and on that task force was representation from the State and the County and the civics, so the County was represented. You had all these concerns on the County level that certainly was not brought to the task force.

Because of our increasing enrollment and the 1,500 new homes that were built within Half Hollow Hills, we have had to change our instructional program significantly. We have used principal classrooms -- principal's offices for classrooms, we hold music classes on our stage while kids eat lunch below, we have to use module classrooms, formally closed portables, we had to build windowless classrooms in the hallways of our elementary schools, we had to change the location of our special education classes, etcetera, etcetera. But we also had to have two bond issues totaling \$103 million, and the taxpayers in Half Hollow Hills simply cannot take any more. And the only way we can have more housing in Half Hollow Hills School District is to add more schools and raise taxes, and then the affordability is gone for everybody; everybody can't take anymore.

And your initiative that you have on the floor today trying to squeeze the Town of Huntington to approve what you want to do for LIDC is cutting off your nose to spite your face, because if it's difficult to get the fund and it's not used for LIDC, the funds won't be there for the people who want to use it for affordable housing other than LIDC. And senior housing is not one pitted against the other. The seniors in Huntington have no place to go and this will provide all economic level of senior housing. Thank you.

(Applause)

P.O. TONNA:

Thank you very much. Okay, I'm just -- at this point, due to the fact that we have a Community College Budget, we still have about 20 cards to read which will bring us into quite possibly to our eleven o'clock or twelve o'clock deadline. The Community College Budget has to be done tonight, so I would like to suspend the public portion for one hour to address the issue with the Community College --

LEG. CARACAPPA:

Second.

00090

P.O. TONNA:

-- and then get back to the public portion. Seconded by Legislator Caracappa. All in favor? Opposed?

LEG. BISHOP:

Opposed.

P.O. TONNA:  
Opposed, Legislator Bishop. Okay.

LEG. D'ANDRE:  
Get everybody in here.

P.O. TONNA:  
Henry, do you just -- can you just read off that vote? I would ask all Legislators to come to the horseshoe.

MR. BARTON:  
14-1.

P.O. TONNA:  
Okay, great. Okay, in front of us then, Paul, just if you could take us through procedurally, how do we proceed with the Community College Budget?

MR. SABATINO:  
Well, generally what we do is have Budget Review just give a brief summary of the -- in this case there are eleven proposed budget amendments. Just a brief summary is given just to outline which is which and what is what, and then it's a question of Legislators making motions to approve those that they want to adopt.

LEG. CARACAPPA:  
Mr. Chairman?

P.O. TONNA:  
Yes. Okay, Fred, I know -- I would just -- there's eleven different motions here. I would ask that we, if you can, spend sometime maybe at least with Resolution No. 11, being that there are I think ten cosponsors of this resolution.

MR. POLLERT:  
There are ten Community College resolutions --

P.O. TONNA:  
Eleven?

MR. POLLERT:  
Yes, there are eleven Community College resolutions --

P.O. TONNA:  
Can you speak into the mike a little better?

MR. POLLERT:  
There are eleven Community College resolutions. The eleventh Community College Resolution includes ten cosponsors and it is the most comprehensive resolution, it would obviate the need to vote on

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Resolutions No. 1, 2, 3, 4, 7, 8, 9 and 10.

Basically, what Resolution No. 11 does is it creates 21 new --

LEG. LEVY:

Can you speak into that mike a little closer, please, Fred?

MR. POLLERT:

It creates 21 new Assistant Professor titles which are teaching titles and it also creates 14 new positions for the multi-purpose building. In addition to that, it adds approximately \$400,000 for health insurance costs, the Budget Review Office Report had found that health insurance costs would in all probability be under budgeted for the coming year. Those increases to the budget are funded through a variety of three different sources. One is an increase in turnover savings of \$50,000 in administration, a reduction in the advertising budget of \$318,000, and it would also include a transfer of \$1.798 million from their Reserve Account.

What's important to notice is those resolutions that transfer money from the Reserve Account are doing so to deal with the budget shortfall, the budget deficit that the Community College had at the end of the year, it is basically using a one-shot revenue to deal with a one-shot deficit. So the bulk of that transfer, \$1.3 million, is being used to deal with the deficit. That's Resolution No. 11.

Resolution No. 1 --

LEG. HALEY:

Mr. Chairman, can we ask questions on 11?

P.O. TONNA:

Yeah, I think you can ask questions about anything, Marty.

LEG. HALEY:

Thank you. Fred, what I'm concerned with with No. 11, is there a structural problem in that in 2001, which would be in good stead but the following year, because we used that one-shot revenue, we're going to have to come up with an increased levy or increased revenues from the State or somewhere in order to make up that difference. So at this -- excuse me, Mike.

MR. POLLERT:

The --

LEG. HALEY:

Wait a minute. Mike, are you finished? I'm directing a question to him. What I'm concerned with is that it puts us in a position, if we did absolutely nothing for the following year, we're going to have a shortfall of revenues, meaning is it structurally imbalanced under this particular resolution?

MR. POLLERT:

I was just discussing with a board member that the Budget Review Office has a multi-year model and that it would be worth while to

come up with a comprehensive model between the County Executive's Office and the Community College with respect to a multi-year year  
00092

impact. We don't believe at this point in time that there will be a significant multi-year impact and the reason for that is we're not using the revenues from the Reserve Account to fund the new titles and the new positions. The bulk of the transfer from the Reserve Account is being used to deal with the one-shot shortfall. They ran a deficit this year because of equipment purchases that were credited from one year to the next and because of the Early Retirement Incentive Program, it was not a structural deficit. If there was a structural deficit caused by a chronic shortfall of revenues versus expenditures then you would be correct, but we spent a lot of time in our report identifying that it was a one-shot type of deficit that the community college could not manage because of timing.

LEG. HALEY:

Right. Most of it goes to the deficit, but there is a portion --

MR. POLLERT:

Yes, there is a --

LEG. HALEY:

And how much is that?

MR. POLLERT:

It is approximately \$480,000 which will be coming out of the Reserve Account.

LEG. HALEY:

Four hundred and eighty thousand, which that part of it is a structural deficit.

MR. POLLERT:

That's correct. The entire --

LEG. HALEY:

So that next year we have to -- we're going to have to face that next year.

MR. POLLERT:

That's correct.

LEG. HALEY:

Thank you very much.

LEG. CARPENTER:

If I could, Mr. Chairman.

P.O. TONNA:

Yes.

LEG. GULDI:

Fred, could you --

LEG. CARPENTER:  
Just to pick up on that --

P.O. TONNA:

00093

Legislator Carpenter.

LEG. CARPENTER:  
-- line of thought, the nearly \$500,000 then that would be owing in the following year is a recurring expense then. And it's been my impression over my years here that this Legislative body has been very specific in admonishing the college in any attempts they ever made to spend do you know the fund balance for recurring expenses, and here with this resolution we're doing just that; that seems contrary to policy that this Legislative body has set in the past.

P.O. TONNA:  
Yeah, just -- Legislator Crecca.

LEG. CRECCA:  
Yeah, just a follow up question to Marty's question, and I guess Angie's point. Is there -- how would we make up that 480 next year, we'd have to find 480,000 in new cuts?

MR. POLLERT:  
The Community College Budget is in excess of \$100 million. A \$400,000 transfer for reoccurring costs from the Reserve Account is really not a major material item. There are many different variables which impact what next year's Operating Budget is going to be the Community College, including what enrollment is going to be with new Health Wellness Center which many of us toured today. So depending upon the variables that go into the budget model, if you build an increased enrollment, things of that sort, it would mitigate the amount that would be coming out of the Reserve Account in next year.

There are also a lot of other variables with respect to there was a major increase in health insurance this year, not necessarily associated with a total increased cost but the fact that the Health Insurance Fund is going to be running a deficit. So that \$880,000 which we had projected this year is really associated not with a normal inflationary increase associated with the Health Insurance Fund, but having to make up a deficit in that fund from previous years, so that chargeback hopefully will be declining next year.

So again, it's \$400,000 on a \$100 million plus Operating Budget, and hopefully there are other intervening variables that will be coming up including increased enrollment and/or a decrease in health insurance costs which should be mitigating that \$400,000.

LEG. CRECCA:  
Fred, what's left in the Reserve Fund then under Amendment 10 for the

college?

LEG. FOLEY:  
Eleven.

LEG. CRECCA:  
Under 11, I'm sorry, I meant under 11. Thank you.

MR. POLLERT:  
00094  
It would be \$2.4 million if No. 11 is adopted.

LEG. CRECCA:  
That's what will be left in it after we're done.

MR. POLLERT:  
That is correct.

LEG. CRECCA:  
Okay. And right now what is in the --

MR. POLLERT:  
Roughly \$4.2 million.

LEG. CRECCA:  
And where does the State stand on that amount, the 4.2 and the 2.3?

MR. POLLERT:  
What happened with Reserve Accounts is the Reserve Accounts were surpluses in previous years that were transferred by the Legislature to the Reserve Account. Years ago the Community College never even had a Reserve Account, it was established by the Legislature. I believe Don Blydenburgh was the Presiding Officer, there was a large increase in the County contribution and subsequent to that the Community College ran numerous surpluses. In fact, one year we adopted a budget with a surplus and we took that extra money and swept it into a Reserve Account.

LEG. CRECCA:  
Is this unique to Suffolk County then to have a Reserve Fund or no?  
I mean Suffolk County Community College or do other community colleges throughout the State do this also?

MR. POLLERT:  
There are other community colleges that do have Reserve Accounts and there are also other community colleges that do not have reserve accounts.

LEG. CRECCA:  
Okay. Thank you.

P.O. TONNA:

Legislator Guldi?

LEG. GULDI:

Yeah, Fred, just for the raw numbers, the 4% cap would be on \$400 million, about \$4 million a year, year-to-year, and 400,000 or so of reoccurring deficit is four-tenths of 1% a year on the budget and well within the purview of the Legislature's authority to approve without a super majority on a year-to-year basis, isn't it?

MR. POLLERT:

That's on the expenditure side of the budget, that's correct, they have a 4% growth in expenses, but they've actually -- Legislator Carpenter passed a resolution that holds them harmless from the expenditure portion. The County's contribution is approximately

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one-third of that, so it's 4% on roughly \$30 million, so it can grow by \$1.2 million.

LEG. GULDI:

One point two million, the County's contribution can grow by 1.2 million.

MR. POLLERT:

That's correct. But --

LEG. GULDI:

But there are other --

MR. POLLERT:

-- not to overly confuse what, you know, the issue is, it's also a function of how much sales tax comes in. So to the extent that sales tax increases, the illustrative tax rate is a ratio of property taxes to total revenues, and I don't want to get too detailed but, in fact, the County contribution can go up fairly significantly next year, it's not constrained by just that 4%.

LEG. GULDI:

All right. So the point that I'm distilling from what you said is that it's only a very little piece of what's going to happen anyway.

MR. POLLERT:

That's correct.

LEG. GULDI:

Okay. Mr. Presiding Officer, since we're going to debate Amendment 11 at this point, I'd like to make a motion to take it out of order and consider it so that we can continue not just questioning Fred but debate it.

LEG. CARACCIOLO:

Second.

P.O. TONNA:

Okay. All in favor? Opposed? Okay, it's taken out of order to discuss, but I want to recognize Legislator Towle who was next on the line.

LEG. TOWLE:

Thank you, Mr. Chairman. Fred, if I could just go over a couple of questions with you and I just want to make sure I have everything chronologically in order. The County Executive submitted the college budget, how much more was that budget than last year, or was it the same?

MR. POLLERT:

The County Executive let the expenditures free-float because he was not subject to the expenditure cap and he constrained, as he's required to by law, of the County contribution to a 4% increase, that is at the maximum. He then had to present two stand-alone resolutions because there were a variety of programs that he was unable to fund within the budget caps. So he properly presented two stand-alone

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resolutions, one for 14 people to staff the Health Wellness Center and one for 23 new faculty; they are shown as Resolutions No. 8 and 9. The 23 faculty spots would require a County contribution increase of \$1.5 million approximately and the 14 spots for the Health Wellness Center would increase the County contribution by about \$520,000.

LEG. TOWLE:

What does the 4% represent in dollar amount?

MR. POLLERT:

Roughly \$1.1 million.

LEG. TOWLE:

So \$1.1 million, and then the two additions, eight and nine total what?

MR. POLLERT:

They would total in excess -- well, close to \$2 million.

LEG. TOWLE:

So in total, a little over \$3 million. The second question, we talked about the Reserve Account, and one of the things that I've heard obviously in the debate over the last couple of days is that the Reserve Account is at a low time now and to take even more money out of it, you know, theoretically could be illegal from the State's model or perspective; what's Budget Review's opinion on that?

MR. POLLERT:

To the best of our -- to the best of my knowledge, that's incorrect. There is no legal requirement for a community college to have a reserve account. The State would like community colleges to have reserve accounts, but there is no statutory guidelines or requirements on the amount of a reserve account. And as I said, in

previous years, prior to maybe five or six years ago, the community college never had a reserve account, it was established by this Legislature which provided them with a reserve account.

The Reserve Account grew rapidly because there was one year when Presiding Officer Blydenburgh got the Legislature to increase the County contribution by 25%. There was a dramatic increase to deal with an immediate shortfall, but there's a maintenance of effort requirement, from that point on we had to continue to maintain that contribution to the community college even though the expenses didn't require that level of support. Those surpluses went into the Reserve Account and it grew rather rapidly, but there was no requirement to keep at five million or \$10 million or \$12 million, whatever.

LEG. TOWLE:

Okay. Mr. Chairman, a couple of questions of Counsel, I guess, if that would be okay. Yesterday we obviously received an update of what we were going to vote on today and I distinctively remember nine resolutions, not eleven. So I was surprised to see two additional resolutions or two budget amendments added to the list at such a late date, I thought the deadline had closed on that particular subject.

00097

D.P.O. LEVY:

Counsel?

MR. SABATINO:

There's no statutory maturation period for budget amendments, budget amendments don't have to wait for seven or eight days. So what happened yesterday was that Legislators --

LEG. TOWLE:

Was there a filing deadline?

MR. SABATINO:

-- looking through one through nine were trying to mix and match provisions of the other bills. They could have been modified in those bills or they could be just added on with a separate number, but 10 and 11 reflect the incorporation of different provisions from other bills.

LEG. TOWLE:

Okay. Question to Counsel in reference to piercing the cap. Obviously the County Executive's Resolutions which were eight and nine required 14 votes to pierce the cap. Eight and nine appear to be overlaps based on the, I guess, proposed budget amendments that we received; how can 10 and 11, therefore, be passed by a vote of 10 as opposed to 14?

LEG. FOLEY:

Fred?

MR. POLLERT:  
The --

MR. SABATINO:  
Ten and eleven used the Reserve Fund instead of piercing the Tax Levy Cap.

LEG. TOWLE:  
Okay. Thank you.

LEG. FOLEY:  
But not for salaries, they closed the deficit.

LEG. CARACAPPA:  
Can I ask a question?

D.P.O. LEVY:  
Let's go around. Mike first, then Joe.

LEG. HALEY:  
Mike, just one second. Mr. Chairman, do we need -- we're not filming this gathering, do we need to have the lights --

D.P.O. LEVY:  
I think -- all right, that's my fault because when they went do you know I thought it was getting too dark to see anything.

00098

LEG. HALEY:  
As long as you can read what's in front of you.

D.P.O. LEVY:  
They want it down. I'm sorry. They were putting it down, then I told them to bring it back up, so.

LEG. CARACAPPA:  
Those high lights.

LEG. HALEY:  
I'm getting a glare.

P.O. TONNA:  
I know. I can outshine you all right here.

LEG. LEVY:  
How do you want it? The one in the middle is a little bright.

LEG. CRECCA:  
Either that or somebody just get us some sunblock.

P.O. TONNA:  
All right, let's continue while you're dimming the lights.

LEG. LEVY:  
Legislator Caracciolo has the floor.

LEG. HALEY:  
Thank you, Mr. Chairman.

LEG. CARACCIOLO:  
Thank you, Mr. Chairman. The questions I have -- and I have your copy, Fred, of the budget as well as your report -- deals with advertising. Can we go back to the beginning; when did advertise -- when was advertising included in the college budget and for what primary purpose, what's your recollection?

MR. POLLERT:  
The community college has had an advertising budget for a number of years. The original purpose of advertising was to do just that, it was to do print advertisements as well as to do advertisements for recruitment of titles within the community college where they had paid advertisements for titles that they wish to recruit as well as advertisements with respect to course schedules, course offerings, so on and so forth.

LEG. CARACCIOLO:  
I remember having some very vociferous debates with Legislator Foley -- Brian?

LEG. FOLEY:  
Yes.

00099

LEG. CARACCIOLO:  
As you may recall in a few years ago in the Education Committee --

LEG. FOLEY:  
Yes.

LEG. CARACCIOLO:  
-- about -- in fact, it was on this very campus, we had that debate, Joe Caracappa was on the committee at that time, about the advertising budget.

LEG. FOLEY:  
Yes.

LEG. CARACCIOLO:  
And at that time I spoke to justification for the budget, and as the Budget Director pointed out, it was primarily for recruiting. However, when you look at the Budget Review Report on page 31 and if my memory serves me correct, Fred, do you recall what the budget, advertising budget was, say, four or five years ago for recruiting?

MR. POLLERT:

No, I don't know specifically offhand.

LEG. CARACCIOLO:  
In the aggregate.

MR. POLLERT:  
In the aggregate, it was significantly smaller. There was a major increase in advertising a few years ago, the community college used to print their catalog either in-house or through the Print Shop or through contracted printing, that is now being printed in part by a newspaper and the expense moved from the printing budget to the advertising line item budget because that also included the distribution.

LEG. CARACCIOLO:  
Okay. Mr. Chairman, is it appropriate to have someone, one of the Trustees or one of the administrators from the college come forward to direct my questions relating to advertising?

P.O. TONNA:  
Sure. Legislator Caracciolo, anything that you want would be appropriate here.

LEG. CARACCIOLO:  
Well, I would like the Chairman of the Board of Trustees to come forward.

P.O. TONNA:  
Okay. Is the Chairman of the Board of Trustees here?

LEG. CARACCIOLO:  
Mr. Sacca, could you please come forward?

MR. HOLLANDER:

00100

Hi. I've been asked by the Chairperson to attend the meeting to answer those questions that we can for you.

P.O. TONNA:  
Sure, Mike. Michael, is it because you have the best speaking skills, debating skills?

LEG. GULDI:  
No, he chose the short straw.

P.O. TONNA:  
He drew the short straw, okay.

LEG. CARACCIOLO:  
Mr. Hollander, how long have you been a Trustee at the college?

MR. HOLLANDER:  
Now it's been about four years.

LEG. CARACCIOLO:

Okay. What -- can you tell me, based on your experiences there, what the advertising budget was in 1996, '97?

MR. HOLLANDER:

Ninety six, what was the '96 amount? We don't know in 1996.

LEG. CARACCIOLO:

An estimate.

MR. HOLLANDER:

Approximate, maybe about \$110,000.

LEG. CARACCIOLO:

Okay. Are you familiar with the request for advertising this year in the recommended budget?

MR. HOLLANDER:

Should be about 900,000.

LEG. CARACCIOLO:

Could you explain to me the justification for not a substantial increase but a very significant increase? Because from my perspective this Legislator's perspective, I like to see money go into education for education, not for advertising. Because when I look at the recruitment figures or the increases in enrollment over the last four or five years, and I'll go all the way back to 1993, there's a net reduction in enrollment. And maybe you can help me understand why with the increased in advertising expenditures for recruitment for ostensibly almost half of the amount of money that's requested next year for a catalog series in the newspaper, what purpose does that serve, how does that help? Is there any documentation that you can provide that would give me a comfort level to assure me that this is money well spent? Because the evidence -- I mean, the figures don't bear out that at all.

There's been a decline in full-time enrollment from 14,303 in 1993 to  
00101

this year where the enrollment, according to this -- and I'll site the reference, it's the Recommended 2001 Suffolk County Community College Budget -- of 13,182; that's a decline of over 1,200 students, then you break that do you know to full-time, part-time and total and we're do you know almost 2,200 students from seven years ago. Help me understand how this money is being spent and how it's helping us recruit more students. I know we've heard for years about the multi-purpose building, well now it's coming on-line, but even with the coming on-line, with expediential increases in advertising, we have a decline in enrollment; what's going on here?

MR. HOLLANDER:

Okay. We're pulling some of the information for you so that we can answer that question, but I can give you part of the breakdown of the

\$900,000 in the meantime. We spend about \$340,000 in just doing the newspaper ads in giving out the catalog information in order to help get enrollees. We spend about a hundred thousand dollars --

LEG. CARACCIOLO:  
If I may interrupt you?

MR. HOLLANDER:  
Excuse me?

LEG. CARACCIOLO:  
Are you sure of that figure, 300,000?

MR. HOLLANDER:  
I was given the number of \$340,000.

LEG. CARACCIOLO:  
Okay, because that number comes into dispute with Budget Review that says the figure is 430,000. It's a significant --

MR. HOLLANDER:  
I know about 300 -- well, let me finish and see if some of the numbers may be side tied together.

LEG. CARACCIOLO:  
Okay.

MR. HOLLANDER:  
Because we tried to break it do you know a little bit. Three hundred and forty thousand dollars was for the catalogs that appear the newspapers, \$100,000 goes to Cable TV that promotes going to the college and talks about admissions and signing up and registration.

LEG. CARACAPPA:  
What was that number, Mike?

LEG. CARACCIOLO:  
One hundred thousand.

MR. HOLLANDER:  
A hundred thousand dollars. Two hundred and fifty thousand approximately is for printing of material, and this is where we print hard copies of the catalog that people pick up at the college or that  
00102  
we send out based on a television request.

LEG. FOLEY:  
I think that's a different account.

MR. HOLLANDER:  
We have about \$50,000 -- this is all in \$900,000 for advertising. We have about \$50,000 that we spend on radio announcements and we have about another 75,000 that we spend specifically at the time for enrollment.

LEG. CARACCIOLO:

All right. Help me understand that with this significant increase in advertising from \$110,000 several years ago to the present, where if we added it up we're talking now probably in excess of a million dollars in the last four years, why we haven't seen a corresponding, positive impact in enrollment.

MR. HOLLANDER:

I thought in the budget that the full-time equivalents moved about 1% or so from last year to this year, so I thought that's what's reflected in the budget. The only other thing that I can tell you about this is that we had a fair amount a couple of years where we were having a decline in the number of students attending the college, and what we did, we began a campaign to try and stop the slide. And to my knowledge, we basically were able to stop most of the slide in terms of full-time equivalents, and we've gotten it to a point where I believe it's leveled off. And our hope is, now that we're bringing the multi-purpose building on line, to be able to reduce the out-of-County expenditures and gone are more of the people that have been going Nassau back into Suffolk and, therefore, in the following year see an increase in enrollment.

LEG. CARACCIOLO:

Well, how much longer should I be willing to support these efforts when the results don't bear out those efforts? I mean, we're talking about a lot of money here. I have no problem providing money for more faculty to improve instruction with full-time faculty. I have no problem with spending more money for equipment and supplies and making capital project improvements on the campuses, none whatsoever. But I really am at a loss to understand how 340,000 your figure versus \$430,600 Budget Review's figure helps us recruit kids for a catalog series that's published twice a year in the newspaper; somebody explain that to me, and what empirical evidence you have that it's doing that.

MR. HOLLANDER:

Okay. Well, we'll do two things to answer that, one is --

LEG. CARACCIOLO:

I mean, first of all, that decision is made by the trustees; you know, is there a vote or is that something that some administrator decides?

MR. HOLLANDER:

We'll do two things to help answer that question. One is Eric

00103

Ricioppo is going to share some information with you, and then on behalf of the Trustees what we'll do -- and we did this once last year but is we'll do it again this year and then I'll come and I'll share it with you -- is we'll do an analysis of the marketing expenses in detail against the enrollment and then when I get that together I'll come and share it with you. So one, I'm going to have

Eric come up to give you more information that he has right now and then we'll prepare an analysis for you of the entire thing and I'll come and go over it with you and then get your input on it.

LEG. CARACCIOLO:

Okay. While you're at the podium and before Eric comes -- well, I'll wait for Eric to come up to ask him this next question. Eric.

MR. RICIOPPO:

Hey, Mike.

LEG. CARACCIOLO:

How are you?

MR. RICIOPPO:

I'm okay. How you doing?

LEG. CARACCIOLO:

If you would like to respond to, you know, the series of questions I've raised, i would appreciate that

MR. RICIOPPO:

Yeah, let me see if I can back it up, first of all, because I want to clarify enrollment at the college as well.

Enrollment in the college, just because we spend more money doesn't necessarily mean we'll generate a corresponding increased enrollment. Our enrollment is also effected by the high school graduation rates as well as the unemployment rate. I'm looking at a ten year study that was done here, correlation shows a direct correlation between the unemployment rate in Suffolk County and the total enrollment at Suffolk County Community College, and these -- the chart I will show you mirrors that. As unemployment increases so does enrollment at the college. And if you look at the height of the college enrollment in 1992 when we broke 21,000, you will see that the unemployment rate at the same time was above 8%. Likewise, you will see that as that unemployment rate dropped, so did the college enrollment, corresponding. We have always been able to summise that as more people go to work and more people are working, there's less of a need to go for skills enhancement and job retraining.

Similarly, if you look at high school graduation rates which also effect our enrollment, high school graduation rates in 1989, we had more than 20,000 graduates from Suffolk County high schools, in 1996, that number was closer to 14,000. If you look at the Suffolk County Community College enrollment as well, you'll notice that when the graduation rates declined, so did our enrollment as well. The graduation rates are not expected to increase again, we're not expecting to see an increase in this County until the year 2002.

00104

At the same time, in a strong economy, when our historical analysis showed we should have gone do you know in enrollment the past several

years, when unemployment rates are the lowest they have been in 20 years, our enrollment has been stable; in fact, we have gone up approximately a half of percentage each of the last two years. Since we have implemented a marketing program in 1997, the applications to the community college went from 8,677 in a two year period to 10,056.

D.P.O. LEVY:

Eric, would you suffer an interruption for a second?

MR. RICIOPPO:

Excuse me?

D.P.O. LEVY:

Eric, it's Steve Levy talking here, I know -- I can see you over here. And I'm just going to ask to beg everyone's indulgence, and I don't want to cut anybody off, I know you have a line of questioning, Mike, and you have every right to it. I just want to see if we can keep the answers as tight, as crisp as possible and as succinct as possible, because I know we have a lot of other questioners here and we still have to get back to the public portion here. I'm not going to slight the college budget, it's very important, we're going to do it right, but let's try to keep things as crisp as possible, okay? Can you conclude with your line of thought here, Eric, and then let's move on?

MR. RICIOPPO:

Well, we try to be as succinct as possible, Steve, but there's --

D.P.O. LEVY:

Thank you very much.

MR. RICIOPPO:

You have to know there is a history behind this.

D.P.O. LEVY:

Absolutely.

MR. RICIOPPO:

So I hope I've made the point there. Any other questions I'd be glad to answer.

LEG. CARACCIOLO:

What is the retention rate of the college, students entering first year and graduating two or three or four years later, what is the graduation rate and retention rate?

MR. RICIOPPO:

I would not have that information, that would be handled by the Vice-President of Student Affairs. We would be happy to get that information for you, but that's not under my jurisdiction.

LEG. CARACCIOLO:

There's no one present, none of the Trustees would have what I think  
00105  
is very elementary, basic information that a College Trustee Board  
Member should know?

MR. RICIOPPO:

I would disagree, respectfully. It's not the type of information they  
would have at their fingertips.

LEG. CARACCIOLO:

Well, I can tell you as a parent, before any of my children applied  
to any institution, one of the things I wanted to know was how many  
students enter that school and graduate that school and how many  
return the second year. Because my sense there is there's a  
tremendous turnover and when you look at numbers, as a speaker said  
earlier, figures don't lie, people do, okay. So numbers themselves  
don't tell the story here. I would like to know -- and I heard the  
success stories at the college.

MR. RICIOPPO:

Right.

LEG. CARACCIOLO:

And I've seen the ads and the glossy, four color magazines.

MR. RICIOPPO:

Right.

LEG. CARACCIOLO:

My question deals with advertising and the frugal use of advertising  
expense, instead what I see here is a fund that is becoming more and  
more a slush fund for the college to use in other ways.

MR. RICIOPPO:

I find it hard to characterize it as a slush fund. When the  
advertising dollars we've spent, and I've just shown you some direct  
numbers, not including the number of students we've actually reduced  
at attending community colleges out of this County which has been  
more than 400, a head count during the past two years, I'd have to  
disagree with you that in any way those monies are used for anything  
other than marketing.

LEG. CARACCIOLO:

Do you have any information or statistics as to what the average  
advertising budget might be at Westchester, Nassau, Erie, Monroe or  
Albany County Community Colleges?

MR. RICIOPPO:

Not current figures, but I've looked at them in the past and we are  
below Nassau Community College and Westchester as well.

LEG. CARACCIOLO:

Do you know by how much?

MR. RICIOPPO:

I can tell you from a few years ago, we were below Nassau by about a million dollars.

00106

LEG. CARACCIOLO:

Do you know how they allocate their funding for advertising, do they publish or subscribe to a weekly newspaper twice a year with a catalog series?

MR. RICIOPPO:

Nassau does not have the same type of distribution system that we have in Suffolk County. There is no weekly newspaper that goes to every single household in Nassau County, mailed subscription.

LEG. CARACCIOLO:

Do high school students have access to computers by and large, either their own or through their guidance counselor's office or through their schools?

MR. RICIOPPO:

Some do.

LEG. CARACCIOLO:

Some? Are you telling me in Suffolk County, one of the most affluent counties in the United States of America, some students have computers or access to computers?

MR. RICIOPPO:

Just because students have access to them doesn't necessarily mean they use them for everything.

LEG. CARACCIOLO:

Is the catalog published on the web?

MR. RICIOPPO:

Course schedules? Yes.

LEG. CARACCIOLO:

Okay. So again I ask you the question, why is it -- why are we spending almost half of this amount of money, which is a very significant amount of money in the context of the \$400,000 that Legislator Haley was talking about in recurring expenses, you know, if you want to trim the fat, this is a good place to start; and as you know, in this resolution we reduced it by \$300,000. Now, that leads me to my final question. It has been said to me through third parties this evening that the Legislature can do what it wants but the Trustees are going to reinstate that \$300,000. So that's my first question for the Chairman of the Board of Trustees to answer; could you answer that question?

MR. RICIOPPO:

Let me clarify first --

LEG. CARACCIOLO:  
I would like the Chairman to answer that question.

MR. RICIOPPO:  
I would like to ask you a question first, though, your first question.

00107

LEG. CARACCIOLO:  
Let me have the Chairman answer my question.

D.P.O. LEVY:  
Wait, wait, let's let the Chairman answer and then Eric I'll have you -- give you a chance to respond to that, okay?

MR. RICIOPPO:  
Sure.

MR. HOLLANDER:  
What's the question?

D.P.O. LEVY:  
Who is it directed to, Mr. Hollander?

LEG. CARACCIOLO:  
No, I would like the Chairman.

D.P.O. LEVY:  
Are you talking about -- you mean President LaLima, who are you referring to, use the name.

LEG. FIELDS:  
Mike Sacca.

MR. HOLLANDER:  
I'm here representing the Chairman, as I said before.

LEG. LEVY:  
Mike Sacca. All right, Mike Sacca is not here so it's going to be Mike Hollander speaking for him.

LEG. CARACCIOLO:  
He's here.

MR. HOLLANDER:  
No. I was asked to come and represent the Chairperson.

LEG. CARACCIOLO:  
I don't know why the Chairman of the Board of Trustees can't answer a Legislator's question.

LEG. CARPENTER:  
He's not the Chairman.

LEG. FOLEY:  
The Chair is not here which is Sally Slack.

MR. SACCA:  
Thank you for the promotion.

D.P.O. LEVY:  
Sally Slack is the Chairman, okay.

MR. SACCA:

00108

I am not the Chairman of the Board at Suffolk Community College, I am the Secretary, one of the Executive Officers.

LEG. CARACCIOLO:  
I apologize, I was under --

MR. SACCA:  
That's perfectly okay.

LEG. CARACCIOLO:  
Okay.

MR. SACCA:  
As Mr. Hollander indicated, that he has the responsibility of reviewing the budget and to update the Legislators on what the status is, and I lean to Mr. Hollander to give you that information. If there is something that you like from me specifically, I will be more than happy to answer it. Thank you.

LEG. CARACCIOLO:  
Thank you. Okay. Mike?

MR. HOLLANDER:  
Yes?

LEG. CARACCIOLO:  
Could you respond to that question?

MR. HOLLANDER:  
Yeah. What's the question, please?

LEG. CARACCIOLO:  
That I have heard through third party sources this evening that with respect to this budget, and in particular this budget amendment, that irrespective of the Legislative Intent, that the College Trustees feel they have the authority to take this budget in the total aggregate and cut it up, if you will, as they deem fit. Now, is that what's going to happen if we adopt this budget, or do we have to put more locked box devices on this and future budgets to make sure that

the elected officials of this County have their say in how the County's share as well as the total budget is allocated and spent? I think we have to understand the relationship and you were in the room earlier this evening with the Budget Directors and I and we talked about some of the existing problems and ways to solve those problems.

D.P.O. LEVY:

All right, let's have him answer the question.

LEG. CARACCIOLO:

I want to make certain -- I want to make certain, Mr. Chairman, that actions taken by this Legislature, if we approve Budget Amendment 11 or whichever budget amendment we approve, that the full intent and spirit of those resolutions are carried out by the College Trustees and that they will not circumvent in any way, manner, shape or form that intent. Now, do I have a commitment to that effect?

00109

D.P.O. LEVY:

That's a question to Mr. Hollander, please respond.

MR. HOLLANDER:

The answer is that since I have been there and as far as I know about, we've always followed the intent of what you give us, and if we think we should do something different than the intent you're trying to give us, we have always come back and talked about it. So that if you would cut out 318,000 in advertising, we don't have the intent to go find that with somebody -- someplace else. Okay? But we do need to say that we believe that Plan C gives us the right to go do that, but again, that's not our intent, our intent is not to go finding a different way to do it. That if we make a deal with you, if we say we're going to do something, then we're going to live by what we say, and if we feel we need to change it we are going to come talk with you first.

LEG. CARACCIOLO:

I'm very happy to hear that. Thank you very much. Thank you, Mr. Chairman.

D.P.O. LEVY:

Okay. Eric, did you want to -- I cut you off. Did you want to say something very quickly?

MR. RICIOPPO:

Yeah, just two points of clarification on legislator Caracciolo's question about retention and all. In a community college, Mike, it's a lot different than a four year college, many of our students start and stop, start and stop, so it's not unusual to have a student come for a semester, take a semester off due to family or work situations that change, come back to school, take off a semester, come back to school. So the retention rates as compared to a four year college, you really can't do that.

LEG. LEVY:  
Okay.

MR. RICIOPPO:  
On the catalog, quickly on the catalog, the way we distribute it now through Suffolk Life Newspapers is actually a savings to the County residents and the college students at an additional penetration. We were spending more money the way we did it before in doing with a mailing list, outside printing company and bulk mail postage to get mailed in duplications and all to households. Now through Suffolk Life, we get the same penetration and at a reduced cost to the County and to the college.

LEG. CARACCIOLO:  
I'm only questioning --

D.P.O. LEVY:  
Last word.

LEG. CARACCIOLO:

00110

Yes, thank you. I only question the wisdom of continuing to carry out a practice that predates the computer when today so many people have access to the web and they could access catalog information any time of day and night, not by saving a newspaper twice a year in their drawer someplace to retrieve it.

MR. RICIOPPO:  
But a lot of people, though, wouldn't know about that.

D.P.O. LEVY:  
All right, let's move on, we're going to keep going back forever. Legislator Cooper, next on line.

LEG. FOLEY:  
No, we're going around the horseshoe.

LEG. CARACAPPA:  
Oh, I thought I was next. Didn't you say we were going around?

D.P.O. LEVY:  
I didn't say that.

LEG. CARACAPPA:  
Yes, you did.

LEG. CARPENTER:  
Joe was next.

LEG. FISHER:  
Paul did.

D.P.O. LEVY:  
Did Paul say that?

LEG. FIELDS:  
Yes.

D.P.O. LEVY:  
Okay, okay.

LEG. FOLEY:  
Just put me on the list.

D.P.O. LEVY:  
I didn't say it, but all right, Joe.

LEG. CARACAPPA:  
Thank you, Mr. Chairman, I'll be brief.

LEG. LEVY:  
That was before. Okay, go ahead.

LEG. CARACAPPA:  
Before pertains to now. I appreciate it.

D.P.O. LEVY:

00111

No, I thought that was a prior issue, but if you guys say so, go ahead.

LEG. CARACAPPA:  
I appreciate it. Thank you, Mr. Chairman. Fred, earlier you mentioned about the 20 something percent increase that we had to deal with, I believe it was back in either '95 or '96. That was the result of years, I guess, I think it was nine or eleven straight years of no or minimum increases to the college budget and which put us in that very tough position of a I think it was 22, 23% increase in '95?

MR. POLLERT:  
Yes, it was.

LEG. CARACAPPA:  
With Budget Amendment 11 as a whole, do you feel that that's an adequate resolution or do you feel that we're taking a step back as we did over those years in the early 90's and late 80's and it puts us in a box in years to come where we're going to have to take a much tougher stance, pierce the cap regardless with the double digit increase in the college budget.

MR. POLLERT:  
Resolution No. 11 by itself should not cause a problem. It would cause a problem, as I had said, if the transfer from the Reserve Account was to deal with a reoccurring expense, but we spent a significant amount of time determining that the deficit that the

community college experienced was beyond their control and was associated with one time non reoccurring events. If there was a structural imbalance I would agree with you wholeheartedly that transferring money out of the Reserve Account would do nothing but put us down the same path we had many, many years ago. But at this point in time, the research that Victoria had done with respect to the deficit identified as being non structural, a one-shot, reoccurring cost, we are applying the one-shot revenue to that. Hopefully at this point in time we'll have a balanced budget and be able to live within the balanced operating budget.

I cannot give you an assurance that it will not be necessary to increase the County contribution next year. The budget is a dynamic document. Ken Weiss and myself found out yesterday that there was a large increase in insurance costs which will cascade out to the community college sometime during the year. So that's beyond our control. But by and of itself, the community college, the major variable which is impacting them is contractual contracts which are all up, so to the extent that there are large increases it could cause a problem. But by and of itself, Resolution No. 11 should not compound any problems that the community college has.

LEG. CARACAPPA:

Okay. Going back to the Reserve Account, taking it from approximately \$4.1 million to 2.4, back again -- and I keep going back to that year that was troubling, we kept saying over and over again how important the fund balance was to keep it as high as we possibly can. Again, do you feel this is going to cause problems more so later than it will in the immediate future?

00112

MR. POLLERT:

Two point two million dollars is roughly 2% of their total operating budget. The County General Fund which has a \$1.4 billion Operating Budget only has a reserve account of approximately six or \$7 million. So vis-a-vis the County and where the County is at, they're in better shape with respect to the reserve account; clearly as a budget person, I like to see a reserve account of five, \$6 million. It would be nice to be able to smooth out anything that would happen during the next few years, however enrollment trends appear to be strong. We are really hoping, based upon representations made by the community college when we constructed the Health Wellness Center, that enrollment is going to be going up, that it's going to be a positive impact on the community college. It's not going to be felt all in one year, but long-term trends the community college had forecast a substantial increase in enrollment, in particular people that are going to Nassau Community College. If we can shave that, they not only pick up the increased aid but the County also has an incentive program that's also being modified I believe by Legislator Haley, if we can reduce out-of-County tuition, the community college benefits from that as well. So long-term, the trends for the community college are very positive.

LEG. CARACAPPA:

One last question for my own edification, just stepping away from our own budget deliberations tonight. In last year's State Budget, the most recent one, how did the college fair?

MR. POLLERT:

They did surprisingly well. Clearly there were problems with the capital portion of the program, but the State did increase the FTE aid by -- Jim, do you know offhand?

MR. SPERO:

One point six million dollars.

MR. POLLERT:

Roughly \$1.6 million increase in the FTE Aid.

LEG. CARACAPPA:

Okay. And if I can just leave with a comment to my colleagues. Though we're looking at eleven and it seems kind of obvious that that may be the resolution that passes or the amendment that passes, for those people that are new and actually when I was new in '95, I keep going back to '95, it sometimes is not as wise as it should be or we should be if we take these small steps in just trying to keep our head above water year after year when it will come back to us and bite us heavily, so to speak, with a large increase in years to come. So I want you to deliberate that amongst yourselves and see what might be the best route for us to go this year, fiscal prudence for the short-term or fiscal prudence for the long-term. Thank you.

LEG. FOLEY:

Mr. Chairman?

D.P.O. LEVY:

00113

Legislator Fisher, no. Legislator Foley.

LEG. FOLEY:

Yeah, thank you. If Trustee Hollander could go to the podium for a moment, please.

MR. HOLLANDER:

I'm here.

LEG. FOLEY:

Thank you. Michael, I know that there were some concerns expressed by the trustees about some of the language in the RESOLVED clauses of Budget Amendment 11. One in particular that I've been made aware of is the trustees, let's say, version to the use of the word requiring the Board of Trustees to maintain verbatim minutes. If we substitute require with the word that we request those verbatim minutes be made -- well, to have verbatim minutes made of the meetings, can you give us an iron clad assurance that starting with the new fiscal year, September 1, that the Trustees will indeed -- that their meetings

will indeed, from that point forward, be recorded as verbatim minutes?

MR. HOLLANDER:  
Yes.

LEG. FOLEY:  
And I need to ask these series of questions, Michael, just for the record. Even though there's not a majority of the Trustees with us here tonight, there's just a few of you and you represent let's say a minority in number, but you are saying with full confidence that, for instance, at this Thursday's Board of Trustee's meeting, or soon thereafter, that you'll be able to convince the majority of the board to go along with this idea of verbatim minutes?

MR. HOLLANDER:  
Yes.

LEG. FOLEY:  
Okay, thank you. Now, the second point, we heard earlier from the College President, and it wasn't only my reaction to it but others around the horseshoe who were -- let's say thought that his language was rather inflammatory from the perspective of shutting down the college, of blocking the transfer of monies from the reserve accounts to the other accounts that we list in this resolution, and also stating on the record that if we pass this particular amendment that he would not fill the new faculty positions. Could you clarify for us, since a number of hours have gone by and there have been discussions clarifying this particular resolution --

MR. HOLLANDER:  
Sure.

LEG. FOLEY:  
-- could you please clarify for the record where does the college stand if we do pass this particular resolution with the RESOLVED clauses that you have been made aware of?

00114

MR. HOLLANDER:  
Yes. Soon after we finished some dialogue and after the President finished his conversation, we were having conversations in the back and at that point he was unaware of Resolution No. 11.

LEG. FOLEY:  
Okay.

MR. HOLLANDER:  
In fact, he was dealing with resolutions that talked about that the only way for the funding for the multi-purpose building or the faculty were going to come from the college reserves. And our previous conversation centered around the fact that that was going to be a problem for us, and my understanding in talking to him is that's

the point he was trying to make and once we found out about Resolution No. 11, it became less of a problem.

LEG. FOLEY:  
Okay.

MR. HOLLANDER:  
But there are some concerns, whenever you want me to talk about them, in Resolution 11 that we have.

LEG. FOLEY:  
In a moment you certainly have every right to air your concerns. But if in the process, as stipulated under Plan C and as stipulated under the County Charter, that if in the wisdom of this Legislature we approve Budget Amendment 11, will the college faithfully discharge, execute, administer the budget amendment as we approve it?

MR. HOLLANDER:  
I can't tell you that that will happen. I can tell that the intent of the things that we've talked about so far that I said would happen would happen. But, for example, in answering your question and looking at RESOLVE number four, number four is directly opposed to our understanding of Plan C. So I could not promise you and I don't know that I would be in favor of it as a Trustees myself with that particular resolution because I believe Plan C gives us the right to set those salaries.

LEG. FOLEY:  
So as far as the second and third RESOLVED clauses, the Trustees would be faithfully administering the resolution as stated in those two RESOLVED clauses.

MR. HOLLANDER:  
In the third one, we don't have any intention of reducing the instructional equipment.

LEG. FOLEY:  
Or supplies?

MR. HOLLANDER:  
Or supplies or anything else.

00115

LEG. FOLEY:  
Okay.

MR. HOLLANDER:  
In answering that question, I've got to tell you something so that you're aware of it.

LEG. FOLEY:  
Sure.

MR. HOLLANDER:

And it probably speaks to why Plan C exists.

LEG. FOLEY:

Okay.

MR. HOLLANDER:

In '95, when we still had President -- the college Cooper there, we had a deficit that year and that led us to start a monthly report that told us what our anticipated surplus was or revenue over expenses. And last year, for example, in the month of March when we were doing the college budgets, that sheet showed us a surplus of a million three fifty-four, and then on April 30th's report that we got the following month, that surplus was down to \$340,000. We got hit with a million dollars worth of expenses that we had no control over, from sick pay to terminad pay to retroactive pay, to all kinds of County-at-large expenses that got hit with the budget. We only had a short time to be able to make cuts in certain other line items such as operating equipment and supplies in order to lessen the damage. That's the only thing that I know of that would get in the way of us following the intent of what you're looking for, because we agree with what you're saying but being the Trustees, we just have to watch out for those problems.

LEG. FOLEY:

I am pleased with your candor, Trustee Hollander, but that's frankly one of the reasons why we have this locked box language for two relatively small portions of the overall budget. Because as you're well aware, particularly in instructional supplies which is key to having the professors teach in part their knowledge to the students, they need to have adequate supplies for the classrooms. So one of the things that was of concern to me, that when we had adopted for this past year over \$400,000 for instructional supplies, the estimated expenses for the year was down to 280,000, so that's a difference of \$120,000. And I would submit that in a hundred million dollar budget, you could find areas other than instructional supplies to make that \$120,000. And I would hope -- well, that's one of the reasons why we're lock boxing that particular area.

MR. HOLLANDER:

Actually, 86% of our budget has to do with salaries and benefits. So the only real items that we have, other than going after those areas and trying to stay from the library, now end up going into laying off people. And what we have tried to do in the past is not lay people off but look for areas where maybe we haven't spent it because we have expenses that we didn't know about in order to reduce the

00116

problem we're going to have.

LEG. FOLEY:

All right. Let me just end with this, if I may, Mr. Chairman. Mike, you mentioned that in April you found out that there is this sudden \$1 million hole that was unanticipated. Where we can be of help, and I've said this before, where we -- whether it's the Education

Committee or the Legislature and I understand very well the Plan C agreement which creates a quasi, and I emphasize and underline the word quasi independent status for the college. But if back in April, if the college came to Chairman Cooper's committee, Education Committee, and this has been part -- I must be frank with you, this has been part of the problem. That college officials who attend our committee meetings, whether by instruction or on their own, don't fully make us aware of the budgetary conditions of the college. And if back in April we were made aware of it, therefore become a partner with the college as we want to be, we may have been able to do it together, find a way to close that budget gap without -- and I'll use the word advisedly but I think correctly -- without raiding some budget lines that many of us consider to be the heart and sole of the mission of the community college, which is the instructional lines.

So if in the future -- I would just leave you with this. If in the future there is a similar situation where there is an unexpected hole in your budget, I would ask you -- I won't say plead, but I would strongly suggest, request, if not require, that our Education Committee be made aware of it from the get-go and to be made aware of it not in order to criticize or attack the college for not seeing this deficit earlier, but so that we can be a partner with the college to address the issues that need to be addressed in order to fully move ahead with the mission of the college. Because all too often, I will say this to my colleagues, all too often I have witnessed -- and it's not with you, Michael, because we've had a good relationship -- but too often I have witnessed what I would call professional defensiveness on the part -- if not personal defensiveness on the part of college officials who come before the committee. Yeah, we ask some tough questions; you could say the committee gives tough love, all right? But the fact of the matter is we want to be there to help the college and if we're made aware of some of these budgetary problems, our Budget Review Office and others can be of service to the college to help you address those problems without raiding instructional lines.

So I'll leave you with that, Michael, and I am happy to hear that if we change the RESOLVED clause from a requirement to a request, that you're giving us here tonight the full assurance that the Board of Trustees will, beginning with the new fiscal year which is September 1, will then from that point into the future, I would say in perpetuity, will be -- will have their meetings as verbatim minutes. So I want to thank you for that and I will withhold until we actually vote on this some other thoughts for my colleagues. Thank you.

MR. HOLLANDER:

We just want to let you know that we're okay with the idea of sharing of ideas. You know, if we run into a deficit where the County is -- we're getting those charges, you know, we'll certainly let you know

00117

about it.

LEG. FOLEY:

Please. I mean, it's so basic and we want to be of help, but the problem has been that there -- and I will say this for the record. There are those at the college, for whatever reason, for defensive reasons or some other kinds of reasons that color their judgment, who have refused to divulge simple information to our committee and, therefore, we have not been able to help you as much as we want to. And that really needs to change, Mike, and I know it's not your problem, it's more of an administrative problem.

MR. HOLLANDER:

Well, one of the things then we should share right off the bat is that, you know, in the budget with this 2.2 million reserve, we put \$400,000 in for health, but I believe even the Budget Review Report talks about it being 800,000.

So you have to understand, on that one item we're already 400,000 in the hole against the 2.2 million before we start.

LEG. FOLEY:

Yeah. The fact, though, is that before the Legislature got a copy of the proposed budget, that neither -- and I mean this factually, not in an argumentative sense, that neither the college nor the County Executive had any money in to deal with that particular issue. And it's this Legislature that at the very least is addressing that deficit problem more than was addressed either through the County Executive's proposed budget or through the proposed budget by the college. So at least we're trying to address it whereas before there were no monies allocated for that.

P.O. TONNA:

All right.

MR. HOLLANDER:

Well, anyplace you can find \$400,000, I'll thank you.

LEG. FOLEY:

But we'll work together on that.

P.O. TONNA:

Advertising budget. No, no, I'm sorry, we already dealt with that.

LEG. HALEY:

Mr. Chairman?

P.O. TONNA:

Okay, Legislator Haley.

LEG. HALEY:

Thank you. One point I wanted to make very clear when we concerned ourselves about student enrollment and it's been very clearly substantiated over the years, is that in great economic times there tends to be a fall off in student enrollment because they tend to go to other schools whereas when times are tough you see the enrollment at the community college actually go up. And one of the things that

00118

I'm concerned with is that while we've been marketing and we've been doing the best we can to try to keep the students in place in good economic times, I'm just curious what would happen had we not gone through all of that marketing. I think it's a very important component of what we do. One of the reasons we have this multi-purpose building is also in response to why we're paying tuition to Nassau County, because students aren't attracted, so we have to do it. There's a lot of things that have gone on over the years.

When I first became a Legislator, one of the things that really bothered me about the community college which I think, by the way, is the best asset we have in Suffolk County, is that there was a lot of acrimony, some of it may or may not have been blamed on the past President. And we spent -- in about a two year period, we made an awful lot of changes and it was really refreshing when we saw that the Executive Branch of government, the Legislative Branch of government, all the Trustees and all of us were on the same page and were feeling warm and comfortable with where we were going. I can't help but saying, it's just an observation, that I sent a little bit of acrimony this year and I don't understand why we're there. It doesn't make sense to me because I thought we worked very well together in the past, which included and was not limited to the respect for the Plan C and the college's ability to do the things that they think is appropriate.

Now, I wanted to ask Michael a couple of things about the particular RESOLVED clauses in this Budget Amendment 11. And I appreciate the fact and I understand Legislator Foley's point about the second RESOLVED talking about changing that language to requested verbatim minutes, and I think there's some sort of acceptance by the college on that. But what concerns me is in the third RESOLVED clause where you've been told you shall not transfer or use in a couple of instances, could you tell me whether or not there's a possibility down the line, should you hit a bump in the road like that, that million dollars, that you're put in a position -- you could possibly be put in a position of either, one, having to come back to us and beg for money, and you know it's always begging when you come to the Legislature, or layoff people; is that a possibility, is that something that you think could happen in the future?

MR. HOLLANDER:  
Yes.

LEG. HALEY:  
Okay. And I think one of the things that the community college and the Trustees are concerned with because they're comfortable with Plan C is an expression I learned from other organizations called incrementalism. And I think their fear might be to the extent that we start to micromanage these various portions of their operation, where does that stop? And eventually we could have a Plan C that is so effectively watered down that we have effected some sort of

control over the community college which is not really, I don't think, the intent of operating a community college. We should provide primarily one-third of the revenue necessary to operate the college consistent with the policies that they set forth. So I'm really

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concerned about the third RESOLVED clause.

I don't have a problem with language that says it will come back and talk to us. I don't have a problem when they on a monthly basis -- you know what, if they have a report, a status report, they could provide that to the Chairman of Education so that if there's a point at which we may be able to help, we'll try to do that but we still have to give them the opportunity to operate their school; would you agree with that, Michael?

MR. HOLLANDER:

Yes.

LEG. HALEY:

And in the fourth RESOLVED clause, I think it's totally -- that is totally out of line and not even remotely consistent with the autonomy that they should have in operating their school; would you agree with that?

MR. HOLLANDER:

Yes.

LEG. HALEY:

Thank you. Thank you, Mr. Chairman.

P.O. TONNA:

Thank you very much. Okay, let's get to a vote. We've had -- oh, Legislator Crecca and then let's get to a vote on these issues.

LEG. CRECCA:

Actually, mine sort of moves us towards a vote.

P.O. TONNA:

We have about five minutes.

LEG. CRECCA:

In light of the comments that we heard from the Trustees and the administrators of the college who have come before us today, and in light of what I guess I'm hearing from fellow Legislators, I'm going to make a series of motions to -- for amendments to Amendment No. 11. And the reason I'm going to do it in a series of motions is what I don't want to do is get us bogged down debating, they're very simple changes, I think all the debate has happened here, but I would rather deal with them one simple change at a time. So if we could have the Legislators here.

P.O. TONNA:

Okay. I would ask all Legislators to sit at the horseshoe, we know

you're around here somewhere but just so that we can count, I think it would be a little easier on the Clerk when counting votes.

LEG. CRECCA:  
The first motion --

P.O. TONNA:  
Okay? Just wait one second. We have to first make I think Legislator  
00120  
Guldi, I wanted to recognize Legislator Guldi for a change in  
Resolution No. 11 first.

LEG. GULDI:  
Yeah, but Legislator Crecca has the floor, he wants to make a motion  
for amendments. I suspect they're going to be very much the same.

P.O. TONNA:  
Fine. It's just going to be up or down I guess, and let's get these  
going.

LEG. CARACAPPA:  
Mr. Chairman?

LEG. CRECCA:  
The first motion --

P.O. TONNA:  
Wait. Legislator Carpenter, do you have a comment before there's a  
motion?

LEG. COOPER:  
I just wanted to make one comment, Mr. Chairman?

P.O. TONNA:  
Okay. Legislator -- okay, before we go the motions, go ahead.

LEG. COOPER:  
Just before we leave the issue of advertising, I just want to say  
that I'm not necessarily concerned about the possible drop in  
enrollment from '93 because there's no way to know whether current  
enrollment would have been even less had it not been for the  
advertising effort. But I am very concerned about the apparent lack  
of any procedure to track the effectiveness of your --

P.O. TONNA:  
Right.

LEG. COOPER:  
-- various marketing and advertising efforts. Do you have any plans,  
Mike, to implement such a procedure?

MR. HOLLANDER:  
We will, yes.

LEG. COOPER:  
Thank you.

P.O. TONNA:  
Mike, I just want to hear that one on the record; yes, you do?

MR. HOLLANDER:  
Yes, we do on the record.

P.O. TONNA:

00121

Okay. You have a procedure that you're going to enact?

MR. HOLLANDER:  
We're going to figure one out

P.O. TONNA:  
What?

MR. HOLLANDER:  
We're going to figure one out.

P.O. TONNA:  
Can I make a suggestion?

MR. HOLLANDER:  
Sure.

P.O. TONNA:  
You don't even have to recreate the wheel. As a matter of fact, there are many marketing companies out there, there are many groups that it's their kind of reason for being, that they have to be able to track results.

MR. HOLLANDER:  
We can do it the same way as the convention and visitors bureau does it, we know how to do it.

P.O. TONNA:  
Okay.

MR. HOLLANDER:  
We'll share it with the college.

P.O. TONNA:  
That sounds great, and then I'm sure we'll be more receptive in finding out how you're doing. And maybe next year if we can get those results and find out maybe newspapers do better versus plains versus trains versus whatever, maybe we can look a little better at the advertising budget next year, too. Okay, Legislator Carpenter.

LEG. CARPENTER:

Thank you. There were a couple of things I wanted to address. One was, Fred, you had said the 25% increase that we had passed a number of years ago. I would just like to clarify, since I had sponsored that resolution, that it was a huge commitment on the part of this Legislative body and as Legislator Caracappa said, it was as a result of the fact that for many, many years, and I think it was eight out of the nine previous years, there had been absolutely no increase in the County contribution to the community college, and in spite of that the community college was able to exist. And that year '95 was hopefully setting us on a path of righting those wrongs and not bringing us to that door again and increasing the County contribution incrementally so that we didn't have years like that where it was totally devastated.

P.O. TONNA:

00122

Just for the record, we're not wiping out any tax -- we have a 4% tax increase --

LEG. FOLEY:

Contribution.

P.O. TONNA:

Contribution in increase, yeah.

LEG. CARPENTER:

Contribution, yeah. There are some components of this, but it disturbs me to see that we are reducing the advertising. Anyone that is in marketing or involved with it knows that you've got to keep hammering home the message. The fact that the enrollment has increased slightly and remained -- has not decreased over the past couple of years is really a testament to the marketing initiatives. Because as was stated earlier here tonight, in good economic times the community college traditionally, and this is not just our community college but community colleges across the nation will see a marked decrease in enrollment and that was not the case here.

Someone made reference to seeing glossy, four-colored brochures. Well, if you are trying to paint the message to parents that this is community college is a jewel and a place that you should send your children to be educated, you have to let them know that it is a first class institution, you can't cut corners, you've got to do things the right way.

When the Goals 2000 Committee was put together a couple of years ago, one of the members of the committee was Economist Pearl {Cammer}, and she said it very well as far as this initiative with the enrollment and the fact that when the economy is good, you're going to see a decrease in the enrollment at the college. And because of the marketing efforts, because of the initiatives, because of the way things are going at Suffolk Community College, that was not the case. Many of you saw the Health and Wellness Building that has opened, it

is an absolutely incredible facility and this is the thing that's going to make the difference in the out-of-County tuition. But we cannot tie the hands of the Board of Trustees, we cannot tie the hands of the administration and those that have to get the message out, and by cutting advertising that's exactly what we're doing.

P.O. TONNA:

Okay, legislator Crecca.

LEG. CRECCA:

Yes. The first amendment that I would propose on the floor would be to delete in its entirety the fourth RESOLVED clause of Budget Amendment No. 11.

LEG. CARPENTER:

Second.

P.O. TONNA:

Say it again?

LEG. CRECCA:

00123

It would delete in its entirety the fourth RESOLVED clause --

P.O. TONNA:

Okay.

LEG. CRECCA:

-- which reads-- I don't even need to read it, I don't think, I think everybody's --

P.O. TONNA:

Roll call.

LEG. HALEY:

Second.

LEG. FISHER:

Wait.

LEG. BINDER:

Hold on, read it.

LEG. CRECCA:

Yeah, I'll read it. It says, "RESOLVED, the definings of the Hay Study concerning administrative salaries at the community college shall not be implemented by the Board of Trustees without the explicit approval of the Suffolk County Legislature via a duly enacted resolution of the County of Suffolk."

LEG. CARPENTER:

Second.

LEG. CRECCA:

There's a second on the motion.

LEG. CARACCIOLO:  
On the motion.

P.O. TONNA:  
Okay, go ahead.

LEG. CARACCIOLO:  
What is the financial impact?

LEG. GULDI:  
Forty-seven thousand.

P.O. TONNA:  
Forty-seven thousand dollars.

LEG. CARACCIOLO:  
Forty-seven thousand dollars. Would that \$47,000 become --

MR. HOLLANDER:  
How do you know it's -- where are you getting 47,000 from?

LEG. GULDI:

00124

From turnover savings.

P.O. TONNA:  
How much is it, Fred?

MR. HOLLANDER:  
You don't know.

MR. POLLERT:  
It was 45,000 -- it's roughly \$45,000, however it could be up to 75,000 depending upon how the Board of Trustees does the implementation, it was also reported in Newsday that it could be higher than that. We had used the conservative number of approximately \$45,000.

LEG. CARACCIOLO:  
Mr. Chairman, could we just have an explanation as to what we're talking about when we're talking about 45 to \$75,000; Fred?

MR. POLLERT:  
That would really be up to the Board of Trustees how they decide to implement the Hay Report.

LEG. CARACCIOLO:  
All right. Maybe Counsel could just summarize --

P.O. TONNA:  
So you didn't get a bite with Fred, we've got to go to Paul? Go

ahead. Go ahead, Paul.

LEG. TOWLE:

You told him he could have whatever he wants.

MR. SABATINO:

Well, the college can't unilaterally implement exempt or administrative salary increases under the County laws, and the proof is in the example of a couple of years ago when there was an attempt to increase the salary for the president and the county Legislature had to approve that law to increase it up to \$150,000. So point number one is that you can't do it. Point number two is that --

LEG. CARACCIOLO:

Well, if I could just stop you there. Are you saying then by removing the fourth RESOLVED clause the County Legislature would be acting in the County -- would not be acting in the County's best interest?

MR. SABATINO:

Well, it would be acting contrary to what the prevailing rules of engagement are with regard to those salaries. The second point I was going to make is that it really ties into a lot of the other ones, that under New York State Law which is the Type C Program, the County Legislature specifically authorized in the pertinent section to, quote, "Direct the payment of all appropriations from maintenance of the college to be made by the board subject to the terms and conditions of such appropriations appearing in each budget as such Legislative body may deem proper to carry out the terms of the  
00125

budget," closed quote. The significance of that is that you do have absolute authority under State Law as well as the Plan C Agreement to impose terms and conditions. Paragraph four is a specific term and condition, it's derived from State Law, taking it out would take away the lever that you have been given by State Legislation.

LEG. CARACCIOLO:

Mr. Chairman, is there anyone here from the County Attorney's Office that would refute or dispute Counsel's representation?

P.O. TONNA:

I would have no idea.

LEG. CARACCIOLO:

Is there anyone here from the County Attorney's Office?

P.O. TONNA:

If there's anybody from the County Attorney's Office that actually wants to come down and try to answer this question. They're in the balcony. Michael, I don't think you're going to get somebody prepared -- they're not going to comment on this, I don't think they would be prepared to do that. You know the routine.

LEG. CRECCA:

Yeah, and I don't really -- I don't want to refute, I think everybody knows the issue here.

LEG. CARACCIOLO:

Okay. I would just point out to my colleagues, based on the remarks of Counsel, it would be contrary to the Legislature's best interest to remove this clause.

P.O. TONNA:

Right. Plus, when did we ever care what the County Attorney said? I mean, when we have our august legal Counsel here anyway.

LEG. CRECCA:

I'd ask that you call a vote.

P.O. TONNA:

Although we do miss Mea; I just want you to know, for the home town crowd, we miss Mea.

LEG. D'ANDRE:

Absolutely.

P.O. TONNA:

All right, please, let's go.

LEG. CRECCA:

I would ask that we call a vote.

LEG. HALEY:

Mr. Chairman?

LEG. CRECCA:

00126

I mean, only because we've debated this already.

P.O. TONNA:

Okay, we're voting this.

LEG. HALEY:

Mr. Chairman?

P.O. TONNA:

Yes.

LEG. HALEY:

I would just like to respond to Legislator Caracciolo. I think it's a pretty sad day when we start thinking what's in the best interest of the Suffolk County Legislature. We're supposed to be thinking in the best interest of the operation of the school and the services that they provide to our taxpayers, not the best interest of the Suffolk County Legislature.

LEG. CARACCIOLO:

Well, I think Legislator Haley loses the point. We are here and we have a fiduciary responsibility to that taxpayer and you are acting contrary by removing this clause to the taxpayer's best interest. So I would think twice about your remarks because you're not representing the taxpayer.

P.O. TONNA:  
Thank you.

LEG. FOLEY:  
Okay, let's go.

LEG. CRECCA:  
I have a little more trust in the trustees, though, than that.

LEG. HALEY:  
Yeah, so do I.

P.O. TONNA:  
Well, I'm glad.

LEG. GULDI:  
Roll call.

LEG. CARACCIOLO:  
Well, then obviously you don't belong here.

LEG. GULDI:  
I'm calling for a roll call, on the amendment I'd like a roll call.

P.O. TONNA:  
Hold it a second. This is what I would like to do. I'm going to hit this gavel the next time. Let's just do this one thing at a time, we're going to roll call everything. Henry, we're roll calling everything, that's why you get the big bucks. Okay. So right now we're dealing with the fourth RESOLVED clause, okay, and there's a motion and a second to remove everything in the fourth RESOLVED  
00127

clause. A yes vote is to delete, a no vote is not to delete, to keep it in. Okay, so, roll call.

(\*Roll Called by Mr. Barton\*)

LEG. CRECCA:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:

Yes.

LEG. POSTAL:  
No.

LEG. BISHOP:  
No to delete.

LEG. D'ANDRE:  
No to delete.

LEG. ALDEN:  
Pass.

LEG. FIELDS:  
No.

LEG. FOLEY:  
No.

LEG. HALEY:  
Yes.

LEG. FISHER:  
No.

LEG. CARACAPPA:  
Pass.

LEG. TOWLE:  
Pass.

LEG. GULDI:  
Pass.

LEG. CARACCIOLO:  
No.

LEG. LEVY:

00128

No.

P.O. TONNA:  
Nope.

LEG. ALDEN:  
Nope.

LEG. CARACAPPA:  
Nope.

LEG. TOWLE:

Yes.

LEG. GULDI:

No.

MR. BARTON:

Six.

P.O. TONNA:

Okay. Legislator Crecca, let's go to your next one.

LEG. CRECCA:

Okay. I'd make a motion to amend the third RESOLVED clause to delete the last two sentences specifically that read, "The appropriation provided for instructional equipment in account" blah, blah, blah, "shall only be used to purchase instructional equipment and shall not be used or transferred for any other purpose without the approval of the Suffolk County Legislature. The appropriation provided for health insurance shall not be used or transferred for any other purpose without the approval of Suffolk County Legislature;".

LEG. FOLEY:

On the motion.

LEG. HALEY:

Second.

P.O. TONNA:

Can we just vote on this?

LEG. FOLEY:

No, on the motion.

LEG. GULDI:

On the motion.

LEG. FOLEY:

On the motion.

P.O. TONNA:

Okay, hold it. Is there a second by Legislator --

LEG. HALEY:

Second.

P.O. TONNA:

00129

Okay, Legislator Haley seconded the motion.

LEG. FOLEY:

On the motion.

P.O. TONNA:

Legislator Foley.

LEG. FOLEY:

Okay. First, there's a scrivener's error where it states instructional equipment, it's supposed to be instructional supplies, and the account number is not 2440 but 3100, okay? But on --

P.O. TONNA:

Wait, wait. Do we need to -- how do we correct that and how do we know that?

LEG. CRECCA:

But if this motion carries we don't need to correct it, but if it doesn't then we should.

LEG. FOLEY:

But that was --

P.O. TONNA:

Trust me, it's not going to carry.

LEG. FOLEY:

You read off it was equipment but it was supplies, okay? That was a scrivener's error. But on the point, it would be very foolhardy if we approve this particular motion by Legislator Crecca.

What's happened over the past several years, and I mentioned it earlier, the heart of the college is when the professors are imparting their knowledge to the students. Part and parcel of that relationship is for the professors and the teachers to have the supplies they need in order to teach their lesson plans. What's happened over the past several years, this year in particular, there was a raid on this particular account, the instructional supply account where instead of expending four hundred and some odd thousand dollars, only \$280,000 was spent. And when we get to the issue of quality of instruction, the heart of the quality of instruction is not only the quality of the professors but also for them to have the tools that they need in order to teach their classes. In order to have those tools, they need to have a fully funded instructional supply line. If we don't lock box this particular line in that 374 -- if you look at the supply line, it's \$374,000 out of a \$100 million, \$101.7 million account, then my concern is that the past precedent will continue into the future, where this small line is going to be raided again and it's thereby going to short change the professors and it's also going to short change the students because they won't have the supplies they need.

And I will just end with this about supplies. As of last year -- now, I don't think that they fully have replaced some of -- they have some equipment that's over 30 years old.

00130

P.O. TONNA:

Okay.

LEG. FOLEY:  
Supplies that is.

LEG. GULDI:  
Legislator Tonna?

P.O. TONNA:  
All right, Legislator Guldi.

LEG. GULDI:  
Yeah, if I may. I'm going to make a suggestion by way of compromise on this, and that is I'm not sure I heard, but I'm sure I can get it reiterated from Trustee Hollander that the Trustees intend to abide by this provision. And given that, what I recommend is rather than a motion to strike the two sentences, what I'd recommend is that the word "shall" should be changed in both sentences from shall to the words "recommended to". And if we can have that representation, I'd like to make that amendment instead of a motion to strike.

LEG. CRECCA:  
And I will join Legislator Guldi in that amendment and amend my motion to that.

P.O. TONNA:  
This is such a wonderful feeling.

LEG. GULDI:  
Well, rather than amend the motion, why don't we -- withdraw your motion, we'll make a new motion and ask Trustee Hollander to reiterate the representation succinctly so that we can do it without Legislator Foley's classic brevity.

P.O. TONNA:  
Legislator Guldi, you could just make a motion, we'll give it priority. But I just want to discuss -- Legislator Foley has indicated there's a scrivener's error; is that, in fact, true?

LEG. FOLEY:  
Right.

LEG. GULDI:  
Yeah, let's correct that at the same time.

P.O. TONNA:  
Can we correct that? Okay. So Legislator Guldi, you have a motion; what's the motion?

LEG. CRECCA:  
I'll defer to Legislator Guldi's and withdraw my motion.

LEG. GULDI:  
Legislator Hollander, was I correct, did I hear that the Trustees

would intend to abide by this recommendation if it were stated as such?

MR. HOLLANDER:

That's true but, you know, you're making a big mistake out of this and I think -- I've just got to tell you to make sure we're all clear on what you're asking us to do. You're asking us not to be able to react to changes in the way the actual numbers come into our budgets. So if we run into a problem where like we had last year and the numbers fall off because we get hit with all these expenses, you're telling me that we can't take some type of immediate actions to start to cut costs.

LEG. GULDI:

That's not what I'm telling you. If you hit -- if that happens, I expect that you'd be on the phone with the Chairman of the Education Committee the day it happened and that we would be working together to resolve that kind of a situation.

P.O. TONNA:

George, can I say --

LEG. CRECCA:

And that's why we're taking out the mandatory language.

P.O. TONNA:

Well, I can say is that I just listened to Trustee Hollander's, you know, response, that didn't seem like a yes to me.

LEG. FOLEY:

Withdraw it, George.

LEG. GULDI:

Is it or is it not a yes, Trustee Hollander?

MR. HOLLANDER:

It's a yes --

P.O. TONNA:

No, it's a yes if the conditions can --

LEG. GULDI:

It's a yes but you don't like it, is that what you're saying?

P.O. TONNA:

It's a conditional yes.

LEG. FOLEY:

George, withdraw it then.

MR. HOLLANDER:

It's a yes that we don't want -- we want to spend the money on that stuff, but I'm not going to tell you that if we're --

P.O. TONNA:  
So it's a no, George. Let's get back to the thing.

00132

LEG. CRECCA:  
Let him finish, though, let him finish.

LEG. BISHOP:  
Come on.

MR. HOLLANDER:  
We need to do our jobs. Our job is to manage the college budget, to stay within budget and to do what we have to do so that we don't have a deficit which is going to lead you to have to raise taxes. And we're going to do everything we can to spend all of our money on teachers and on supplies and instructions, but we have to be able to reduce expenses if the revenues aren't there, and that's the best I can tell you.

P.O. TONNA:  
Okay.

LEG. FOLEY:  
Withdraw it, George.

P.O. TONNA:  
George, can we -- let Legislator Crecca, let him finish; how many more of these do you have?

LEG. CRECCA:  
I only have one more that I intend to present.

P.O. TONNA:  
Okay, so call your vote.

LEG. CRECCA:  
But let's do this one.

P.O. TONNA:  
I think, George, I think let's go back to Legislator Crecca's motion, okay?

LEG. GULDI:  
Fine, go ahead.

P.O. TONNA:  
All right. Let's not try to fix all of these things. Go ahead, you have a motion.

LEG. CRECCA:  
I'm going to amend my motion to include the changes that need to be made by Budget Review with the numbers, the account number and the dollar amount and change the language in those sentences to change

shall only be used to --

P.O. TONNA:  
From shall --

LEG. CRECCA:  
To recommend.

00133

P.O. TONNA:  
Recommend.

LEG. HALEY:  
Second.

LEG. GULDI:  
Recommended to was the language.

LEG. HALEY:  
Second.

P.O. TONNA:  
Okay. Let's roll call this, please.

(\*Roll Called by Mr. Barton\*)

LEG. CRECCA:  
Yes.

LEG. HALEY:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
Yes.

LEG. POSTAL:  
Pass.

LEG. BISHOP:  
No.

LEG. D'ANDRE:  
No.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Nope.

LEG. FIELDS:  
No.

LEG. FOLEY:  
No.

LEG. FISHER:  
Pass.

LEG. CARACAPPA: 00134  
Pass.

LEG. TOWLE:  
Yes.

LEG. GULDI:  
Pass.

LEG. CARACCIOLO:  
No.

LEG. LEVY:  
No.

P.O. TONNA:  
No.

LEG. FISHER:  
No.

LEG. CARACAPPA:  
Yep.

LEG. GULDI:  
Yes.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
So now you have seven. Okay, let's go to --

LEG. CRECCA:  
Motion just to amend the account number and --

MR. BARTON:  
Nine.

LEG. GULDI:  
No, no motion is necessary for that.

LEG. FOLEY:  
There's no motion necessary.

LEG. GULDI:  
That's a scriveners error, it can be corrected without a motion.

LEG. CRECCA:  
Oh, you don't need a motion to correct that scriveners error?

LEG. FOLEY:  
No.

LEG. CRECCA:  
Okay, I apologize.

LEG. HALEY:

00135

Mr. Chairman, I would just like someone in BRO to agree, someone to agree there was a scriveners error.

P.O. TONNA:  
They did, we asked them and they did agree.

LEG. CRECCA:  
They did agree.

LEG. HALEY:  
Oh, I didn't hear it.

P.O. TONNA:  
Okay. Now, you have one more motion.

LEG. CRECCA:  
One more motion.

P.O. TONNA:  
Go ahead.

LEG. CRECCA:  
And that would be the second RESOLVED clause, to amend that to read -- to delete the first sentence that reads, "that" -- well, not the whole first sentence, "That allocation of appropriations contained in the 2000-2001 Adopted Suffolk County Community College Operating Budget shall be subject to the adoption by" and replace that language with, "Suffolk County Legislature requests that" and then it would go on to read, "The Board of Trustees of Suffolk County Community College" and then change the word of, delete the word of and add the word adopt, "adopt a policy of providing verbatim minutes". And that sentence would go on with period after New York Public Officer's Law and the rest of that paragraph would be deleted.

LEG. HALEY:  
Second.

P.O. TONNA:  
Okay.

LEG. FOLEY:  
No.

LEG. LEVY:  
I need this read back to me.

P.O. TONNA:  
That's okay, let's just vote on it.

LEG. CRECCA:  
The purpose, again, of this is that we're making --

LEG. FOLEY:  
We need a copy of that.

P.O. TONNA:  
Fine. No, let's roll call, please. 00136

LEG. CRECCA:  
I think everyone understands.

P.O. TONNA:  
You got a second, the second was Legislator Haley.

(\*Roll Called by Mr. Barton\*)

LEG. CRECCA:  
Yes to the amendment.

LEG. HALEY:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
Yes.

LEG. POSTAL:  
Yes.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
No.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Nope.

LEG. FIELDS:  
No.

LEG. FOLEY:  
No.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Pass.

LEG. TOWLE:  
Yes.

LEG. GULDI:  
Pass.

LEG. CARACCIOLO:  
Yes.

00137

LEG. LEVY:  
No.

P.O. TONNA:  
No.

LEG. CARACAPPA:  
Yes.

LEG. GULDI:  
Yes.

MR. BARTON:  
12.

P.O. TONNA:  
Okay.

LEG. FOLEY:  
Mr. Chairman?

P.O. TONNA:  
Yes.

LEG. FOLEY:  
With the approval of that amendment -- to Counsel, with the approval of that particular amendment, we then -- we're changing the RESOLVED clause in what ways, that it now becomes --

LEG. LEVY:  
This should have been asked before.

LEG. FOLEY:  
Go ahead; I know, but go ahead.

P.O. TONNA:  
We were supposed to change one word for this.

MR. SABATINO:  
You no longer have a term and condition being imposed and instead you have memorializing precatory language.

LEG. FOLEY:  
Memorializing precatory language as it relates to the verbatim minutes; correct?.

LEG. GULDI:  
That's correct.  
LEG. FOLEY:  
Just the verbatim minutes.

P.O. TONNA:  
Is that it?

MR. SABATINO:  
00138  
Correct.

LEG. FOLEY:  
Okay.

P.O. TONNA:  
Then change my vote to a yes then.

LEG. ALDEN:  
Me, too.

LEG. GULDI:  
It's too late, you called the vote.

LEG. FOLEY:  
That's all right, they have the vote. Fine, let the record --  
Mr. Chairman, let the record reflect that that change has been made with the understanding and the promise made today by Trustee Hollander that beginning on September 1st of this year there will be verbatim minutes for all of the Trustees meetings.

LEG. BISHOP:  
Okay.

LEG. FOLEY:

And I'll say it just for the record, that if that does not occur then some of us are going to be ready to put in a resolution to do that. But we have received assurances and the full confidence of the trustees here today that they will move forward to have verbatim minutes.

LEG. CARACAPPA:  
Mr. Chairman? Mr. Chairman, question.

LEG. CARACCIOLO:  
Mr. Chairman?

LEG. CARACAPPA:  
Question.

LEG. CARACCIOLO:  
Mr. Chairman, I would like to make a motion to reconsider the last vote.

P.O. TONNA:  
Fine. Is there a second? I'll second it. All in favor? Opposed to reconsidering?

LEG. HALEY:  
Opposed.

LEG. GULDI:  
Why are we reconsidering, what's the --

LEG. CARACCIOLO:

00139

Very simply, because I believe some members didn't quite understand the intent.

P.O. TONNA:  
Right. We were supposed to change one word, Legislator Crecca's suggestion changed more than one word.

LEG. FIELDS:  
And it was confusing.

LEG. CRECCA:  
I'll read the entire paragraph.

P.O. TONNA:  
It's not the same.

LEG. BISHOP:  
The substance is the same.

LEG. CARACAPPA:  
Mr. Chairman?

LEG. CARACCIOLO:

Well, I just wanted to respond to Legislator Guldi's inquiry why I made the motion.

LEG. CARACAPPA:

Mr. Chairman, on the motion of the minutes.

P.O. TONNA:

Yes.

LEG. CARACAPPA:

The question is to the Clerk. Mr. Barton, we've used your to staff in LADS in the past to do other committees, are we using your staff to do the meetings for the community college?

MR. BARTON:

I have not been asked to provide staff for that function.

LEG. CARACAPPA:

Does anybody here know if we will we asking the Clerk's Office to provide stenographers for these meetings, or will the college provide their own?

P.O. TONNA:

Well, I can tell you quite honestly if the college has a problem, they come to us and we have the resources, then I'm going to try to help facilitate that in any way possible.

MR. BARTON:

If the Presiding Officer comes to the Clerk --

LEG. CARACAPPA:

Well, I think it's important because we have been --

LEG. LEVY:

00140

Alison or Ann Marie.

LEG. CARACAPPA:

Mr. Chairman, I believe I have the floor.

P.O. TONNA:

Do they get overtime? Anyway, go ahead.

MR. HOLLANDER:

We want Ann Marie.

LEG. CARACAPPA:

I know Mr. Barton's staff has stretched thin already by the --

LEG. GULDI:

Did you say stretched?

LEG. CARACAPPA:  
Mr. Barton's staff is stretched thin, yes, George.

MR. HOLLANDER:  
Given the tightness in our budget, we'll take any help you can give us.

P.O. TONNA:  
We'll give you -- how about for some fiscal advice from Legislator Caracciolo, that will come up free.

MR. HOLLANDER:  
Okay, it's a deal.

LEG. CARACCIOLO:  
Mr. Chairman, this is a good segue for maybe your announcement on how much money you saved this year in the Legislative budget.

P.O. TONNA:  
Yes, we have saved over, I think -- Fred, I will let you say it, but it's over \$300,000 now, right? And if not, please lie, say it is.

LEG. HALEY:  
Motion to close debate.

LEG. CRECCA:  
Could we just try to wrap this up?

LEG. LEVY:  
Yeah, come on.

LEG. HALEY:  
Motion to close debate.

P.O. TONNA:  
Okay. Yeah, please. All right, thank you.

LEG. CARACAPPA:

00141

I was cut right off, but okay.

LEG. FISHER:  
Joe's making a good point.

P.O. TONNA:  
Joe, go ahead and finish.

LEG. CARACAPPA:  
I just want to know if we're going to be forced to use the Clerk's staff to do these minutes, because we've been farming out his staff

with every committee from one end of the County to the other already

and the staff is stretched thin.

MR. BARTON:

No one has discussed that with me and I am not prepared to do it at this time.

LEG. CARACAPPA:

Thank you.

MR. BARTON:

If the college was to go to the Presiding Officer --

P.O. TONNA:

We're not obligated to.

LEG. CRECCA:

Yeah, we're not obligated to do it.

P.O. TONNA:

We're not obligated to.

MR. HOLLANDER:

Thanks, Henry.

LEG. CRECCA:

Are we at the motion to approve?

LEG. GULDI:

Motion to reconsider is where we are.

LEG. HALEY:

Roll call.

P.O. TONNA:

Reconsidering -- no, we did the reconsider vote and I think --

LEG. FOLEY:

No, we haven't.

LEG. GULDI:

No, we didn't. No, we need a roll call on the reconsider vote.

P.O. TONNA:

00142

Okay, roll call on the reconsideration.

(\*Roll Called by Mr. Barton\*)

LEG. CARACCIOLO:

Yes.

P.O. TONNA:

Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. POSTAL:  
Yes.

LEG. BISHOP:  
No.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
No.

LEG. CARPENTER:  
No.

LEG. ALDEN:  
Yes.

LEG. FIELDS:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
No.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. TOWLE:  
No.

LEG. GULDI:  
No.

LEG. LEVY:  
Yes.

00143

MR. BARTON:  
11.

P.O. TONNA:

Okay, now it's in front of us. George, this is my question. What is the -- maybe I'll ask Legal Counsel; what is the substantive difference between what Legislator Crecca has requested in his language versus what I think some of us spoke about and Legislator Guldi was going to make a motion which is to change one word from --

LEG. FOLEY:

Require to request.

P.O. TONNA:

From adoption to representation.

LEG. CRECCA:

That wasn't --

MR. SABATINO:

The difference was --

LEG. CRECCA:

That was not -- I don't mean to interrupt, Paul, but that was not had happened. His request was on a different amendment.

P.O. TONNA:

No, he -- no, this is

LEG. GULDI:

I had a private discussion with the Presiding Officer, I intended to make that motion based on what was said in the dialogue --

P.O. TONNA:

Right. So what's the difference between that and what Legislator Guldi was saying?

LEG. GULDI:

-- and you made a different motion. I don't think there's a substantive, legal difference, but Counsel is going --

P.O. TONNA:

Well, let's see what our Legal Counsel says.

LEG. GULDI:

To disagree with me.

MR. SABATINO:

Counsel is going to disagree with me.

MR. SABATINO:

Well, the difference between the two is that under your scenario, the representation to provide the minutes would be a condition and a term imposed under State Law. Under Legislator Crecca's, there would be no

00144

term or condition, it would be precatory memorializing language

asking them to do something.

LEG. CARACCIOLO:  
So we have the motion?

P.O. TONNA:  
Right.

LEG. CRECCA:  
The motion is still there because it's now under reconsider -- it's the same motion.

P.O. TONNA:  
Right, there's a motion and a second.

LEG. FOLEY:  
On the motion? On the motion.

P.O. TONNA:  
Okay.

LEG. FOLEY:  
Trustee Hollander, could you come to the podium for a moment, please?

P.O. TONNA:  
You only have to do this once or twice a year. He's right there, he's there, he's hanging out there.

LEG. FOLEY:  
Michael?

MR. HOLLANDER:  
I forget what I said before, can you remind me?

LEG. FOLEY:  
Michael, do you have a copy -- you have a copy of Budget Amendment 11, correct?

MR. HOLLANDER:  
Yes.

LEG. FOLEY:  
Okay. And when you look at the second RESOLVED clause, look in the paranthetic sentence after it says i.e., it says, "Verbatim minutes for all regular meetings, special meetings, committee meetings and subcommittee meetings of the Board of Trustees." Are you prepared to tell us tonight that for all those different meetings here and cited, that the college will have each of those recorded on verbatim minutes?

MR. HOLLANDER:  
Wait, I've got to read this.

LEG. CRECCA:  
Do you want me to read it with the amendment?

MR. HOLLANDER:

00145

Is that what I said before?

LEG. FOLEY:

What you said before was just about the regular meetings. What I'm asking you, when you look at this RESOLVED clause it states a series of meetings, regular --

MR. HOLLANDER:

Oh, so now you're adding the other meetings in?

LEG. FOLEY:

No, it's already in there. So I'm clarifying the question I asked you earlier this evening which is all the meetings that are cited in this RESOLVED clause which presently is mandatory for verbatim minutes, are you prepared to tell us tonight that you will have verbatim minutes if we change the language from a requirement to a request?

MR. HOLLANDER:

Okay.

LEG. FOLEY:

Is that affirmative?

MR. SACCA:

We need some clarification on that.

LEG. FOLEY:

Affirmative meaning that for the various meetings herein cited, that there will be verbatim minutes taken.

MR. HOLLANDER:

One of the things that Trustee Sacca brought up is that if we're in an executive committee meeting, we only report out the motion.

LEG. FOLEY:

Correct.

MR. HOLLANDER:

And that would be okay?

LEG. FOLEY:

Well, executive committees, executive session is not in the list.

MR. HOLLANDER:

Okay, we just wanted to make sure that we don't say something to you --

P.O. TONNA:

No, executive committee is not executive session.

MR. HOLLANDER:

Okay. So work shops and executive committee meetings wouldn't be included, these would only be open public meetings.

LEG. FOLEY:  
No, no.

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MR. HOLLANDER:  
No?

LEG. FOLEY:  
Counsel, could you please clarify this for the record?

MR. SABATINO:  
The way State Law is worded and the way this bill is worded, all meetings, special meetings, committee meeting, subcommittee meetings or full meetings, regular or special, everything gets reported out, not just the vote, the dialogue, the expression, the discussion, the reports, whatever takes place at a public meeting. And you can't go into executive session to vote on the budget and you can't go into executive session for things that are beyond the categories set forth in the State Law.

MR. HOLLANDER:  
Right. Okay, but if it's in executive session it wouldn't be verbatim minutes.

P.O. TONNA:  
No, there's no minutes in executive session.

MR. HOLLANDER:  
Right, okay.

P.O. TONNA:  
In executive session there's no minutes.

LEG. FOLEY:  
But you do have to state -- let me just say this for the record. You do have to state, Michael, as you well know the reasons why you're going into executive session, the people who will be in the meeting for the executive session, and then when you come out of the executive session you go back on the public record and we'll go back on the verbatim minutes; you understand that, correct?

P.O. TONNA:  
Yeah, I'm sure he understands.

LEG. FOLEY:  
No, I want to hear a yes on the record.

MR. HOLLANDER:  
Any ones that fit into the open meeting law we agree there should be verbatim minutes.

LEG. FOLEY:

All right. With that answered, Counsel --

P.O. TONNA:

That's good, that's fine.

LEG. FOLEY:

The different meetings that are listed in the parentheses, are all those subject to the Open Meetings Law?

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LEG. GULDI:

Yes.

MR. SABATINO:

All of the ones that are identified in the resolution are subject to the Open Meetings Law, but the reference to an executive committee I don't recognize.

MR. HOLLANDER:

Well, wait. If we have a committee meeting, for example, on the Hays Report, we have a committee on that and it's two trustees and two people from the thing, we wouldn't take verbatim meetings at that and that's not an open meeting.

LEG. GULDI:

That's correct.

LEG. CRECCA:

That's correct.

LEG. GULDI:

It would be an executive session.

MR. SABATINO:

When you use the phrase executive committee, do you mean executive session?

MR. HOLLANDER:

Yes.

MR. SABATINO:

Okay. That's why I said, there's no such thing as an executive committee in the context of what we're talking about.

MR. HOLLANDER:

Okay. So executive sessions --

MR. SABATINO:

If you're legitimately in executive session --

MR. HOLLANDER:

Right.

MR. SABATINO:  
This would not cover that.

P.O. TONNA:  
Right.

MR. HOLLANDER:  
Okay. And if we had a committee meeting on salaries and there were two trustees and two people from the college, that wouldn't be subject to verbatim minutes either.

MR. SABATINO:  
No, the salaries are precisely the kind of thing that are subject to  
00148  
open meetings which means they're discussed in open.

MR. HOLLANDER:  
Okay. But when we're doing work on like coming up with the Hays Report which is one of the things we're working on, is that meeting subject to the Open Meetings Law, if we're discussing people's salaries?

MR. SABATINO:  
Yes.

MR. HOLLANDER:  
I thought that salaries was one of the things that is not supposed to be open.

MR. SABATINO:  
No, collective bargaining negotiation discussions may be, but if you're talking about -- if you're talking about the consideration of salaries or appropriations therefore, that's open.

MR. HOLLANDER:  
Okay. We're interested in doing verbatim meeting minutes on all the open meetings that we know to be open to the public and I can promise you we'll do that. There are meetings that we have like executive sessions or some things that may be close to that, as far as we're concerned, where we may not be taking verbatim minutes. But we will promise you that the verbatim minutes at our open meetings that we have with the public we will do as we talked about, and the other we'll try to the best of our ability.

LEG. FOLEY:  
Well, let me just follow up with this then, if I may.

P.O. TONNA:  
Can I just say one thing?

LEG. FOLEY:  
And this is to Counsel.

P.O. TONNA:

This is the only concern that I have. It's 11:30.

LEG. FOLEY:

Right.

P.O. TONNA:

Okay? Let's get going, let's move this through.

LEG. FOLEY:

We'll get going in a moment, please, Mr. Chairman, I want to ask Counsel this question and then to Trustee Hollander. First to Trustee Hollander, you do have an executive committee made up of the president, the Chair, the Vice-Chair, the Secretary and the Treasurer, correct?

00149

MR. HOLLANDER:

Yes.

LEG. FOLEY:

Now, are there executive committee meetings that occur throughout the year?

MR. HOLLANDER:

Yes.

LEG. FOLEY:

Okay. Now to Counsel, the language that we have presently in the second RESOLVED clause, given what we just heard from Trustee Hollander that there is an executive committee of four, the Chair, Vice-Chair, the Secretary and the Treasurer, is it your belief that under the second RESOLVED clause that executive committee -- not executive session, the executive committee meetings of the Trustees is also included for requiring verbatim minutes?

MR. SABATINO:

If it's a duly authorized and established committee by the board, yes.

LEG. FOLEY:

Okay. Now, with that said, Trustee Hollander, if we change this language from require to request, can you assure us that the executive committee meetings will be recorded as verbatim minutes?

MR. SACCA:

No.

LEG. FOLEY:

No?

MR. SACCA:

My name is Mike Sacca, I am Secretary at Suffolk Community College and one of the executive committees. To clarify what you're speaking about, there is no Treasurer. The executive committee is made up of the Chairperson, the Sub-Chair and the Secretary. The meetings that we have, we would discuss the various items such as items that should be proposed into resolutions and that would not be verbatim minutes. It's similar to you caucusing, I don't think you have verbatim minutes on any of your caucuses.

P.O. TONNA:

We have better than that, we have immediate phone calls, after they say this is all in confidence, right?

LEG. CRECCA:

Anyway, on the motion, procedurally now on the motion there's a motion to reconsider that's been approved?

LEG. FOLEY:

Correct.

00150

P.O. TONNA:

Right.

LEG. CRECCA:

So what happens then?

P.O. TONNA:

What happens now is this. You're going to make a motion-- George, are you going to make a motion?

LEG. GULDI:

No, I believe procedurally Legislator Crecca's motion is still before us and has to be voted up or down before another motion would be in order.

LEG. BINDER:

You sure you don't want to reconsider reconsidering?

LEG. CARPENTER:

Yeah, I think we should, reconsider the reconsideration.

LEG. GULDI:

I can't, I wasn't on the prevailing side on that.

P.O. TONNA:

Okay, go ahead. Go ahead. This is just ridiculous. Let's go.

LEG. CRECCA:

So we're revoting on my motion again; do I need to restate it or no?

LEG. FIELDS:

Yes, yes.

LEG. FOLEY:

No, no, we know what it is.

LEG. CARACAPPA:

Motion and a second.

LEG. LEVY:

No, move the question.

LEG. FISHER:

Can you please restate it, Andrew?

LEG. CRECCA:

I'm just going to read it. I'll read it --

LEG. CARACAPPA:

No, just do a roll call.

LEG. CRECCA:

The paragraph is now going to read, second RESOLVED, "The Suffolk County Legislature requests that the board of trustees of suffolk county community college adopt a policy of providing verbatim minutes  
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of all community college committee meetings" -- I'm sorry, "Community College Board of Trustee meetings, (i.e., all regular meetings, special meetings, committee meetings, subcommittee meetings of the Board of Trustees) to the County Executive and to the County Legislature to fulfill its obligations under Section 106 of the New York Public Officer's Law.: And, be it further", that's the entire paragraph as it now reads.

LEG. CARPENTER:

Second.

P.O. TONNA:

Okay. Roll call.

(\*Roll Called by Mr. Barton\*)

LEG. CRECCA:

Yes to amend.

LEG. HALEY:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. POSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:

No.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Pass.

LEG. FIELDS:

No.

LEG. FOLEY:

No.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yes.

LEG. TOWLE:

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Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Pass.

LEG. LEVY:

Pass.

P.O. TONNA:

Nope, that's not what I agreed on.

LEG. ALDEN:

No.

LEG. CARACCIOLO:

No.

LEG. LEVY:

No.

MR. BARTON:  
11.

LEG. CARACCIOLO:  
Mr. Chairman?

LEG. GULDI:  
Motion to approve as amended.

LEG. CARACCIOLO:  
Mr. Chairman, one minute. Could I have Mr. --

P.O. TONNA:  
Please, no more reconsiders. No more reconsiders, please.

LEG. CARACCIOLO:  
No, no, no, no, I had one more question for the college.

LEG. LEVY:  
Let's get this thing passed first.

LEG. BISHOP:  
Mr. Chairman, I have a point of order. I thought we were going to go back to the public portion after one hour.

LEG. GULDI:  
Motion to approve.

LEG. FISHER:  
Second.

P.O. TONNA:

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We have --

LEG. CRECCA:  
Let's take the motion to approve.

LEG. FISHER:  
Second.

P.O. TONNA:  
We have about 30 seconds.

LEG. CARACCIOLO:  
That's fine, I can wait until after.

LEG. GULDI:  
Motion to extend the meeting?

P.O. TONNA:

Well, I'd like to make a motion to vote on this.

LEG. FOLEY:  
Let's vote on this.

LEG. GULDI:  
Motion to approve.

LEG. FISHER:  
And I second it.

LEG. CRECCA:  
There was a motion to approve and there was a second.

P.O. TONNA:  
Motion to approve by Legislator Guldi, seconded by Legislator Fisher.  
Okay?

LEG. CRECCA:  
Roll call.

P.O. TONNA:  
Roll call.

(\*Roll Called by Mr. Barton\*)

LEG. GULDI:  
Yes.

P.O. TONNA:  
This is Resolution No. 11.

LEG. GULDI:  
Eleven as amended.

LEG. FISHER:  
Yes.

LEG. COOPER:

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Yes.

LEG. BINDER:  
No.

LEG. POSTAL:  
Yes.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Pass.

LEG. CARPENTER:  
Pass.

LEG. ALDEN:  
Yes.

LEG. FIELDS:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
No.

LEG. CARACAPPA:  
Yes.

LEG. TOWLE:  
Pass.

LEG. CARACCIOLO:  
Yes.

LEG. LEVY:  
Yes.

P.O. TONNA:  
Yep.

LEG. CRECCA:  
Yes.

LEG. CARPENTER:  
Abstain.

LEG. TOWLE:  
Yes.

MR. BARTON:

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15.

P.O. TONNA:  
Okay, great.

LEG. FOLEY:  
Very good.

LEG. CARACCIOLO:  
Mr. Chairman?

LEG. LEVY:  
Henry, cosponsor.

LEG. CARACCIOLO:  
Mr. Chairman?

P.O. TONNA:  
Okay. Legislator Caracciolo.

LEG. CARACCIOLO:  
Okay. I don't want to beat a horse to death with this advertising issue, but, but --

LEG. CARPENTER:  
Oh, it's dead, the horse is dead as a doornail.

LEG. CARACAPPA:  
The thing is buried.

LEG. CARACCIOLO:  
If Mister -- is Eric here?

LEG. LEVY:  
Let's do this. We still have speakers here, Mr. Chairman.

LEG. CARPENTER:  
Yeah, really, public portion.

LEG. CARACCIOLO:  
Well, this will only take a minute but it will make a very a salient point, I believe.

LEG. LEVY:  
You've got to make it a minute. I mean, there have been people waiting here all day.

LEG. CARACCIOLO:  
Eric, do you recall --

MR. RICIOPPO:  
Yes, Mike?

LEG. CARACCIOLO:  
-- a full page advertisement in a weekly newspaper announcing the appointment of Mr. LaLima as College President?

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MR. RICIOPPO:  
Yes, I do.

LEG. CARACCIOLO:  
Was that a paid ad?

MR. RICIOPPO:  
Yes, it was.

LEG. CARACCIOLO:  
What was the purpose of that ad, and how does that help in the recruitment of the college?

MR. RICIOPPO:  
Several ways.

LEG. CARACCIOLO:  
Well, wait. What was the cost of that ad?

MR. RICIOPPO:  
Excuse me?

LEG. CARACCIOLO:  
The cost of that one page ad in that one edition?

MR. RICIOPPO:  
I don't have that figure with me right now, I could tell you it was approximately \$7,000.

LEG. CARACCIOLO:  
For the entire circulation?

MR. RICIOPPO:  
Yes.

LEG. CARACCIOLO:  
I don't think that's anywhere near accurate.

MR. RICIOPPO:  
That is pretty accurate, maybe it was \$7,300.

LEG. CARACCIOLO:  
Well, I'll tell you what. I'm not going to debate that with you but I'd like to see the paid bill or the bill for that ad.

MR. RICIOPPO:  
Sure, not a problem.

LEG. CARACCIOLO:  
Please forward that to my office. Thank you.

MR. RICIOPPO:  
Sure.

P.O. TONNA:

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What's the point, though? You might as well as finish the other thirty cents.

LEG. CARACCIOLO:

Well, I don't know what the justification is for running a full page add on the announcement of a new College President and how that helps recruitment I don't remember doing that for Mr. Cooper or anybody else, that's my point.

MR. RICIOPPO:

Just for a point of clarification, these are done routinely when colleges name new Presidents.

LEG. CARACCIOLO:

Was it done for Mr. Cooper?

MR. RICIOPPO:

I don't know, I wasn't here then.

LEG. CARACCIOLO:

It wasn't, I could assure you.

P.O. TONNA:

Okay. I think that's because he had all that money put in for that hot tub he put in, you know, if I can remember correctly.

LEG. CARACCIOLO:

Oh, in his house.

P.O. TONNA:

Advertising/hot tub, advertising/hot tub, he went with the hot tub. All right, anyway, let's go on. Public portion.

LEG. HALEY:

Mr. Chairman?

P.O. TONNA:

Yes. It wasn't a hot tub?

LEG. HALEY:

Two items, number five and number six are not precluded from consideration according to this chart. So what do we have to do with five and six, they have to be withdrawn?

P.O. TONNA:

Well, there's got to be a motion made. If somebody wants to make a motion, if not, there's not motions made.

LEG. HALEY:

But if they're before us, somebody-- you should call it at least.

P.O. TONNA:

Well, is there any -- no, I don't have to call anything, there's no motions made.

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LEG. BISHOP:  
Okay. No motion, let's go.

LEG. LEVY:  
Motion on No. 5.

P.O. TONNA:  
Wait, you're making a motion now, Steve?

LEG. LEVY:  
Yeah, on No. 5

P.O. TONNA:  
Okay. Is there a second? Okay, fails for lack of second. Somebody else?

LEG. CARPENTER:  
Okay, good. Let's go, time to go. Public portion.

LEG. BINDER:  
Second.

P.O. TONNA:  
Oh, there's a second by Legislator Binder. All right, roll call.  
Let's get this over with.

LEG. CRECCA:  
Which one is this?

P.O. TONNA:  
Five.

LEG. CRECCA:  
Thank you.

(\*Roll Called by Mr. Barton\*)

LEG. LEVY:  
Yes.

LEG. BINDER:  
No.

LEG. COOPER:  
Yes.

LEG. POSTAL:  
No.

LEG. BISHOP:  
No.

LEG. D'ANDRE:  
Pass.

LEG. CRECCA:

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No.

LEG. CARPENTER:  
Abstain.

LEG. ALDEN:  
Nope.

LEG. FIELDS:  
No.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
No.

LEG. FISHER:  
No.

LEG. CARACAPPA:  
Nope.

LEG. TOWLE:  
Yes.

LEG. GULDI: (Not Present)

LEG. CARACCIOLO:  
No.

P.O. TONNA:  
No.

LEG. GULDI:  
What's the question?

LEG. CARACAPPA:  
Say no, George.

MR. BARTON:  
Budget Amendment 5.

LEG. GULDI:  
Abstain.

MR. BARTON:

Four, it fails.

LEG. D'ANDRE:

No.

MR. BARTON:

Oh, Mr. D'Andre, I'm sorry. Four, it fails.

LEG. HALEY:

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Anything on six?

P.O. TONNA:

Let's go to the public portion. Thank you. Kathleen McDonald? Is Kathleen here? I have a feeling there will be some no-shows. Steven Greenspan? Steven? I just have one question for you as you come down; are you related to Alan?

MR. GREENSPAN:

Second cousin.

P.O. TONNA:

I need some stock tips.

LEG. CARPENTER:

Paul, do we need a motion to extend the meeting at this point?

LEG. CRECCA:

Yeah, we probably do.

LEG. GULDI:

Yeah, we're going to have to.

P.O. TONNA:

You know what? Let's make the motion now so we don't debate this. I'll make a motion to extend for an hour.

LEG. FISHER:

Second.

P.O. TONNA:

Second by Legislator Fisher.

LEG. HALEY:

Roll call.

P.O. TONNA:

For a precise time, I'll make it to extend till one o'clock.

LEG. CARPENTER:

One thirty.

LEG. BINDER:

On the motion.

P.O. TONNA:

Okay? Second by Legislator Fisher. On the motion?

LEG. BINDER:

On the motion. I just want to clarify what it would be, the motion is to extend to one thirty?

LEG. FIELDS:

One o'clock.

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P.O. TONNA:

No, till one.

LEG. BINDER:

To one o'clock.

P.O. TONNA:

We're going to do one an hour, one at a time.

LEG. BINDER:

And so --

LEG. CARPENTER:

Can that be --

LEG. BINDER:

And so that can -- I guess the same question, and that can be extended before one o'clock again, further extended?

P.O. TONNA:

Yeah.

LEG. LEVY:

Yep.

LEG. BINDER:

Okay. I would just urge that we not. My concern is that the time I've been here, the degradation of the meeting pretty much starts about midnight, members start getting pretty giddy and losing focus. And if we've made our mistakes over the years and stuff that we're not happy about, it usually comes pretty much after midnight and I would hope that, you know, we come back fresh at another time to deliberate on legislation. I just don't think it behooves this body to go to the place that I think we've done, and not everybody has gone through those one, two, three o'clock meetings.

LEG. LEVY:

Could we get into that when we get to that?

LEG. BINDER:  
What's that?

LEG. LEVY:  
Could we get into this when we get to it?

LEG. BINDER:  
Actually we are getting to it because there is a motion to extend till one o'clock.

P.O. TONNA:  
Okay.

LEG. BINDER:  
And what I'm arguing against, which I have the right to do on the motion to extend till one o'clock, I'm arguing against making the extension.

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LEG. LEVY:  
But wouldn't you want to do at least to hear from the people who have stayed here for all this time, to let them have their say?

LEG. BINDER:  
I would like not to extend to one o'clock.

P.O. TONNA:  
Okay. Can we just -- anybody else?

LEG. FIELDS:  
Yes, I would like to say something.

LEG. CARPENTER:  
Just one thing. His argument would hold water if it was a meeting when we started at 9:30 in the morning, but since this is an evening meeting and the Presiding Officer did send a memo telling everyone to be prepared to stay later because it is an evening meeting, I don't think that really makes sense.

LEG. BINDER:  
Mr. Chairman, my --

LEG. LEVY:  
Mr. Chairman?

P.O. TONNA:  
Just wait. Legislator Fields has the floor and then after that I'm going to make a motion to cut debate because I'm not going to spend 20 minutes doing this.

LEG. LEVY:  
Yeah, you're right.

LEG. CRECCA:  
I'll second the motion.

P.O. TONNA:  
Okay, first let Legislator Fields speak.

LEG. FIELDS:  
I think that we were all told and very well prepared to stay as long as it might take to finish business and I think any Legislator who votes against that is acting in a very irresponsible manner.

P.O. TONNA:  
Okay.

LEG. BINDER:  
Well, Mr. Chairman, I --

P.O. TONNA:  
Hold it, you're not recognized yet, Legislator Binder.

LEG. BINDER:  
Sure. 00163

P.O. TONNA:  
Is there anybody else that wants to speak?

LEG. LEVY:  
Yeah.

LEG. CARACAPPA:  
I'm compelled now, Mr. Chairman. Legislator Fields, that is just not fair for you to say that we're acting in a irresponsible way if we vote not to go past midnight. That is a law in the Charter of the County of Suffolk and the Rules of this Legislature that we have a right to vote yes or no at midnight, and we are not, as you say, acting irresponsibly if we vote to go home at midnight. So I request that you take back that statement.

LEG. LEVY:  
Mr. Chairman?

P.O. TONNA:  
Legislator Binder then Legislator Levy.

LEG. BINDER:  
Mr. Chairman, I understand Legislator Carpenter's argument that it is a 9:30 meeting, but I've been here when we started at 9:30 and when we've stayed late at night, even when we knew that it was going to go late. Being prepared doesn't mean that everyone slept in till two o'clock in the afternoon so we think we're going to be okay here. The fact is that it really does happen and I think we should really protect the integrity of the institution and the debates that we have

and past 12 o'clock, even starting at 9:30 or whatever time we start -- actually, it was 5:30 today for a night meeting, the debates really degenerate. And as for Legislator Fields, I understand that she hasn't been here a long time and is pretty inexperienced and hasn't seen what happens at that time, but it's not irresponsible to try to protect the integrity of the institution --

P.O. TONNA:

All right, motion to end debate, I'd like a second.

LEG. CRECCA:

Second, second, second.

LEG. LEVY:

One quick point, one quick point, Mr. Chairman.

LEG. BINDER:

Mr. Chair? Mr. Chairman, I haven't relinquished --

LEG. CRECCA:

There is a motion to close debate.

P.O. TONNA:

I'm making a motion.

LEG. CRECCA:

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I'm seconding your motion.

LEG. BINDER:

I cannot be interrupted by a motion, you can ask Counsel, and I will make a point of order and ask Counsel if I have the floor, can I be interrupted by a motion to close debate?

LEG. CRECCA:

This is why we go so late.

LEG. BINDER:

Mr. Chairman, I make a point of order.

P.O. TONNA:

I'm not going to let him speak for 20 minutes here and extend it.

LEG. BINDER:

I made a point of order, Mr. Chairman, I'm asking Counsel; Counsel, can I be interrupted --

P.O. TONNA:

Fine, go ahead; Counsel?

LEG. BINDER:

-- for a motion to end debate in the middle of holding the floor?

MR. SABATINO:

A motion to cut off debate if it's supported by 12 votes will cut off debate which includes --

LEG. BINDER:  
Excuse me. Can I be --

MR. SABATINO:  
Which includes your discussion.

LEG. BINDER:  
When I have the floor can someone interrupt with a motion?

MR. SABATINO:  
A motion to cut off debate cuts off debate if it gets 12 votes.

P.O. TONNA:  
There you go. Okay, there's a motion and a second.

LEG. BINDER:  
Well, Counsel has lost his mind.

P.O. TONNA:  
Okay, I'd like to roll call -- there is a motion by myself, I think it was seconded by Legislator Crecca.

LEG. HALEY:  
Roll call.

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P.O. TONNA:  
This is to stop the filibuster; I know it's popular in Washington, but we don't do that here. Go ahead.

(\*Roll Called by Mr. Barton\*)

P.O. TONNA:  
Yes.

LEG. CRECCA:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
Never close debate.

LEG. POSTAL:  
No.

LEG. BISHOP:  
To close debate? No.

LEG. D'ANDRE:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes.

LEG. FIELDS:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
No.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
No.

LEG. TOWLE:  
No.

LEG. GULDI:  
No.

LEG. CARACCIOLO:

00166

Yes.

LEG. LEVY:  
Even though I want to say something, yes, I'll cut myself off.

MR. BARTON:  
11.

P.O. TONNA:  
Okay. Go ahead, Legislator Binder.

LEG. BINDER:  
So what I was saying --

LEG. LEVY:  
Whoa, wait, wait, 11 did you say?

P.O. TONNA:  
We needed 12. I just want you to know that by him -- by being able to

speaking for nine more minutes or eleven more minutes or whatever it is, we've actually closed debate for so many people --

LEG. LEVY:  
Allan, let the people --

P.O. TONNA:  
-- for having their -- Legislator Bishop and others who wanted to make sure --

LEG. BINDER:  
All I wanted to do --

P.O. TONNA:  
-- we didn't close debate, we actually closed debate.

LEG. BINDER:  
I actually have the floor.

P.O. TONNA:  
That's what we actually did. Thank you.

LEG. BINDER:  
Actually, I wanted to just finish the sentence, and the sentence was --

P.O. TONNA:  
Fine, finish it.

LEG. BINDER:  
And the sentence was that we lose that focus and I would hope tonight, and that's what I urge members, is not to go beyond 12, let's come back and we'll take care of legislation then.

LEG. LEVY:  
Mr. Chairman, very quickly.

00167

P.O. TONNA:  
Legislator Levy.

LEG. LEVY:  
Look, there's two questions here. One is whether we want to go to one, two, three o'clock to do the agenda, I'll stay as long as we want; different people have different opinions, I respect all the opinions. But we told these people out there hours ago that let's take a break and go into the college budget for an hour, and now it's 12 o'clock and we're telling them, "Tough, we're not going to hear from you."

(Applause)

So at the very least -- and I'm not trying to grandstand here, just

at least let's hear them speak and then we can go home if we want to do that.

LEG. BINDER:

So make the motion to extend it as long as -- for enough time so as the people that want to speak can speak.

P.O. TONNA:

There's a motion --

LEG. BINDER:

I would support that motion.

LEG. FISHER:

There's a motion to extend till one o'clock.

LEG. BINDER:

To complete the public portion.

P.O. TONNA:

There is a motion to extend to one o'clock and a second. Roll call.

(\*Roll Called by Mr. Barton\*)

P.O. TONNA:

Yes.

LEG. FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

No just extend for the public portion.

LEG. POSTAL:

Yes.

LEG. BISHOP:

00168

Yes.

LEG. D'ANDRE:

Yes.

LEG. CRECCA: (Not Present).

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

No.

LEG. CARACAPPA:

No.

LEG. TOWLE:

No.

LEG. GULDI:

No.

LEG. CARACCIOLO:

Yes.

LEG. LEVY:

Yes.

LEG. CRECCA: (Not Present)

MR. BARTON:

12.

P.O. TONNA:

Robert LaVigna?

LEG. CARACAPPA:

No, the gentleman didn't speak, Mr. Greenspan.

P.O. TONNA:

Oh, Mr. Greenspan, sorry about that. Okay, you're on.

[SUBSTITUTION OF STENOGRAPHER - PATRICIA PATRISS]

MR. GREENSPAN:

Good things come to those who wait, I suppose, right. Persistence

00169

pays off, seeing as I've been here since five o'clock. Thank you for giving me the mike and bearing -- being willing to listen to what I have to say. I'm here tonight -- I want to complement Jon, Legislator Jon Cooper on really showing some intuitive insight and environmental intuition in fostering this bill, and I do hope that it is passed. I am totally in favor and support of what it advocates.

There is an extreme need for alternative means of pesticide control to be considered both within the County and without County personnel. I myself am a New York State licensed spray applicator certified in Categories 3A, which are turf environmentals, Category A, which is Public Health Mosquitos, and aquatics, which is Category 5B.

My background is in -- my College background is environmental science from the College of -- Environmental Science of Forestry at Syracuse, New York and Syracuse University. I have degrees in the environmental science area. I also am the executive director of the PEST institute, which is a acronym, which stands for Pesticide Education Safety and Training, which is where I give or teach the thirty hour mandated New York State DEC prequalifying course that gets spray applicators certified or qualified to take the licensing examination, leading to a qualified spray license, and I find that in teaching the course to these spray applicators, regardless of what their area of specialization may be, that most people do not have a thorough understanding of the alternative means available to them to control pests. There are many, many well established proven methods that are out there that need to be considered, and I think, again, what Jon Cooper's trying to do is exemplary of what hopefully will become passed with your support.

I want to make mention here tonight -- can I have the floor's attention, please? Thank you. I know it's late we all want to go home. I'll be quick. I'll be brief.

One thing I want to point out to you is that what's being done now both within the region, New York City, and Long Island is not the most prudent way to go about controlling any kind of insect whatsoever. One of the major problems in controlling insects is that when you start to use any chemical means of control what you end up doing is not suppressing the populations at hand, but actually exacerbating the problem and thereby increasing the population multiple-fold. This has been proven time and time again, and it's a simple law of evolutionary theory. I didn't invent it. Darwin actually came out with it many, many, years ago, and it's really survival of the fittest.

Any insect that is suppressed automatically goes into its instinctive mode to survive and will actually increase its ability to multiply, fighting off the force that's trying to put it to death. That's a given. By using alternative means you're not adulterating the environment with toxic chemicals. The chemicals that are being used right now, the Sumithrin and the Resmethrin, which are supposedly synthetic and supposedly harmless as they're being made out to be, are anything but. There is information literature that I don't know if you received tonight, but it's put out by the Federal EPA --

00170

P.O. TONNA:

Sir, you're going to have to wrap up your comments.

MR. GREENSPAN:

Okay. It's a recognition in management of pesticide poisoning, and in there they specifically -- this by the EPA, they specifically list Resmethrin and Sumithrin as two synthetic pyrethroids, which are made to mimic a natural chemical, but had adverse affects themselves, and they go into a whole detail as to what those affects are. I will have information supplied to you so that it will be entered into record in the form of a printed document. Thank you for listening.

P.O. TONNA:

Thank you very much, sir. Robert LaVigna. Susan Pellegrino. Susan?

MR. LA VIGNA:

My name is Robert LaVigna.

D.P.O. TONNA:

Oh, sorry, Robert.

MR. LA VIGNA:

Yes, good morning.

D.P.O. TONNA:

Good morning.

MR. LA VIGNA:

I do not support 1057 because it discriminates against Huntington and senior housing. Affordable housing begins with affordable taxes and in Suffolk County we pay the highest real estate taxes in the country, making homes unaffordable on every income level.

It is unthinkable that the County Legislature would create or consider 1057, and fail to address the impact of the cost this Legislation would have on the overburdened taxpayers of Suffolk County. Every time you raise our taxes another home becomes unaffordable. Earlier this evening a speaker said that you can make up to sixty-one thousand dollars and apply for aide for affordable housing. Yet a homeowner making twenty-three thousand dollars has to pay full real estate taxes. Where is the justification in 1057? How could you expect somebody making twenty-three thousand dollars to help somebody making sixty-one?

Developer's profits should not -- from down zoning -- should not be at the expense of the local community, and urban planning of large cities should not be renamed Smart Growth. One reason why so many of us moved to Long Island and are willing to travel for two or three hours a day is to get away from Smart Growth Planning.

I have worked for more than a decade in the development of LIDC, and I have served as one of the members on the State Task Force. The goals were established by the State of New York to develop LIDC with an emphasis on senior housing for the State to recover the cost associated with the property and not to be a burden on the Local tax and jurisdiction, the local school district. The Greens at Half

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Hollow, a senior housing development, meets all of these goals.

It is shameful that organizations, especially religious organizations, are against senior housing at LIDC. When does the hard working taxpayer enjoy they rewards of their hard work? When they retire? Not in Huntington or in Suffolk County because there is no place for them. This Legislation should be ashamed of themselves for trying to destroy senior housing at LIDC because it's not a crime to be old, and it's not crime to be old and poor, and it's not a crime to be old and rich, it's not a crime to be old and want to live in Huntington, it's not a crime to want to live in a senior development, but it is a crime when you hold us seniors as hostages for your personal agenda.

Keep us seniors on Long Island and support senior housing at LIDC and stand up for the seniors.

(Applause)

D.P.O. TONNA:

Thank you very much, sir. Susan Pellegrino. Susan. Going once, going twice. {Nadia} Weber. {Nadia}, Nana Weber. Sioban Traynor. Sioban Traynor. Okay. Lillian Tinyes, Lillian. Charlie Whitmore. Michelle Santuntonio.

MS. SANTUNTONIO:

Yep.

D.P.O. TONNA:

How do you say that.

MS. SANTUNTONIO:

Santuntonio.

D.P.O. TONNA:

Santuntonio. Okay, and then after that is Sheila Saks. Okay, thank you.

MS. SANTUNTONIO:

Good evening.

D.P.O. TONNA:

Hi, how are you?

MS. SANTUNTONIO:

Tired. My name is Michelle Santuntonio. I'm the executive director for Long Island Housing Services. We are a private not-for-profit fair housing enforcement agency and we're also a housing counseling agency that is certified. We provide a lot of different services for the people of Long Island including the residents of Huntington.

AUDIENCE MEMBER:

We can't hear you.

MS. SANTUNTONIO:

Okay. Can the Legislators here me?

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LEG. FIELDS:

Yes.

D.P.O. TONNA:

Yes.

MS. SANTUNTONIO:

I'm here to support the idea of Suffolk County getting involved with affordable housing program sponsorship. There is, as you've heard over and over again, and read over and over again, a terrible housing crisis on Long Island. We're in the front line of these issues because people contact us. We get referrals from Legislators, we get referrals from building departments, from the police department, from school districts. We hear from virtually everyone.

I just want to give you a little bit of an idea of what a private fair housing enforcement agency does. We investigate unlawful housing discrimination. We -- in terms of our counseling role we try to give people guidance that are interested in becoming first time home buyers so that so that they don't fall prey to predatory lenders, and so that they can become aware of all of the wonderful programs that are available through lenders and government sponsored funding these days for first time home buyers.

We also counsel people that are having disputes with their landlords and we hear a lot of very critical situations from people who are being treated unlawfully in terms of evictions, cutting off essential services, in terms of sewage backing up into people's kitchens, into people's bathrooms, in terms of oil tank leakage and so forth. Probably if you address your constituents' needs you've heard those problems too.

I just want to put in a bid for understanding that Long Island Housing Services hears from seniors as well. There's just too little housing, too little land, and too many people for the limited resources available. I do want to say that the worst possible scenario that we hear is from -- people simply cannot find housing, rental housing in particular.

The affordable programs for home ownership seem a lot more available than for rentals, but I want to see whether or not the County can come up with some creative program to address the need for affordable housing, with not just parcels if -- in this proposal you're addressing vacant land parcels, but could also look to see about properties that are foreclosed and recovered by the County for tax purposes when people go in default.

P.O. TONNA:

You have to wrap up your --

MS. SANTUNTONIO:

That's what I'm here to say. Yes, we need the affordable housing. We need to include the families with children. They experience a lot of discrimination from the real estate industry and the private

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homeowner and the seniors of course are in need as well. Thank you.

D.P.O. TONNA:

Thank you very much. Okay, Sheila Saks.

(Applause)

MS. SAKS:

I know you're up there somewhere.

LEG. FISHER:

Yes, we are. We're listening.

D.P.O. TONNA:

We're all up there somewhere.

MS. SAKS:

My name is Sheila Saks. I'm a resident of the Town of Huntington for over thirty years, and over these years I have served my community as a volunteer in a number of capacities. I'm speaking to you as the President of the House Beautiful at Dix Hills Home Owners Association.

For more than fifteen years the House Beautiful Community of Dix Hills has been actively involved with the planning for the property in our community formally known as the Long Island Developmental Center. We participated in a State Task Force that was a result of a State Law known as the Community Reinvestment Act. The Task Force that planned for the future disposition of approximately four hundred acres of land had broad based representation. Four members from the State, four from the County, four from the Town, and four from the surrounding area.

The State hired a professional planning firm at a cost of approximately half a million dollars to the taxpayers of New York. I was a volunteer member of the New York State Task Force for the LIDC property. The group met over a period of about two years at well publicized meetings that were always open to the public. At the conclusion of these meetings there were two public hearings.

The application filed by the Benjamin Corporation for the LIDC property known as the Greens at Half Hollow is a result of the recommendations of the LIDC Task Force. It is an application that considered a multitude of concerns and impacts, and at the same time

helps to relieve a serious public need, housing for seniors. Seniors are the fastest growing group of the general population, and it has been well documented that there is a critical shortage of senior housing on Long Island.

For those few developments that do exist, the waiting lists can be anywhere from two to five years. The LIDC Task Force recognized this need for housing for seniors on Long Island and planned accordingly. The owner of the LIDC property currently has gone one step further to provide a variety of senior housing accommodations with a broad price range, including affordable units and low cost senior rentals.

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Besides fulfilling a real need, creating a senior community, in case you're interested, will have the least impact on the surrounding community. The tax base will be increased without adding a substantial number of children to a district that is already at its capacity. Traffic, a major concern in our heavily congested area will be minimized since statistics show that seniors make less trips than young families.

P.O. TONNA:

Sheila, you're going to have to wrap up your comments.

MS. SAKS:

Have those proposing the resolution before you tonight met with members of the Half Hollow Hills Community before sponsoring this resolution, attending any of our meetings, listening to any of our concerns? Do you Legislators really know enough about the details of the Long Island Developmental Senior Citizen Project to single it out in this resolution now, after years of planning, after years of battles fought to keep LIDC residential land from being high-jacked for industrial use by major corporations, fueled by Newsday's endorsement? This Legislature is considering to disrupt the consensus which brought about the Benjamin application, and undermines the current senior housing plan.

We ask you not to support this untimely Resolution 1057 as it applies to LIDC. Thank you for your attention.

(Applause)

P.O. TONNA:

Thank you very much. June Perry. June. No, okay. Steven Restmeyer.

MR. RESTMEYER:

Thank you for the opportunity to speak. I am Steve Restmeyer, the President of the Long Island Organic Horticulture Association, and I'm here to support several resolutions. Resolution 1584, thank you Dave Bishop, the -- requiring a three hour course on organic maintenance or organic alternative in methodologies for landscapers licensed in the County.

Resolution 1451, thank you Legislator Cooper for introducing that one to support the research into safer alternatives in Vector Control for mosquito control, and I would also like to say that with the increase in public concern over possible adverse health effects of pesticides, more consumers today are taking a position against the use of all pesticides. After all, consumers, farmers, pesticide applicators, were all told that DDT, Chlordane, Temec and Dursban were safe as long as they were used according to the directions. These chemicals have since been banned due to their adverse health effects, and their inability to break down in the environment. Unfortunately, they were not banned before they killed millions of birds, some, almost to the point of extinction, countless pets, and contaminated soil and water. In fact, DDT is still found in human tissue today, and is often found in breast tissue of breast cancer patients.

00175

What the last fifty years of pesticide use has taught us is that if it is a poison, we can, in fact, be poisoned by it. What scientists have also proven is that the use of pesticides indiscriminately sprayed as a blanket application do more harm than good by creating an imbalance in the ecosystem.

The term pesticide induced infestation refers to the condition created when good bugs are killed. In the absence of beneficial insects, pest insects flourished unchecked, creating an infestation that is often more severe than the original one and a need for another spray to control it unless, that is, you adopt an ecological pest management program.

Now, an ecological pest management program relies on elements within the ecosystem to come back in the absence of pesticide use. Beneficial insects release soil nutrition --

P.O. TONNA:

Steve, you're going to have to wrap up your comments, okay?

MR. RESTMEYER:

I will, thank you. -- and especially a holistic approach that takes into consideration the health effects of the pesticides that are presently being used.

I have been using over the last ten years a tiny little parasitic wasp called a Trichogramma that has been controlling gypsy moth on my clients' properties without any problem whatsoever, and without any pesticide use.

The Malathion spraying and the mosquito spraying in Suffolk County is creating an imbalance and I foresee a gypsy moth outbreak in the near future. What I'd like to also see is more effort on the Legislature to develop a holistic approach.

D.P.O. TONNA:

Sir.

MR. RESTMEYER:

Yes. I'm wrapping it up, I am.

D.P.O. TONNA:

You were wrapping it up a minute ago. You really got to -- you're timed.

MR. RESTMEYER:

I am getting to a point, I promise you. I've been waiting a very long time.

D.P.O. TONNA:

No, it's your time.

MR. RESTMEYER:

I'm sorry, and I will wrap it up.

D.P.O. TONNA:

00176

Sir, it's one o'clock in the morning. Come on.

MR. RESTMEYER:

Perhaps we can take a holistic approach and create an organic golf course that will then be able to train other superintendents and landscapers and also be a research station into different methods that will in fact reduce pesticides here on Long Island. Thank you.

P.O. TONNA:

Thank you, sir.

MR. RESTMEYER:

Thank you.

D.P.O. TONNA:

Okay. Nathaniel Ham, and after that Dennis Milton.

MR. HAM:

Good evening.

D.P.O. TONNA:

Good evening. Thank you, sir.

MR. HAM:

My name is Nathaniel Ham from Dix Hills, New York. I'm here to represent the Half Hollow Hills Civics, relative to IR 1057. We stand in support of that resolution for a number of reasons. Number 1 is that what we've been sitting listening to for the last several months is a lot of bantering about our seniors on Long Island needing an affordable place to stay. In IR 1057 we see that is carefully planned where we have seniors for 80%, up to almost 80% of the units, and the remaining for any seniors or anyone that cannot afford to

live in the Town of Huntington.

In addition to that we'd like to clarify a couple of things that were said earlier relative to our support for your proposal. We would like to see it stay intact as it is because we would not like to have the proposal joined together with another piece of property, which is on Ruland Road, which presently houses Avalon, which is one thousand five hundred units of which has netted the school district for this coming year less than a hundred and fifty kids.

We don't see this being a great impact on our school system, and also that the council from PTA did not endorse any plan relative to seniors only at the Greens and Half Hollow Hills. We want to make sure that you're aware to that.

In addition, I was also serving in the past in the Town of Huntington relative to affordable housing, and there's a need out there for more than a thousand units for people of all different age groups, seniors and younger adults alike. We have seen a time when -- we're talking about keeping the seniors on Long Island, but we cannot afford to keep the younger students coming out of schools or our kids that are looking for -- getting their first jobs.

Our employment on the 110 Corridor, which a lot of business men are  
00177

having to decide whether to stay on the 110 Corridor or move to another place in order to find workers. So we need to have our affordable units for all of the summer residents, seniors and younger people alike. Thank you.

D.P.O. TONNA:  
Thank you very much, sir.

(Applause)

LEG. CARACCIOLO:  
Sir -- Mr. Chairman, I have a question.

D.P.O. TONNA:  
Sure.

LEG. FISHER:  
There's a question, sir.

D.P.O. TONNA:  
Mr. Ham, there is a question from a Legislator.

LEG. CARACCIOLO:  
Okay, could you just elaborate on your statistics relative to this project? You said under the proposal up to 80% -- I'm over here -- up to 80% would be available for senior citizen housing, and the remainder of 20% could be used -- mix use for more senior housing or for other socioeconomic and age groups, correct?

MR. HAM:  
That's correct.

LEG. CARACCIOLO:  
Okay, assuming that would actually take place, what would be the worst case scenario of impact on the school district, and what school district are we talking about here?

MR. HAM:  
Okay. We're talking about Half Hollow Hills School District, Number 5.

LEG. CARACCIOLO:  
Okay, and what is the current enrollment of Half Hollow Hills?

MR. HAM:  
Okay. Current enrollment in our school district is approximately eighty-five hundred students, but let me remind you, I'm in the community now for twenty years, and going back to my twenty years in the district we have had enrollment up to sixteen thousand kids in our system.

AUDIENCE MEMBER:  
The school's --

LEG. CARACCIOLO:  
Let the gentleman speak, ma'am. You'll have your opportunity.  
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MR. HAM:  
We've already had up to sixteen thousand kids in our system.

LEG. CARACCIOLO:  
All right. So you're saying that the present enrollment is approximately half of what it once was?

MR. HAM:  
That's correct.

LEG. CARACCIOLO:  
Okay, what is the average taxes for a resident of -- say yourself? I mean, what have you seen happen to your property taxes, because often times when people speak to property taxes they seem to think a large part of that's County taxes, which it's not, it's school taxes. Are you at liberty to share that information with us?

MR. HAM:  
Well, yes. Well, the two areas I can speak on. The first being that we had a budget pass this year, but let me put it in the proper perspective. We had a 95 million dollar budget pass, solely due to our infrastructure. For instance, we have a thirty-two plus age building. The number of kids did not impact on us approving a 95

million dollar bond. We took advantage of the State gracious offer of additional 10%, and also that out infrastructure needed to be improved. We did open up at another -- an elementary school earlier, which cost us approximately around eight million dollars.

LEG. CARACCIOLO:

And what was the purpose of opening up an additional elementary school? Enrollments are going -- they bottomed down and now they're starting to go up?

MR. HAM:

Right. To keep our class sizes down to a very low number, and also to aide the new kids that are coming into our school district.

LEG. CARACCIOLO:

And what are the near and long-term school enrollment projections in the district? If nothing else changes, what -- I mean, is that a trend that's going to continue to increase enrollment?

MR. HAM:

We -- from our demographic study, we estimate that placement -- based on the current trend we should balance out somewhere around the year 2005, and that number should actually start to decline by 2009.

LEG. CARACCIOLO:

In terms of the average property tax in the Half Hollow School District, do you have any idea what that is?

MR. HAM:

I would say the range would be somewhere around the neighborhood of eighty-five hundred.

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LEG. CARACCIOLO:

My recollection is Half Hollow Hills has one of the best academic programs of any school district in Suffolk County in terms of achievement, as well as some of the highest property worth of any -- of the school district. I don't know where it ranks, but I know it's significant, is that correct?

MR. HAM:

Right. There's talk that we're Number 4 in the State.

LEG. CARACCIOLO:

Number 4?

MR. HAM:

Number 4.

LEG. CARACCIOLO:

In the County or in the State, did you say.

MR. HAM:  
Number 4 in the State.

LEG. BISHOP:  
In what?

LEG. CARACCIOLO:  
In what was the question over there.

MR. HAM:  
Academic achievements.

LEG. CARACCIOLO:  
So if this proposal were to actually be implemented, and certainly we don't control that, and I hope everybody that's come here tonight understands we don't have that jurisdiction, it's up to really the Town, but that said, if 20% of these units were actually turned over to, you know, other than senior, for senior citizen housing, what is the projection for the average number of children and you know --

MR. HAM:  
Well, the only reference marker I can draw upon is that we have Avalon I and Avalon II, which is actually approximately fifteen hundred units of which we have less than a hundred and five kids netted from those units.

LEG. CARACCIOLO:  
So you're -- now, I'm not familiar with Avalon I and II. Is that a condominium, townhouse, complex?

MR. HAM:  
They're townhouse condominiums.

LEG. CARACCIOLO:  
Okay. So the individuals that have purchased those homes have not -- you've not seen a big influx of school aged children impact in the school district?

00180

MR. HAM:  
Not at all.

LEG. CARACCIOLO:  
And all of those -- those two complexes are located within the Half Hollow School District.

MR. HAM:  
Yes, they are.

LEG. CARACCIOLO:  
Okay. Are there any other examples that you'd like to cite in terms of impact on the school district? Are there large residential developments or impacts in the district?

MR. HAM:

Okay, based on the study that I -- I used to be on the Huntington Housing Authority, and based on the information that I received relative to the number of kids that could possibly impact on the school district from that type of development is less than 1.1% from each unit.

LEG. CARACCIOLO:

Okay. So when we talk about 20%, how many units are we really talking about?

MR. HAM:

Roughly you're talking a little under three hundred units.

LEG. CARACCIOLO:

And what would be your educated estimate as to what the impact on the school district would be?

MR. HAM:

Probably about fifty-six kids at max.

LEG. CARACCIOLO:

Thank you.

D.P.O. TONNA:

Thank you very much. Okay --

MR. HAM:

Thank you.

D.P.O. TONNA:

And thank you, Mr. Ham.

[RETURN OF REGULAR STENOGRAPHER - ALISON MAHONEY]

LEG. BINDER:

Mr. Chairman, I would like to ask him some questions if I could.

P.O. TONNA:

I think Legislator Binder has gotten some notes together, now he's  
00181  
going to ask you some questions; good luck.

LEG. LEVY:

He wants to extend the public hearing.

LEG. BINDER:

Well, the first question I guess I have is who exactly is the -- I mean, I've been a Legislator ten and a half years and I -- this is the first time I've heard of the Half Hollow Hills Civic Association, so I'm kind of curious who they are. And obviously they're pretty new, so where did this come from?

MR. HAM:

Be it you're a resident of Dix Hills, you can join the Half Hollow Hills Civics and we'll be more than happy to give you a call so you can join, you can come to our meetings. Half Hollow Hills Civic is new, okay, I will grant you that. It's comprised of a member of the entire 34 square miles in Dix Hills, it's not just one little, small, isolated community.

P.O. TONNA:

Legislator Binder, do you want to get a registration form?

LEG. BINDER:

Not right now.

P.O. TONNA:

Okay. Mr. Ham, I would like one, you know, I'll pay the non resident dues.

LEG. BINDER:

You were talking about a time when the school district had many more students.

MR. HAM:

Yes.

LEG. BINDER:

How many schools were there at that time; were there the same amount of schools there are now?

MR. HAM:

No, there wasn't.

LEG. BINDER:

How many schools were there?

MR. HAM:

There were additional two more schools, one went back on line.

LEG. BINDER:

Actually, isn't it four extra schools? When we had 13,000 at Half Hollow Hills there were four more schools and didn't -- at that time, didn't they have double --

P.O. TONNA:

Keep it to the questions, please, keep it to the questions.

00182

LEG. BINDER:

Did they have double sessions to try and keep up?

MR. HAM:

No, there were actually two additional schools, one of which we opened back up this past -- two years ago.

LEG. BINDER:

Okay. Did we ever have double sessions to try to keep up with the enrollment problem at Half Hollow Hills?

MR. HAM:

Yes, we did run some double sessions.

LEG. BINDER:

Sure. And I guess maybe another important question, what is -- if you looked at the graduation rate now at Half Hollow Hills and the new enrollment for incoming Kindergarten --

MR. HAM:

Yes.

LEG. BINDER:

Is there any increase, do you see anything happening; is it about the same?

MR. HAM:

The increase in new kids coming in relative to the preschool and also -- not preschool but the K to 6 about balance the same. For instance, based on our demographer's number that we obtained a couple of years ago, it was actually a little on the low side.

LEG. BINDER:

Except that if you looked at the current graduating class and you looked at the incoming students at the bottom, at Kindergarten, you would see that there's a 44% increase and those are just plain numbers and those kids are coming up and that's what's coming. Affordable housing, how many affordable housing developments have been built outside of Half Hollow Hills, do you know?

MR. HAM:

Built outside of Half Hollow Hills?

LEG. BINDER:

Yeah, outside of the district.

MR. HAM:

I think the Huntington Town has a dismal record as far as building affordable housing.

LEG. BINDER:

Well, I understand that.

MR. HAM:

So I would venture to say probably none.

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LEG. BINDER:

But they have built affordable housing. How many have been built outside, only one, I guess, right, the new {Klar} Huntington Station

Project. And in fact, the Paumonok project is supposed to be built inside Half Hollow Hills.

MR. HAM:

Well, the Paumonok Project which I was a part of some time ago, that project has been on the drawing board for the last 20 years and has been opposed by various civic groups for the last 20 years.

LEG. BINDER:

Right, but not the civic group that's here talking about that.

MR. HAM:

Right, so there's no plan that that would ever be constructed.

LEG. BINDER:

Right. But if that does -- if that does go forward, and it looks like it's going to because there is at least, and I'm hoping there is some push, but if that goes forward then you're talking about another affordable housing project in the Half Hollow Hills School District, are you not?

MR. HAM:

Well, you're actually talking about 50 units.

UNKNOWN AUDIENCE MEMBER:

Eighty-four.

LEG. BINDER:

I mean, I think it's pretty clear that there is going to be a strain on the school district. And the school district now, I mean it opened {Sun Quam}, it's expanding the numbers of children they're taking in. It's a problem and I think that's a fact and I think to sugarcoat that is unfortunate.

MR. HAM:

Well, the comment I would have is that, sure, maybe it's a problem in the Half Hollow Hills School District, but how would that change should that same number go into another district?

LEG. BINDER:

Well there is an opportunity here when you have seniors. I mean, does the Half Hollow Hills Civic want to do something about the fact that Huntington has almost done nothing as far as senior housing and senior affordable housing?

MR. HAM:

Well, I think that we're taking a bold step saying that, for instance, more than 80% of the units would be for seniors. And additionally, that seniors could still apply for the 20% that's still left, it's not exclusive.

LEG. BINDER:

So your bold step is that there's 20% left and they could have a couple possibly, they can apply for units. So affordable, when it comes to affordable for seniors, there's really not that great a concern; is that what you're saying?

P.O. TONNA:

Keep it to the questions, okay. And if you already have the answers, why ask them?

LEG. BINDER:

Because they become public record, that's what we're here for, to create a public record.

MR. HAM:

Well, I'm all for making more of the units that you want in if you can put forth legislation that would actually reduce the number down for affordable housing for more seniors beyond the 80% mark that would be set aside, you know, I would be all for that.

LEG. BINDER:

Well, but here we have an opportunity, don't we, that 20% could take care of a significant senior problem for affordable housing in Huntington which has not been dealt with; in fact, it's been dealt with in every other town except for Huntington.

MR. HAM:

Actually, serving the Huntington Housing Authority for a year and a half, roughly, is that most of the people that enter the doors at Huntington Housing Authority were not of senior citizen status. So, you know, I do think that senior citizens that are living in a house already that's scaling down perhaps would be looking for some sort of senior cost of living, but I see the most majority of the people coming in actually are kids that are looking to come into the community and stay with their parents. I mean, we'll have the senior citizens living in Dix Hills and the kids can't -- won't be able to afford it, so you still have the separation.

LEG. BINDER:

I think you should look at the statistics of seniors that really need affordable housing and this is an opportunity and it would be an opportunity missed if we didn't do it.

P.O. TONNA:

Okay. Thank you very much, Sir.

(Applause)

Dennis Milton; Dennis, are you here? Eric Heinemann, are you here? No. Okay, Steve Noon? No. Ellen Schuler-Mauk. Winnie Wilkinson. And the one after that, Patricia Lerner. Are you here also, Patricia?

MS. LERNER:

Yes.

P.O. TONNA:

You are? Okay, so these two people and that's it. Hi, Winnie, thank  
00185

you. We're over here.

MS. WILKINSON:

Hi. Good morning. I'm part of the people that need affordable housing. One, I believe in mixed use. I believe in age nonrestrictive. One, we all could live in harmony if we could only come on one common ground. Two, are we going to wait for more people to die in substandard living before we can really address the real problem? The focus is on affordable housing. We do have young families that need affordable housing as well as senior citizens, we can all live in the same neighborhood, there wasn't a problem before, there no should not be no problem now. Number one, we all could help each other in terms of making it work.

My cause to you tonight is I am part of that society. This not in my backyard should be yes in your backyard because why is it that I'm good enough to come to clean your house, to be a nurse's aide, to be your shopper, even to be the person that would clean your lawn, are you not concerned where I live or where I come from? That should be a concern. I am also a voter. I may have an accent but also I am a voter, I have that right to vote and I will use it. Affordable housing should be addressed and should be implemented now. Thank you.

(Applause)

P.O. TONNA:

Thank you very much, Ma'am. Patricia Lerner?

MS. LERNER:

The last meeting I spoke at I ended up being fired from my volunteer job at Family Services, I don't think that will happen again tonight, though. I would like to share a little article that I read in the Long Islander. It says, "Make Government Obey the Law. Dear Editor, there are many good people in Huntington Station trying to do the right thing for the area in combatting crime, gang warfare and lack of affordable housing. However, we should not allow unfortunate events to be used incorrectly as a battle cry for affordable housing. That terrible and tragic fire in the area that took lives did not happen because of lack of affordable housing, a distinct and separate problem. But because hundreds of illegal aliens have crowded into the area, these people and our government must take responsibility for their actions. As a result, the town is being sued for millions of dollars and it is your tax dollars that will be paid out.

Since these illegal immigrants are not eligible for any legal housing and have no legal right to be in this country, why are they being used as poster people by some housing activists? They are just being used again by another special interest group. Do not continue to mislead the public with rhetoric that does not accurately represent

the situation.

Also to blame our self-serving landlords, real estate interests, investors and opportunists and businessmen who capitalize on illegal immigration because it benefits them financially. This erodes the quality of life and safety in the neighborhood and schools while increasing taxes on law abiding citizens. You have to obey the law,  
00186

why shouldn't everyone? Crime and gang violence, drugs, shooting, beating, robbery, etcetera, have been increasing steadily in Huntington Station. Why have we let this escalate? Are we intimidated and afraid to speak the truth? A partial solution is to make a concerted effort to deport all illegal aliens, this would significantly cut down on criminal activity in an enabling, underground community. If this were accomplished, it would allow the Police to focus their resource on the remaining home grown criminals. What is wrong with that? Your taxes fund the Police Department, they should not have to spend their time doing the job Immigration of Naturalization Services should be doing. Now, I did not write this article but I was quite impressed by it. Shirley {Classen} wrote it, she lives in Huntington Station.

Another issue I have is listening to Mr. Ham speak, he is on our school -- he used to be on our school board until he had an enormous vote that put him off the school board and a lot of things he's saying I really do think are sour grapes and I don't think they're all accurate. We had very many schools before they were closed down, so that was able to handle the amount of kids. There is no reason with the taxes that we are paying that there should be 24, 25, 26 or more children in the classroom. Alissa was telling the truth, Alissa Taff, she's the President of the school board, she has fought --

P.O. TONNA:

Ma'am, you're going to have to summarize.

MS. LERNER:

Okay, one more thing. I have never ever heard, other than from Nathaniel Ham, about the mention of the Half Hollow Hills Civics, never heard of it. I don't think it existed before maybe four months ago, if that. Thank you.

(Applause)

P.O. TONNA:

Thank you. Okay. All right, that concludes the public portion and I thank those of you who waited it out so long to be heard and I appreciate it very much, thank you.

Okay, we're going to go quickly to the CN's. You know what, let's do the Consent Calendar while we're waiting. I'm going to make --

LEG. CARACAPPA:

Motion.

LEG. FISHER:  
Second.

P.O. TONNA:  
Okay. I'm making a motion, second by Legislator Caracappa. All in favor? Opposed? Approved, the consent calendar.

LEG. GULDI:  
Henry, I'm here.

00187

P.O. TONNA:  
Brenda, where are you?

MS. ROSENBERG:  
I'm here.

P.O. TONNA:  
All right, we're at the CN's. Let's just -- if we need any explanation, we'll ask for it, I guess.

MR. BARTON:  
Mr. Chairman?

P.O. TONNA:  
Yes?

MR. BARTON:  
The vote on the consent calendar is 18.

P.O. TONNA:  
Okay, great. Henry, I'm going to make a motion to approve 1777-00 - Authorizing the Sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, 373 Sunrise Highway, LLC (0100-134.00-02.00-042.002).

LEG. HALEY:  
Second.

P.O. TONNA:  
Seconded by Legislator Haley. All in favor? Opposed? Approved.

MR. BARTON:  
The vote is 18.

P.O. TONNA:  
Right. No. 1795-00 - Authorizing the Sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Anna Mary Fritchie (0905-004.00-02.00-004.000), I'll make a motion.

LEG. HALEY:

Second.

P.O. TONNA:

Second by Legislator Haley. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

Okay. CN No. 1777-00 - Authorizing applications for grants from New York State under the Clean Water/Clean Air Bond Act of 1996 or Environmental Protection Fund.

LEG. HALEY:

Second.

00188

P.O. TONNA:

I'm going to make a motion, seconded by Legislator Haley. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

Okay. No. 1814-00 - A resolution delegating to the County Comptroller of the County of Suffolk, New York, the power to authorize the issuance of and to sell not exceeding \$75,000,000 tax anticipation notes of said County in anticipation of the collection of real estate taxes levied for County purposes or returned to the County for collection for the fiscal years commencing January 1, 1997, 1998, 1999 and 2000 and providing for other matters in connection therewith. I'm going to make a motion --

LEG. HALEY:

Second.

P.O. TONNA:

-- to approve, seconded by Legislator Haley. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

CN No. 1823-00 - Accepting and appropriating additional 100% reimbursable funds for the Weatherization Referral and Packaging Program (WRAP). I make a motion to approve.

LEG. HALEY:

Second.

P.O. TONNA:

Seconded by Legislator Haley. All in favor? Opposed?

MR. BARTON:  
18.

LEG. LEVY:  
Hold on, where are you at?

P.O. TONNA:  
Now I'm on 1826.  
LEG. HALEY:  
Motion.

P.O. TONNA:  
1826-00 - Approving the appointment of Brian Doyle as an Assistant District Attorney.

LEG. HALEY:  
Motion.

00189

P.O. TONNA:  
Motion by Legislator Haley, seconded by myself. All in favor?  
Opposed?

MR. BARTON:  
18.

LEG. LEVY:  
I'll abstain.

P.O. TONNA:  
Okay, abstain.

MR. BARTON:  
17, 1 abstention (Abstention: Legislator Levy).

P.O. TONNA:  
Okay. No. 1827-00 - Approving the appointment of Adam Oshrin as an Assistant District Attorney.

LEG. CARPENTER:  
Motion.

LEG. HALEY:  
Same motion.

LEG. CARACAPPA:  
Second.

P.O. TONNA:  
Motion by Legislator Haley, seconded by myself. All in favor?  
Opposed?

LEG. LEVY:  
Abstain.

P.O. TONNA:  
Abstain, Legislator Levy.

LEG. FISHER:  
Abstain.

LEG. FOLEY:  
Abstain.

P.O. TONNA:  
Okay. And then the last one, 1844 --

MR. BARTON:  
Mr. Chairman, 16, 2 two abstentions.

LEG. LEVY:  
Three abstentions, three abstentions.

P.O. TONNA:  
00190  
Okay, I'll make a motion to approve, seconded by Legislator Haley.

LEG. LEVY:  
There are three abstentions, Foley, Fisher and myself.

P.O. TONNA:  
Hold it, Henry, I'm sorry. Go ahead.

MR. BARTON:  
On 1827, who was abstaining?

LEG. FOLEY:  
Abstention.

MR. BARTON:  
Okay, three, three abstentions, 15, 3 abstentions. Thank you.

P.O. TONNA:  
Okay, great. 1844-00 - Imposing an additional one-quarter of one percent sales and compensating use tax for the period beginning December 1, 2000 and ending December 31, 2013, pursuant to the authority of Section 1210-A of Article 29 of the Tax Law of the State of New York. I'll make a motion to approve, seconded by Legislator Haley. All in favor? Opposed?

LEG. LEVY:  
On the question.

P.O. TONNA:

Yes.

LEG. LEVY:

Is this the monies from the referendum, Paul?

P.O. TONNA:

Yes.

MR. SABATINO:

Yes, it is.

LEG. CRECCA:

Is 1844 a CN?

LEG. CARPENTER:

Yes.

P.O. TONNA:

Yes, they're all CN's.

LEG. CRECCA:

Yeah, I had the other ones, I didn't have that one.

LEG. LEVY:

Why is -- is there not a resolution in the agenda on this very matter?

00191

P.O. TONNA:

There is, but New York State changed something.

MR. SABATINO:

That bill was discharged to the floor, but in the intervening period the State Department of Taxation and Finance changed the language.

LEG. LEVY:

Okay.

MR. SABATINO:

That's why there's a CN.

P.O. TONNA:

Okay. That's a motion to approve. All in favor? Opposed? Approved.

LEG. GULDI:

Abstain.

P.O. TONNA:

What do we got there, Henry?

MR. BARTON:

17, 1 abstention (Abstained: Legislator Guldi).

P.O. TONNA:

Okay, great. Tabled Resolutions: 1041 - Adopting Local Law No. 2000, a Charter Law to establish Competitive bidding process for selection of County Bond Counsel (Binder). Legislator Binder?

LEG. BINDER:

Motion to table.

P.O. TONNA:

Motion to table, seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:

18.

P.O. TONNA:

Okay, No. 1057 - To modify fiscally responsible pilot payment policy for Suffolk County (Presiding Officer Tonna). I make a motion to approve. Is there a second?

LEG. FOLEY:

Hold on.

LEG. GULDI:

Hold on.

P.O. TONNA:

1057.

LEG. FOLEY:

1057?

P.O. TONNA:

00192

This is the pilot payment policy that we heard so much.

LEG. HALEY:

On the motion.

LEG. FIELDS:

Second.

P.O. TONNA:

Seconded by Legislator Fields.

LEG. POSTAL:

On the motion.

LEG. HALEY:

On the motion.

P.O. TONNA:

On the motion, wait. Okay, Legislator Postal, then we have Legislator Haley.

LEG. POSTAL:

When this resolution was first introduced, I had supported the concept very strongly. I have been supporting the County participating in affordable housing ever since I became a Legislator in 1988, but I was really very disappointed and concerned about one property being specifically named in the resolution. First of all, one town, but also one property, and I truly don't think that that's right. I think if we're going to give the other eight towns that are going to participate in revenue sharing the ability to make their own decisions, then I think that we should apply that equally to all of the nine towns.

I think that there are other properties, there are other properties that could be named just as well. There's the Kings Park property for example, there's Matinecock Court, there's Paumonok Hills just to name a few and I am certainly not aware of where the others are. I would be happy to support this, I would even cosponsor it without specifically targeting one town and one property, I think that that's wrong?

P.O. TONNA:

Thank you. Legislator Haley?

LEG. HALEY:

I, too, for many years have supported affordable housing.

LEG. LEVY:

You have?

LEG. HALEY:

Yes, I have. As a matter of fact, now that you asked the question, I'm still President of the Brookhaven Community Development Corporation that's built affordable housing in Brookhaven, we've done so over the years. As a matter of fact, the Arch Diocese was here, we did 30 affordable housings in Joey's district which turned out -- {Hope Ridge} it's called, turned out to be a wonderful neighborhood.

00193

But my primary concern about this is the same as what Legislator Postal has mentioned, but my other concern is basically this. And that is where there was an intention that the money that Brookhaven gave up in LIPA payments was supposed to flow to nine towns, I have problems with attaching that. But I would like to start with a question of -- Fred, you got a sec?

MR. POLLERT:

Yes.

LEG. HALEY:

What my concern -- in absence of 1057 passing -- or let's say for argument's sake it never appeared and there's no other legislation like it, what would have happened to the LIPA settlement and those revenues that had been -- were identified as Brookhaven's pilot payments, how would they flow to the towns, would they just flow directly to the towns without strings attached automatically?

MR. POLLERT:

What I believe would happen is that the revenues would flow to the County and that the County would then do a distribution and --

LEG. HALEY:

Consistent with the settlement.

MR. POLLERT:

Consistent with the settlement and they would impose whatever terms and conditions cooperatively with the towns would be required, but that's more of a legal issue. That's my understanding of it, you know, I would defer to Paul, though, if there's anything else.

LEG. HALEY:

Okay. What my concern is is that whether or not -- in absence of an action by this Legislature, how money might pass.

P.O. TONNA:

It doesn't pass it, it stays.

MR. SABATINO:

Under the settlement agreement, the money is specifically referred to as becoming the property of Suffolk County. Under the resolution that you adopted last year, the only way the money can go to the nine towns is by virtue of duly enacted legislation. So there would have to be resolution, or a Local Law but in this case a resolution, allocating the money for some legitimate, governmental town purpose.

LEG. HALEY:

Okay. So in absence of any resolution, then the money would sit there. So how we --

MR. SABATINO:

The money would stay -- what happens, the money would stay in the escrow account that was established by a resolution you adopted last year which basically said until such time as you know what you're going to do with the money, the money would sit in an escrow account, but you couldn't use it -- you couldn't use it because it would be sitting in that escrow account. So it requires a resolution to --

00194

LEG. HALEY:

To give it to the towns.

MR. SABATINO:

-- reallocate or distribute that money.

LEG. HALEY:

The question is a matter of policy is what you want to attach to it; correct?

MR. SABATINO:

That's correct, as long as it's a legitimate, governmental town

purpose.

LEG. BISHOP:  
Paul?

LEG. HALEY:

I understand that. And, you know, I'm a little bit different than most, but I am not a type of person who believes a high level of government should be telling a lower level of government what they should do, you know, to me it's mandating something. My personal opinion is before I ship money down, all right, which was some sort of -- there was a consensus by other towns and some sort of acceptance of a LIPA settlement because Brookhaven gave up their LIPA payments and that money was going to flow to the towns. The problem I have is whether or not there had been sufficient communications with the various towns to see whether or not affordable housing as a criteria was acceptable to them; some towns may do it, some may not. I know that Brookhaven Town in particular, and as President of Brookhaven Community Development Corporation, we have since -- we have been in business a lot longer than Long Island Housing Partnership, we've deferred to them to provide the types of affordable housing in our particular area and that's how I would imagine Brookhaven might approach some sort of revenues. But I think that the towns and the Supervisors of the each town, Democrat or Republican, I think should have been approached, communicated with, at least had some input on how we're going to pass not only the money to them, but how there's an expectation that all of a sudden they're going to meet some sort of affordable housing criteria.

Again, I have difficulty in supporting this resolution. But as you know, as I have expressed, I have always been very supportive of affordable housing as a concept, especially in times like we have now. In the best of times, affordable housing becomes a substantial problem in that we've yet to educate people that affordable housing isn't low income housing, it's housing for people of four that make a minimum of -- that make upwards of \$54,000 with four people in the family could qualify under a typical affordable housing criteria. Thank you, Mr. Chairman.

P.O. TONNA:  
Thank you. Legislator Bishop?

LEG. BISHOP:

00195

It occurs to me that over the years that we have often been offended by the ingratitude of our partners in town government and tonight, with the rhetoric that I'm hearing, we're adopting their false notions as our own debate platforms. There is no entitlement to this money for town government. This is our money, so to speak, this is the County's money which the County has made a commitment to spend outside of Brookhaven. We could do it on County Road projects, for example, outside of Brookhaven.

What has occurred is that Legislator Tonna and Alden are saying we have a regional crisis in terms of creation of affordable housing stock and we believe that the best way to meet that crisis is for the County to spend that money outside of Brookhaven in partnership with the towns as an inducement for the towns to create affordable housing stock. So the town has no entitlement to this money and we are not dictating to a town and mandating to a town how to spend money that they're entitled to, we're simply creating a program that they can opt into which would meet a regional need. And that's the correct way to look at this because if the bill doesn't pass then the money doesn't flow do you know to any town, it stays right here and it's up to us how to spend that to meet what we believe are public policy priorities.

Now, why don't we just do affordable housing ourselves? Well, we can't, we need a partnership. We need a partnership with town government by law, that's why this bill was created because it attempts to induce towns which have heretofore been reluctant to enter into a partnership with us to create affordable housing stock.

LEG. HALEY:

Would you suffer an interruption just on a technical question?

LEG. BISHOP:

Sure.

LEG. HALEY:

Is that what you were trying to explain, Counsel? That -- I mean, maybe perhaps I misunderstood understood -- that the monies would have to remain in escrow until such time you found a method for them to flow do you know to the towns as opposed to -- what you said is that --

LEG. BISHOP:

There is no right to flow do you know to the towns. The only time it flows is if you vote to flow.

LEG. HALEY:

Correct. But if --

LEG. BISHOP:

Otherwise it stays right here and we can spend it on a dome stadium in Islip if you want, if that's what you wanted to do.

LEG. BINDER:

Is that a motion?

00196

LEG. CRECCA:

I will second.

LEG. HALEY:

No, my question to Counsel is is that a technically correct

assessment of what took place?

MR. SABATINO:

I think we're saying the same thing different ways. The key point, to answer your question because it was a very specific question, the money does not automatically flow do you know to the towns, it requires an affirmative action, duly enacted legislation to --

LEG. HALEY:

But in absence of that -- I mean, can you build County Roads with it, can you build a dome stadium?

LEG. GULDI:

Yes.

LEG. FISHER:

Yes.

MR. SABATINO:

Well, this comes do you know to -- this comes do you know to the resolution that you adopted on November 5th of last year. When you adopted that resolution to authorize the overall settlement, the language that was used spoke in terms of providing funds for programs within towns. The Legislature, because we're going by virtue of a resolution, can pass a subsequent resolution saying that what that means is that, you know, roads going through towns benefit towns. But the key language is that the money belongs to the County of Suffolk under the actual agreement that was signed which specifically states that the money --

LEG. HALEY:

But don't you have to --

MR. SABATINO:

That the County and the Town of Brookhaven have agreed that any funds due, you know, the pilot payments are, quote, "Are assigned to and shall be the property of Suffolk County." So it's clearly Suffolk County money, the only question you have left to deal with is how you want to implement the resolution that you adopted last November. The language currently in that legislation talks about programs within the town, how you choose to implement that is up to you.

LEG. HALEY:

But implementation I understand is how you choose, but the -- it has to be apportioned appropriately, then, right?

MR. SABATINO:

Yeah, there has to be an apportionment which Budget Review calculated for the purposes of the resolution as being on the basis of assessed evaluation.

00197

LEG. HALEY:

Okay, thank you.

LEG. BISHOP:

But you don't have to apportion by that -- there's no entitlement to any town --

LEG. CARACAPPA:

Unless we say so.

LEG. BISHOP:

-- it's ours to divvy up as we see fit as a Legislative body. What this resolution is saying is - the authors are saying that their priority is affordable housing and they would do it by this formula with these conditions.

LEG. HALEY:

Why don't we do it like we did that eight million last year? Thank you, Mr. Chairman.

P.O. TONNA:

Thank you. Legislator Binder? I just want to -- before I recognize Legislator Binder, I would like to extend the meeting for a half an hour.

LEG. CARACAPPA:

Half an hour?

P.O. TONNA:

Yep.

LEG. CARACAPPA:

Fair enough.

LEG. CARPENTER:

Second.

P.O. TONNA:

Seconded by Legislator --

LEG. COOPER:

Second.

P.O. TONNA:

Carpenter.

LEG. BINDER:

On the motion.

P.O. TONNA:

Is this debatable motion?

LEG. BINDER:

Yes.

P.O. TONNA:

00198

Okay, on the motion.

LEG. BINDER:

I would hope we're not going to keep doing this all night, just picking out individual legislation and saying, "Okay, let's go a half an hour here, a half an hour there," we'll keep extending all night. And eventually I guess we'll get through the whole process and we'll do what often happens late at night, we'll run over legislation, we won't notice certain things happening, we'll be in a rush to get out of here so we'll just do it for the --

LEG. ALDEN:

Pay more attention, Allan.

LEG. BINDER:

-- for the heck of it as it gets to whatever in the morning that it becomes. And again, I say that I've seen it enough times here that I think it doesn't help this institution. It would be desirable to do the legislation, let's do it when we're fresh. So I would urge my colleagues to vote against these mini extensions, let's do it another time.

P.O. TONNA:

The resolution for a half an hour from -- I meant from one o'clock, obviously.

LEG. CARPENTER:

Till one thirty.

P.O. TONNA:

Till one thirty. I made a motion, second by Legislator Carpenter. All in favor?

LEG. BINDER:

Roll call.

P.O. TONNA:

Okay, roll call.

(\*Roll Called by Mr. Barton\*)

P.O. TONNA:

Yes.

LEG. CARPENTER:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

No.

LEG. POSTAL:

No.

LEG. BISHOP:

00199

Yes.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

No.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yes.

LEG. TOWLE:

No.

LEG. GULDI:

No.

LEG. CARACCIOLO:

Yes.

LEG. LEVY:

Yes.

MR. BARTON:

13.

P.O. TONNA:

Thank you very much. Okay, Legislator Binder, you had the floor.

LEG. LEVY:

Can he do it for a half hour?

LEG. BINDER:

1057 was introduced after another resolution that was put in with some of the same provisions. And the provisions on the LIDC question that you've heard a lot about tonight were moved into this particular resolution incorporated into this.

I have been involved myself with affordable housing. In fact, when I came back to Long Island from working in Washington, I hooked up with Jim Morgo and Bob McMillan at the very beginning of the Long Island Housing Partnership and worked for over a year helping to start the

00200

partnership whose goal it was to help build affordable housing for first time home buyers and for seniors, that was its stated mission and I was very happy to be involved in that. And I still believe in affordable housing, as Legislator Haley talks about, affordable housing for those who are working who can't afford particularly the costs on Long Island, see what we can do about helping them stay here. All the arguments are valid about affordable housing; in fact, they're more than valid, they're necessary. As Chairman of a committee for ten years in Health and Human Services, I think one of the most intractable problems that I encountered was affordable housing.

That being said, a resolution gets laid on the table, 1057, and then amended, and the amendment brings in the question of Long Island Development Center. Long Island Developmental Center which is not in the district, maybe near but not in the district of the author or the cosponsor of the legislation, it's in my district, something that I have been dealing with for a very long time. One of the things I think that we have done as a body generally, since I have been here for over ten years, is that what we've tried to do is not go into each other's districts, specific projects and start to dictate what we think should happen in other's districts; that's not what happened here. I wasn't called, it wasn't discussed with me, there wasn't a question to me, what about this project, where is this project, what's the history of this project, where are you on this project; no legislative courtesy here. This was just put into the hopper, this was just part of legislation.

And when you look at this legislation you notice, as was pointed out, that it's for affordable housing for the nine other towns other than Brookhaven; there's only one town who is told, "This is how you're going to spend it." It's not just a question of policy, as Legislator Bishop says, we're going to just impose a policy of affordable housing. This is about a policy of affordable housing where the towns have an opportunity to decide what best way to utilize this money for affordable housing in their towns, except for Huntington. In Huntington we're going to make an exception. In Huntington you're not smart enough, you don't know enough. We have decided there is a particular project, we from the east end, from the north fork, from the south fork, from Brookhaven, from Islip, from Smithtown, from Babylon, everywhere else, we've decided there's a particular project in your town and we want you to spend the money this way. We're

going to mandate how you spend the money, not only for affordable housing but here, this way, no questions asked; too bad, you want the money, this is how you have to do it. Obviously, obviously this legislation discriminates, makes a special exception. It doesn't talk about other programs or projects around.

This morning I was thinking about it and I was -- as I have been focused on the LIDC concern, obviously because that's in my district, it's something that has been a part of my legislative actions for a long time, monitoring, watching the community coalesce, watching the Dix Hills community go in, work, work with New York State, work with Suffolk County Government, work to put together a plan that would work for the school district, for the community and for people who need affordable housing and then come up with a plan; I watched this

00201

for years. And looking at all this I said, I've got to divorce myself, and maybe I should have been a little earlier and I apologize to members who were a little upset that I didn't do it earlier and maybe talked to them before I made some calls, but I did make some calls; and I publicly apologize, I probably should have called members first and I wished I had thought of this days ago so I could have done it with maybe some better protocol, but I apologize, particularly to some members that I spoke to today; and I wanted to do that on the record rather than just personally.

I called some Supervisors. It occurred to me, we were telling the towns this is how you're going to use it. Now, yes we have a policy, as Legislator Bishop said, we're going to impose policy. We're going to say what we want done with this particular money except, except that even when you do that there should be some communication with those you're going to impose it upon. Not just because we, in our infinite wisdom and maybe arrogance, say this is what we see as the problem and this is how we should handle it, and Huntington particularly, this is the particular project that you'll handle it with. We should call our town boards and say this is money that is not an entitlement but we're going to send to you. Why? Because it's money that really should benefit your town because you were over assessed and there's the pilots and the whole question, and we want to work with you so what do you think? We didn't ask that. We're just saying right here, this is it, this is what we think, not what you think.

And I got pretty much a general response from Supervisors, from Babylon, from Huntington; Huntington particularly was not very happy. The Huntington Supervisor, Mr. Petrone on the phone with me today, told me that no one had spoken to him about this, he wasn't approached on this particular legislation, his opinion wasn't -- and his counsel wasn't sought, the fact that he was being singled out he wasn't happy about as one town. But I went to Mr. Petrone, I went to Mr. Schaffer, Vecchio, all on the phone, McGowan, Cannuscio, Schneiderman and when I spoke to them, they had a problem and a concern about this being so narrowly focused. Mr. Vecchio particularly, who might have changed a little bit because I know

Legislator Crecca has spoken to him so I don't know exactly where he is at this point, but I know his concern was that there isn't affordable housing tracks in Smithtown. And so he would like to have an opportunity to avail himself of the benefit of the money, but he's not going to have that opportunity because he can't build the affordable housing.

LEG. BISHOP:  
Because he's not entitled to it.

LEG. BINDER:  
So the concern --

LEG. BISHOP:  
It's not his money.

LEG. ALDEN:  
00202  
Legislator Binder, would you suffer just one brief interruption?

LEG. BINDER:  
Sure.

LEG. ALDEN:  
Should we just extend for another two hours so Allan can finish his comments?

LEG. HALEY:  
That's unfair.

LEG. BINDER:  
You know, let me say --

LEG. CARACAPPA:  
He has the right to talk, Cameron.

LEG. BINDER:  
Let me tell you how -- and that's really unfortunate.

P.O. TONNA:  
Legislator Binder, finish the one debate and then we'll let you get back to the other one, just finish this one.

LEG. BINDER:  
Let me tell you, that's unfortunate. When a member asks for a courtesy for a yield and I give that courtesy, to belittle the Legislator that gave that Courtesy is really unfortunate.

LEG. ALDEN:  
Well, it's interesting because you made a statement before about --

LEG. BINDER:

And I haven't yielded again, I will not yield to you again.

P.O. TONNA:  
Okay. Legislator --

LEG. ALDEN:  
Oh, you won't.

LEG. BINDER:  
No, no, I will not yield to you again, I won't.

P.O. TONNA:  
Okay. Legislator Binder, just shall we overcome? Go ahead.

LEG. BINDER:  
And I can say that the Presiding Officer's jokes are unfortunate also and the way he would treat a debate.

Now, members may not like the fact that I have a lot to say about this, but the fact is that my district is the one under attack here. That it's my district that's being singled out here, not yours, my

00203

district, and that's why I have a lot to say about it. That's why I made calls to supervisors, that's why I want to know what they thought. I asked the Supervisors if I was able to put -- and I have legislation and I was looking at amending it, if I gave them the opportunity to give them the option, affordable housing or tax stabilization or to lower taxes, that's also along the lines of affordable housing; would they prefer that? All the supervisors asked for that flexibility, they wanted that and I said I would offer that and I would try to pass legislation that would give them the flexibility to look at affordable housing and/or tax stabilization, and I can craft that. And I think that we should give the people of the towns that we represent an opportunity for tax stabilization in their towns. But I would say above all else that Legislators should think about the kind of precedent that this sets, because if you think that I'm only -- that it's me today and that it's okay that it's in the 16th Legislative District, it's tomorrow you're not in the coalition or you're not in the majority caucus or you're not, you're not the one who's inside.

Now, I know a lot of you have had a lot of arm twisting, I understand that because this has been going on. In fact, the author -- I probably, in my six and a half years of seeing the author of the legislation, have never seen the author work harder at any piece of legislation. And I don't believe, by the way, it's about affordable housing, because if it was I think we would have passed West Hills, Paumonok, I would have seen the author work hard in his district on the Paumonok Property. I think it's unfortunate. And I would hope that members of this Legislature, first off, would not want to pass this tonight. First they would go back to their Supervisors and their Town Boards and talk to them, find out what they think, find out if

this is how we work cooperatively, is this what they want; that's what I would ask and that's up to you.

So I'm going to make a motion to table the legislation and hope that we do table it and give some time for members to go back and talk to the towns. And I also -- as I said, I have an alternative. If you want to give the opportunity, particularly in towns like Smithtown who really don't have the place, a tract of land to do affordable housing so they will not be getting the money. Babylon has the same, Mr. Schaeffer expressed the same concerns, so they won't be getting the money. If you would like to see them get the money, then maybe we can craft something where they can use it for tax relief so people can get the benefit in those towns. And by the way, why penalize even those in Islip who work very hard for affordable housing, so why penalize those who are working already hard? They can get another benefit and I think we should work with the towns to do that. So I make a motion to table this legislation.

LEG. POSTAL:

Second, on the issue.

P.O. TONNA:

Right. There is a motion and a second to table, but I have Legislator Caracciolo, then Legislator Bishop and then Legislator Postal.

00204

LEG. CARACCIOLO:

Thank you. Could Counsel or Budget Review quantify how much money the Town of Huntington would receive as a result of this resolution in the year 2000?

MR. SABATINO:

In the year 2000 it's \$987,943.65.

LEG. CARACCIOLO:

No, just the Town of Huntington's share.

MR. SABATINO:

Yeah, the Town of Huntington.

LEG. CARACCIOLO:

Oh, that's the town -- I'm sorry, that's the Town of Huntington's share.

MR. SABATINO:

Right. The total is eight -- it's \$8 million for all nine towns altogether.

LEG. CARACCIOLO:

Okay.

LEG. GULDI:

In 2000.

LEG. CARACCIOLO:

Now, that money would be distributed and used in what manner?

MR. SABATINO:

For all of the nine towns, it would have to fit within the program for affordable housing that was adopted.

LEG. CARACCIOLO:

No, I'm talking about in the Town of Huntington, how would they be required to utilize that funding?

MR. SABATINO:

Okay. During the first 15 month period immediately succeeding the legislation which would take you out to sometime at the end of 19 -- the year 2001, they would have to provide for 30% of the housing that's being proposed at the Long Island Development property to be provided for housing to cover people with incomes between 50,000 and \$130,000. If the Town of Huntington is unable to impose that condition or is unable to work out an agreement with the proposed developer of the property during that period of time, then at the end of that period of time the money would flow to the town for just the affordable housing programs that would then be approved by the Legislature under that Local Law that was adopted last month.

P.O. TONNA:

So it reverts back to the same way as all the other times.

LEG. CARACCIOLO:

00205

Did you say 50 to \$130,000 income or per unit? I thought I heard you say income.

MR. SABATINO:

No, I should have said -- I'm sorry. The price between 50,000 and 130,000; if I said income, I should have used the word price, I'm sorry.

LEG. CARACCIOLO:

Okay. So in effect, the town gets this money, there's a stipulation that they only get the money if it's used on this particular project and it provides affordable housing within the price ranges of 50 to \$130,000.

MR. SABATINO:

Right. And then what happened is the money being allocated would then be used for infrastructure improvements to facilitate that construction. But if at the end of the 15 month period that has not been worked out between the town and the developer either by agreement or by terms and conditions imposed by the town, then the money would flow to the town under the normal rules of engagement which would be to fit within the affordable housing program that was

approved at the end of June.

P.O. TONNA:

All the other towns.

LEG. CARACCIOLO:

Does the Town of Huntington have an affordable housing program that they are about to put in place?

P.O. TONNA:

You know, from my sense, they have a community development organization, they -- it would be under the same guise that we put on the \$20 million, the policies and everything that was set. And I think, if my reading is correct, they're trying to implement an affordable housing fund or something like that. And, you know -- but it would be like any of the other towns, it would revert back to the same way that every other town would get their money.

LEG. CARACCIOLO:

Okay. I do have some sympathy for Legislator Binder in terms of the resolution mandating and putting restrictions and limitations on town government, I'm not really an advocate of that myself. But if there's a greater good here by doing so then I'm compelled to support this resolution, so I would ask the sponsor to convince me of what that greater good is.

P.O. TONNA:

Sure. And it's not my turn to speak yet, so I'm going to have to --

LEG. CARACCIOLO:

Well, I'm asking you to.

P.O. TONNA:

00206

Okay. Well, I'll make the simple argument, is that the LIDC's property is one of the last great resources, especially in the Town of Huntington, where affordable units work out very, very well. When you look at, you know -- and, you know, when you look at all of the different facts that have been discussed, and we've heard hours of public hearings with regard to the fact that affordable housing is not housing projects like they were conceived in the city years ago where we talk about seven out of every ten college kids who go away do not come back to Long Island because of the problem with needing someplace to stay and to live. When you heard the Long Island Housing Partnership and the Long Island Association come and speak about the issue that now they have one job -- or 17 jobs to every one applicant which is just the opposite that it's been years ago. And when you look at this huge tract of land that all State taxpayers paid for, okay, the interesting thing is is that the developer is saying they've got a very interesting deal here going and they said, "Yeah, we want to petition the town for increased density. We're going to have to petition a zoning change for increased density, but we

promise it will all be senior housing." The school district comes and says, "Hey, we like senior housing, that's probably better than anything else," and what I mean by that, the immediate, immediate surrounding community. But the fact is is that the school district is going to make about \$4 million in revenue if this stays just all senior housing, because all the tax revenue that's 1,300 different units, that's a \$4 million boom to the school district.

The second thing that concerns me is the issue that up to this point, the Town of Huntington has done precious little with regard to affordable housing. And if you're asking why churches and congregations and neighborhoods and civic groups and everybody else has gotten together finally to say enough, it's because so little has been done. And in the Town of Huntington, like probably very similar to towns like Smithtown and others like that, there are so few resources left. And all that we're saying is we're taking a line in the sand and saying, hey, we're going to give you an incentive, it's a carrot, we're giving you an incentive, "If you want to do the right thing, we're going to give you some money." But we don't force them to do this, okay.

I remember years ago a Federal program, there was a Federal program for increased COPE patrols. The Federal government said, "We'll give you the money if you want to live by these certain stipulations, you can opt into it or not opt into it." we're not forcing anybody to do this; if they don't opt into it, we still get it back to the town for affordable housing initiatives. But we wanted, because this is such a timely issue, the town board is going to vote in the next, you know, couple of weeks, we wanted to give an opportunity that here specifically, because this is such a precious resource and one of probably the last major areas for a place where affordable housing could be utilized, we're saying, "Here's an incentive for you." It's up to the town how they want to do that, it's up to the developer negotiated through the town if they want to deal with that; if not, it goes right back to doing some affordable housing. I hope not just in Legislator Binder's District, I hope in my district, I hope in Legislator Cooper's District in the Town of Huntington, you know, that would be great. But the fact is is that this is really one of

00207

these last precious resources.

I blame the State for a lot of this because they didn't see this -- they were more concerned about soccer fields, okay, and appeasing people with soccer fields than they were with really dealing with an issue that is very, very important which is our future economy on Long Island is dependent on getting young people who can afford to live here. And when Computer Associates came to me and said, "We want to be a 10,000 member company, at almost 3,000, but we can't afford the salaries for people to enter entry-level positions and pay him \$200,000 houses, we need to do something." And so I say from a regional standpoint, this is one of those lines in the sand. We need to do something and the LIDC is a precious resource. This is all carrot, there is no stick with this bill, it's carrot; if they take

it, fine, if they don't it flows to affordable housing which is an important, regional issue. That's really what it comes do you know to.

LEG. CARACCIOLO:

Well, I think, Mr. Chairman and sponsor of this legislation, what you said in your remarks is important for many reasons, but among them what sticks with me is that unlike the perception that the County is trying to mandate or require the town to do this or, you know, something worse happens, that's not the case. This is a carrot strictly without a stick and it's really an incentive, as you said and I think those are very wise words to use to describe this initiative, it's an incentive program to give the town assistance, a financial boost to really get an affordable housing program going. I don't know what other resources they have, I don't know what dollar amounts they have, but almost a million dollars in the first year of this program is very significant funding. And if they choose by virtue of their powers of regulated land use and regulation and zoning regulations not to take this funding, that's their option, but that shouldn't preclude us in trying to help the citizens and residents of Huntington Town and Suffolk County with a good program.

P.O. TONNA:

And I just want to say one last thing and this is, you know, to answer your question. The incentive is already working. All of a sudden the Town of Huntington miraculously, after years of saying no to affordable housing in a lot of different areas, miraculously came up with a plan; it's very, very timely, and I'm happy about that. But the incentive, we're already accomplishing our goal by, from a regional standpoint, saying when towns or whatever else, we're going to provide some funding because you know what, there has been a paradigm shift here. No longer -- as Jim Morgo said today, no longer is it just about taxes, although this bill does a lot to help us with taxes and tax stabilization. No longer is it just about traffic, but it's also about affordable housing because people for the first time maybe are realizing that affordable housing isn't any more about those people, it's about our sons and daughters, it's about everyone and it's about good, economic sense. Thank you.

LEG. HALEY:

Mr. Chairman, could I ask a technical question?

00208

P.O. TONNA:

No, Legislator Bishop is on the list.

LEG. CARACCIOLO:

I just --

P.O. TONNA:

Oh, you're not finished. Okay.

LEG. BISHOP:

Mr. Chairman, I think you did a very good job of articulating what affordable housing is about. And sometime --

LEG. CARACCIOLO:  
Dave, would you just suffer --

P.O. TONNA:  
Oh, wait, he's not finished, then you go; sorry, Dave.

LEG. CARACCIOLO:  
-- just a short interruption; would you?

LEG. BISHOP:  
Yes.

LEG. CARACCIOLO:  
Thank you. Paul Sabatino recently went to a high school reunion. Paul, where did you graduate high school?

LEG. GULDI:  
He didn't; who said he graduated?

MR. SABATINO:  
I'll give you the short version, but it was Harbor Fields in the Town of Huntington.

LEG. CARACCIOLO:  
Okay. And as I recall, your recollection at the reunion -- and I won't say how many year reunion -- to your surprise, what percentage of the students that you graduated, even at your ten year reunion, still resided in Huntington Town or Suffolk County?

MR. SABATINO:  
Actually, Long Island about 30%; 70% or even a little bit higher are off Long Island.

LEG. CARACCIOLO:  
Which I think speaks very well to the point that the sponsor made and Newsday highlighted in this Sunday's edition of the paper where they pointed out employees are making demands on employers for higher salaries with maybe not quite the skills they used to have and how that puts pressures on employers to hire and retain qualified individuals, and what good does all of that do if you don't have a place to house those individuals?

P.O. TONNA:

00209

I know Legislator Caracappa's got to be interested because we can't even get the Long Island Ducks any affordable housing, they can't even live here, so. All right, Legislator Bishop and then Postal. Thank you, Legislator.

LEG. CARACCIOLO:

Thank you, Dave.

LEG. BISHOP:  
Thank you.

LEG. HALEY:  
Legislator Bishop, could you find --

LEG. BISHOP:  
Do I have to suffer another interruption?

LEG. HALEY:  
Could you answer the technical question what you would imagine would be where that money would flow to if the town was to turn it down; what happens to that money?

LEG. BISHOP:  
Yeah, back to us, it's ours.

[SUBSTITUTION OF STENOGRAPHER - PATRICIA PATRISS]

LEG. HALEY:  
To go anywhere?

LEG. BISHOP:  
Outside of Brookhaven.

LEG. HALEY:  
Yeah, outside of Brookhaven.

LEG. BISHOP:  
And I assume there would be some time limited period that we would have to -- probably within a budget cycle, right?

MR. SABATINO:  
The time line would be three years because the money is 2000, 2001 and 2002. So at the end of 2002 something has to be done, otherwise the money is sitting in the escrow account.

LEG. BISHOP:  
Okay. That's my understanding. That's how I understood it. All right. I was going to say that I thought that Presiding Officer Tonna did a very good job of articulating what affordable housing is all about, and often when there are debates like Legislator Haley and I are engaged in, you know, creativity, compromise ensues. However, when I listen to my colleague, Legislator Binder, frame these issues, it's really troubling because according to his own words, this is about getting Binder through arm twisting with the Town Supervisor's money. Now, I don't know about getting Binder with arm twisting --

00210

LEG. BINDER:  
I didn't say getting Binder, so please don't --

LEG. BISHOP:

Well, you certainly tried to -- attempted to attach motive to the sponsor's bill, which is something that I've heard you yell at the top of your lungs about when it's been done to you. But I do know about the Town Supervisor's money part of this, it's not their money. If you call up a Town Supervisor and said, "Hey, the County Legislature is about to pass a bill tonight that's going to tell you how you have to spend your money," well, of course they're going to object, but the fact is that no Town Supervisor knew about this bill because it's not their money. And indeed, it is the County's money to be spent by the -- by Suffolk County outside of the Town of Brookhaven. That's what this is about.

Now, Legislator Tonna and Alden have developed a proposal which they feel is the best, wisest way to do that, and it's to provide an incentive to the towns to partner with us, but the town has no entitlement, not the Town of Huntington, Babylon, Southampton, no town has an entitlement to this money. Now, there is a condition for one town, and it is an exception. When do you legislate an exception? I would suggest you legislate an exception in exceptional circumstances. Does -- the question before you then is is it a justified act to legislate an exception for the Town of Huntington which provides not only the incentive, but an additional criteria for that town? Well, based on the testimony that I heard earlier from members of the public who point out that the Town of Huntington has been found by a Federal Court to be in violation of Federal Law with regard to creating housing and being discriminatory in the creation of housing, then that exception seems reasonable and justified. So the bill before you I think is a legitimate effort to craft a policy to meet a very real public need, and that need is our lack of housing stock which jeopardizes our regional economy.

P.O. TONNA:

Thank you very much Legislator Bishop. Legislator Postal.

LEG. POSTAL:

Yeah, um --

P.O. TONNA:

Then Legislator Carpenter, and then Legislator Levy.

LEG. POSTAL:

The question --

P.O. TONNA:

And I'm going to interrupt at a certain point so that we can make sure we get at least this vote in.

LEG. POSTAL:

The question of whether this money is an entitlement for the towns was decided last November when this Legislature adopted a policy with regard to revenue sharing for the pilot payments.

00211

LEG. BISHOP:

That's -- may I interrupt because that's not -- if that's true then my argument is wrong and I want to get to that --

LEG. POSTAL:

Well, we can ask our counsel.

LEG. BISHOP:

That is not what we did. What we did is we adopted a policy that said that we would spend this pilot money in towns outside of Brookhaven, not to the towns. We never obligated ourselves to transfer money to the towns, and that's the premise that Legislator Binder and you are stating and it's a false premise.

LEG. POSTAL:

Well, can I ask our Counsel before I continue?

LEG. BISHOP:

Yes, I apologize for the interruption.

MR. SABATINO:

When you authorized the County Executive to enter into negotiations last November 5th, you had six conditions. One of the conditions was that the Brookhaven pilot money would have to be used for the benefit of programs in non-Brookhaven towns. The starting point for that discussion can be to do programs or to do town revenue sharing. The starting point of this bill is to do it in the context of town revenue sharing.

LEG. POSTAL:

Okay. Now I would suggest that --

LEG. BISHOP:

So there's no obligation.

LEG. POSTAL:

-- whether there's an obligation or a specific method of providing whatever services are going to be provided to the towns, I think that the members of the Legislature would have had some difficulty in approving that legislation if there was not an underlying premise that the towns outside of Brookhaven would have benefitted from that money in some kind of equitable fashion. So that, for example, I think that there would have been a serious problem if there was not an understanding that the Town of Babylon would only receive a hundred thousand dollars and the Town of Huntington, just for argument's sake, would receive five million dollars. So that there was some understanding that it would be in essence kind of prorated according to the, I guess, the relative damage that each town suffered under the overassessment of the Shoreham Nuclear Plant. So that, I think that that was an underlying premise, and I think that that's important. Now, we're faced with making a determination of

how that money will be used.

LEG. BISHOP:  
But that could be --

00212

LEG. POSTAL:  
Let me just continue. We're faced with a determination of how that money can be used, just like we make determinations about how to prioritize however moneys will be used. The Greenfield's money that was used for active parklands, we made a decision about how that money was going to be used. We could have decided it was more important to utilize that money for affordable housing, for example. We just passed legislation that established a comprehensive affordable housing program. We could be using this money to provide funding to the towns to enable not-for-profit agencies to rehabilitate County owned property for affordable housing, that would really accomplish -- and that was discussed at some point along the way that this bill was sitting on the table.

But there is a motion to table this resolution, and I'm going to ask -- I seconded that motion because I think that there's another issue here. And while many of us support affordable housing, and I listened to the Presiding Officer's explanation of why he selected that specific property in that specific town, but I would suggest -- and Legislator Bishop brought up the issue of racial discrimination -- that that determination was made, I believe, in regard to an attempt to site affordable housing at Matinecock Court rather than the LIDC property. And I suggest to you that there, as I did before, there are many other parcels. Kings Park, why shouldn't we be siting affordable housing in Kings Park? Now, I would suggest that just as a courtesy --

LEG. D'ANDRE:  
Keep out of Kings Park.

LEG. BINDER:  
Ah, there we go.

LEG. POSTAL:  
Exactly, and that's my point that Legislator D'Andre would feel like any of us do if I put in a resolution to provide funding only on the condition that affordable housing be developed at Kings Park. He would be absolutely right. I was upset --

P.O. TONNA:  
Legislator Postal, just so that we don't expire on your minutes, I would like to --

LEG. POSTAL:  
I wouldn't want it to expire.

P.O. TONNA:

I know you wouldn't mind it to expire. I would ask that we -- I make a motion to extend the meeting for how long, fifteen minutes?

LEG. CARACCIOLO:

Half hour.

LEG. CRECCA:

No, can we do it till two?

P.O. TONNA:

00213

Half hour, seconded by Legislator Caracciolo. All in favor?

LEG. TOWLE:

Roll call.

P.O. TONNA:

Okay, roll call, please. I hope all Legislators are here. Can somebody get Legislator Foley?

(\*Roll Called by Mr. Barton\*)

P.O. TONNA:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

No.

LEG. POSTAL:

Yes.

LEG. BISHOP:

What's the motion? I'm sorry.

LEG. CRECCA:

Move to extend till two.

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:

00214

Yes.

LEG. CARACAPPA:  
Yes.

LEG. TOWLE:  
No.

LEG. GULDI:  
No.

LEG. LEVY:  
Yes.

MR. BARTON:  
Fourteen.

P.O. TONNA:  
Thank you.

LEG. POSTAL:

Okay. I was saying that Legislator D'Andre would be extremely upset if I filed a resolution to provide funding for affordable housing in Kings Park. Legislator Fields, just a few week ago the issue of a children's shelter, if I filed a bill to site a children's shelter in Central Islip, I think Legislator Fields would be justifiably concerned that I had not discussed that with her. That's in her District. I was upset a while ago because a bill was filed to establish active parklands under the Greenway's Program in my district without consultation of me. Legislator Carpenter, um, if -- I don't know if this is in your district or Legislator Alden's, probably Alden's, but if I had put in a bill to develop affordable housing at what used to be the Mini Center, you'd be absolutely right to say, "How could you do that without talking to me?" Every one of the Legislators here, I would assume that you would be at least feeling that it was discourteous, that it was not collegial for some kind of consultation and dialogue if somebody put in a bill to do something in your district without discussing that with you, and I would just ask you to think how you would feel because certainly

that's a possibility here. I mean, if we start down that road, we've each had that experience and there is an understanding that at the very least there would be a discussion, there would be a cooperative effort before that kind of thing happens. And that's why I'm supporting a tabling motion because I would hope that everyone would think about that and that the sponsors of this bill would remove that particular provision that targets that one piece of property. Because certainly, if the LIDC property is the only property that can be developed as affordable housing, I would point to other properties across the County that are equally appropriate for development of affordable housing.

[RETURN OF REGULAR STENOGRAPHER - ALISON MAHONEY]

LEG. BINDER:  
Mr. Chairman?

00215

P.O. TONNA:  
Thank you. I have Legislator Carpenter, Levy, Cooper. And I would just ask that lets vote on the tabling motion and then get to the -- whatever.

LEG. BINDER:  
Could you put me on the list?

LEG. CARPENTER:  
A statement was made earlier about arm twisting and that was why people were going to be voting for this, or being in a coalition or not or part of the in group or not. I plan on supporting this and for a very simple reason, the issue of affordable housing is very, very important on this Island. And when I first made a decision to run for office, I ran using a campaign slogan that I believed then and I believe now that I was fighting to make Suffolk County a great place to live, not leave. Because being the mother of two grown children that was my biggest fear, that my kids would move away and if at any point I had grandchildren I would not see them on a regular basis, that we're seeing families split and who's in Florida and who's in California and Arizona and hither and beyond because people cannot afford to live here. And it's not just the seniors that are leaving; in fact, it's more so young people that are leaving. So I think this initiative that we have before us this evening to really do something positive for affordable housing is something that we should be supporting and embracing.

I had had a conversation with the publisher of Newsday about two or three months ago and he said -- talked about affordable housing and all of the polling that they're doing and that no one seems to be doing anything about it. So it's with great pride I think that this Legislative body can say we are in Suffolk County doing something about something as important as affordable housing.

P.O. TONNA:

Legislator Levy.

LEG. LEVY:

The towns are getting County money for affordable housing, they shouldn't look a gift horse in the mouth. We have a program that is giving money to different towns, if somebody wants to put in an alternative where the money can go with certain conditions, you had the opportunity to do it, you have the opportunity to do it; no one else came forward to want to do it. So we have a package here that's ready to go, you can move on it or you can sit on it, but it's our prerogative as a Legislature to determine how this money is spent. It's a policy determination; if you don't like the policy, vote against it, if you like the policy vote for it.

But we certainly have the legal authority to do this and the moral authority to do it because it's money coming from this County as a gift to the towns. When you're getting free money, shut up and take it.

LEG. GULDI:

Just shut up and vote on it.

00216

P.O. TONNA:

Legislator Cooper.

LEG. COOPER:

Number one, I wanted to agree with what Legislator Carpenter said about affordable housing being a critical issue throughout Suffolk County, and I know it is in Huntington.

I also wanted to assure all of my colleagues that despite possible concerns by Legislator Binder, I know that Legislator Tonna's motives are pure in this. I've had a number of private conversations with him and I know that he believes in his heart, deep in his heart that --

LEG. GULDI:

He doesn't have a heart.

LEG. COOPER:

-- that affordable housing --

LEG. TOWLE:

You're losing votes at this point for him.

LEG. GULDI:

Come on now. Let's shut up and vote on it, huh?

P.O. TONNA:

As long as they weren't confidential conversations.

LEG. COOPER:

Come on, guys.

LEG. GULDI:

Allan talked me into voting for this, don't talk me out of it.

LEG. COOPER:

That Paul believes in his heart that this is a very important --

LEG. TOWLE:

There you go.

LEG. GULDI:

He doesn't have a heart.

LEG. FOLEY:

Go ahead, Jon.

LEG. COOPER:

Excuse me.

LEG. CARPENTER:

Are you saying that he's a tin man?

LEG. GULDI:

Nah.

LEG. BISHOP:

00217

Okay. What time is it?

P.O. TONNA:

All right, Legislator -- go ahead, Legislator Cooper.

LEG. COOPER:

I just wanted to make the point that this is a serious issue for Paul, I applaud him for coming up with what I think is a very creative way to deal with the problem in Huntington. As Paul said and as I was going to say earlier, this is all carrot, there is no stick. If Alvin Benjamin, if the developer of LIDC does not want to avail himself of this generous offer, all he has to do is say no thanks and walk away from it and we're not forcing him to do anything. If we were trying to shove this do you know his throat, then I would have more empathy for Legislator Binder's position, but we're not. So I just wanted to reiterate that point. Thank you.

P.O. TONNA:

Thank you. Legislator Binder, and then hopefully Legislator Haley.

LEG. BINDER:

One of the points that I would make is that in speaking to a few of the Supervisors, they don't have the land to utilize this money in the way that we say it can only solely be used. So now in other towns, outside of the town that I represent -- actually, one of them is Babylon -- there is a real concern about being able to utilize the funds so then they don't get the benefit of the money, Smithtown

being another one where they feel that they really don't have tracts of land to be able to do that. So then what happens? I mean, Counsel, what if Smithtown finds that they don't have a tract of land and they can't do an affordable housing partnership and that was -- at least according to the Supervisor, he doesn't have really the ability to do that in Smithtown, unless maybe Kings Park I guess, as Legislator Postal said, but let's take Kings Park off the table for a moment. Short of that, what if he doesn't, what happens to the money?

MR. SABATINO:

At the end of the three year period of time, we're talking 2000, 2001 and 2002, the Legislature would have to make a determination as to how they wish to reallocate it.

LEG. BINDER:

So the problem here is that the idea behind the money was that it was going to be divided among non-Brookhaven towns for the benefit for the people of those towns. So what do we say to those towns who feel that they can't utilize it for the purposes that we, in our infinite wisdom -- and I say that facetiously -- that we prescribe for them? And unfortunately we haven't addressed that problem and I'm sure no one is going to want to address it here, we'll just kind of skate over it and we'll just do it anyway, and that would be unfortunate but that's something you have to think about and it's unfair to those towns who can't do that. So from the beginning this is not legislation that has been carefully crafted, besides the question of targeting on my particular district.

P.O. TONNA:

00218

Okay, Legislator Haley and then Legislator Fisher.

LEG. HALEY:

Just quickly, I want to read the statement -- just for clarification purposes, not necessarily to continue debate -- on the legislation that we passed back last year. And it simply said, "Pilot payments received by the County from pilot payments transferred from the Town of Brookhaven shall be distributed for the benefit of non Brookhaven towns by a duly enacted resolution."

P.O. TONNA:

Right.

LEG. HALEY:

My only problem with that is that I always have a problem when larger entities decide what's better for you and that's the concern without communications with the various towns, but I'm not looking for debate. But it's interesting to note in this particular legislation, this is providing apportionment, this original legislation didn't. So it seems to me in absence of this resolution, the apportionment can almost go anywhere the Legislature wants it to.

P.O. TONNA:

That's what Bishop said.

LEG. HALEY:  
Right?

P.O. TONNA:  
That's exactly what Bishop said.

LEG. HALEY:  
So what I believe could happen is that if the Town of Huntington decided not to avail themselves of that money for that specified purpose, this Legislature could decide to spend it anyway.

LEG. FOLEY:  
Somewhere else.

LEG. HALEY:  
Somewhere else.

LEG. FOLEY:  
That's right, you're right.

P.O. TONNA:  
Legislator Haley, just for a point of information for you, I -- the Town of Huntington has an affordable housing -- oh, forget it. Legislator Fisher, go ahead.

LEG. FISHER:  
Legislator Binder just stated the most compelling reason for me to vote for this resolution, which is that he has said that the Supervisors of Babylon and the Supervisor of Smithtown have no intention or are saying that they cannot implement an affordable housing plan. This County has said that we are committed to affordable housing County wide, so I don't think it's acceptable to  
00219

hear that Supervisors are saying that they cannot implement an affordable housing plan.

Affordable housing doesn't mean that you are building it from scratch. We've seen many smart growth ways of approaching the affordable housing issue and towns can avail themselves of these incentives in many and creative ways. So if this is the intensive that those towns who were representing that they can't implement affordable housing in their towns, then I applaud this resolution as an incentive.

P.O. TONNA:  
Thank you very much.

LEG. FOLEY:  
Move the question.

P.O. TONNA:  
This is first a motion to table, Legislator Postal, seconded by --

Legislator Postal, seconded by Legislator Binder I think, right?

LEG. CARACCIOLO:  
Other way around.

P.O. TONNA:  
Binder and then Postal, okay. All in favor? Opposed?

LEG. FOLEY:  
Opposed to table.

LEG. BISHOP:  
Opposed.

LEG. HALEY:  
Roll call on everything.

P.O. TONNA:  
Opposed -- let's roll call, let's roll call.

(\*Roll Called by Mr. Barton\*)

LEG. BINDER:  
Yes.

LEG. POSTAL:  
Yes.

LEG. COOPER:  
No.

LEG. BISHOP:  
No.

LEG. D'ANDRE:  
No.

LEG. CRECCA:

00220

No.

LEG. CARPENTER:  
No.

LEG. ALDEN:  
Nope.

LEG. FIELDS:  
No.

LEG. FOLEY:  
No to table.

LEG. HALEY:

Yes.

LEG. FISHER:  
No.

LEG. CARACAPPA:  
Yes.

LEG. TOWLE:  
Yes to table.

LEG. GULDI:  
No.

LEG. CARACCIOLO:  
No.

LEG. LEVY:  
No.

P.O. TONNA:  
No.

MR. BARTON:  
Five.

P.O. TONNA:  
Okay. I'm going to make a motion.

LEG. CARACCIOLO:  
Second.

P.O. TONNA:  
I think there's a motion and a second by Legislator Caracciolo.

LEG. GULDI:  
Roll call.

P.O. TONNA:  
Roll call.

LEG. D'ANDRE:

00221

Name the motion -- name the resolution.

P.O. TONNA:  
Motion to approve.

LEG. D'ANDRE:  
Name it.

P.O. TONNA:  
Resolution No. 1057 which is to modify a fiscally responsible pilot program to Suffolk County.

(\*Roll Called by Mr. Barton\*)

P.O. TONNA:  
Yes.

LEG. FIELDS:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. POSTAL:  
No.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
No.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Abstain.

LEG. TOWLE:

Abstain.

00222

LEG. GULDI:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. LEVY:  
Yes.

MR. BARTON:  
13.

P.O. TONNA:  
Thank you very much. We still have a little time.

LEG. GULDI:  
Mr. Presiding Officer, motion to lay on the table as late starters  
1843, 1845, 1846, Sense 118, Sense 119 and 120.

P.O. TONNA:  
Right.

LEG. CARACCIOLO:  
Second.

P.O. TONNA:  
And also I think I will add to that Sense 18 -- no, Resolution No.  
1846.

LEG. BINDER:  
Mr. Chairman?

P.O. TONNA:  
Just on the motion, just so that you know --

LEG. BINDER:  
Mr. Chairman, if we're going to do late starters, can you do all of  
them?

P.O. TONNA:  
Yeah, they are.

LEG. BINDER:  
Right, okay. No, I don't know which ones --

P.O. TONNA:  
Even including yours, Allan, even including the Clinton/Gore one.

00223

anyway. Okay, what I'm going to do is -- just from a standpoint, I  
would ask that Legislators, late starters should be for emergency  
situations because you couldn't -- pay attention in the future, pay

attention to the time when you're supposed to sign bills, please.  
Okay, there is a motion, I will second it. All in favor? Opposed?

MR. BARTON:  
18.

P.O. TONNA:  
1843 is assigned to Parks, 1845 is assigned to Parks and then Ways  
and Means. And then the Sense Resolutions, 118 is Ways and Means,  
119 to Finance, 120 to Vets & Seniors and then Finance, and 1846 is  
to Finance.

LEG. BINDER:  
Did you get 114? Mr. Chairman did you get 114?

P.O. TONNA:  
Did I get Late Starter 114? We'll make a motion now; where's 114?

LEG. CARACAPPA:  
Mr. Chairman?

P.O. TONNA:  
I don't have it in front of me. Which one is that?

LEG. BINDER:  
That's on the MTA which everybody was here with the green tags for.

LEG. GULDI:  
No, actually MTA is 118.

MS. BURKHARDT:  
It's in the packet, Allen.

P.O. TONNA:  
That's already in the packet, you filed that on time already.

LEG. BINDER:  
Was that in the packet? Okay, lost track. I apologize

LEG. CARACAPPA:  
Mr. Chairman?

P.O. TONNA:  
Okay, wait, there's one more, we're circulating it now, late starter  
No. 1847, it's adopting a Local Law, a Local Law to require use of  
helmets by minors bicycling or in-lane skating. This is assigned to  
Public Safety. I'll make a motion, second by Legislator Caracappa.

LEG. CARACAPPA:  
No, whoever's bill it is, but after that.

P.O. TONNA:  
Yeah. All in favor? Opposed? Fine, it's on.

MR. BARTON:

18. And we're also setting the public hearing, if that's a Local Law, Mr. Chairman.

P.O. TONNA:

Set a public hearing for --

MR. BARTON:

August 31st, the next meeting.

P.O. TONNA:

Great, thank you very much, Henry.

LEG. CARACCIOLO:

Mr. Chairman?

LEG. CARACAPPA:

Mr. Chairman?

P.O. TONNA:

Yes. Wait, Legislator Caracappa I recognize first, then Legislator Caracciolo.

LEG. CARACAPPA:

Thank you. I know there's a lot of piece of legislation everyone's anxious to get to that's important to them, but I would ask that seeing that the Commissioner of Parks has been here all evening that we go right to and take out of order Resolution 1652 under Sports and Recreation.

LEG. CARPENTER:

Second.

LEG. CARACAPPA:

It's Adopting Local Law, a Charter Law establishing the Division of Sports and Recreation within the Department of Parks, Recreation & Conservation, and I'll make the motion.

LEG. CARPENTER:

Second.

P.O. TONNA:

Great. There's a motion and a second. All in favor? Opposed? Okay, it's in front of us now.

LEG. CARACAPPA:

Motion to approve.

LEG. CARPENTER:

Second.

P.O. TONNA:

Motion to approve by Legislator Caracappa, seconded by Legislator Carpenter. All in favor? Opposed?

00225

MR. BARTON:  
18.

P.O. TONNA:  
Okay, great. Are there any other --

LEG. CARACCIOLO:  
Mr. Chairman?

LEG. CRECCA:  
Yeah, Mr. Chairman?

P.O. TONNA:  
Okay, wait. Legislator Caracciolo was next.

LEG. CARACCIOLO:  
Yes, the Director of Probation, Vinny Iaria has been here also for most of the evening to address the Legislature on IR 1703.

LEG. BISHOP:  
No, we don't want any addresses.

LEG. CARACCIOLO:  
Page nine.

LEG. BISHOP:  
No. Wait, wait, Michael --

LEG. CRECCA:  
Not to address it, but just --

LEG. CARACCIOLO:  
Well, if he could come up, I mean, at least give him an opportunity to make a presentation.

LEG. LEVY:  
No way.

P.O. TONNA:  
Well, shouldn't we -- don't you want to try to vote on this?

LEG. CRECCA:  
I'll make a motion to take 1703 out of order at this time.

LEG. CARACCIOLO:  
Second.

P.O. TONNA:

Okay. All in favor? Opposed?

LEG. GULDI:  
Opposed.

LEG. LEVY:  
Opposed.

00226

LEG. FOLEY:  
Opposed.

LEG. BISHOP:  
Opposed.

LEG. CARPENTER:  
Opposed.

P.O. TONNA:  
Okay, roll call.

LEG. CRECCA:  
On the motion.

P.O. TONNA:  
Roll call.

(\*Roll Called by Mr. Barton\*)

LEG. CRECCA:  
On the motion.

P.O. TONNA:  
Let's take it out of order so that you can first get in front of you,  
no?

LEG. LEVY:  
Why don't we go to something less controversial, this is going to be  
it.

LEG. FOLEY:  
We should just adjourn for the evening.

LEG. GULDI:  
The motion to take it out of order is proper.

LEG. CRECCA:  
I know that, but I want to explain why I want to take it out of  
order.

P.O. TONNA:  
The reason why you want to take it out of order is so we can get it  
done by the end of this meeting, right?

LEG. CRECCA:

Yeah, and there's a reason for that because the idea was to have the task force in place, get it in place right away so that we can start the planning and development as of January 1st, 2000.

LEG. HALEY:  
2001.

LEG. CARACCIOLO:

There is also another reason. There is also a more -- Mr. Chairman there is also a financial reason. The Director of Probation at the  
00227

last Finance Committee meeting had representatives come forward and make a presentation that his department's budget, overtime budget has more than doubled year-to-date because of the cost of transporting juveniles of the detention facilities. We have a crisis on our hands and it has to be addressed and the longer this Legislature negates its responsibility in addressing this issue -- I will wait for the Chairman.

P.O. TONNA:  
I'm sorry.

LEG. HALEY:  
Just move the question.

LEG. CARACCIOLO:

The longer we wait to deal with this issue, the more money it's going to cost. We know we're looking at a lot of financial constraints as we go forward, it's time to deal with this issue sooner than later and I would request that we move on this resolution tonight.

P.O. TONNA:  
Okay. There is a motion and a second to take this out of order. Roll call.

(\*Roll Called by Mr. Barton\*)

LEG. CRECCA:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. COOPER:  
Pass.

LEG. BINDER:  
Pass.

LEG. POSTAL:  
Yes.

LEG. BISHOP:  
No. Please no, this is going to be a long debate

LEG. D'ANDRE:  
Yes.

LEG. CARPENTER:  
No.

LEG. ALDEN:  
Pass.

LEG. FIELDS:  
No.

00228

LEG. FOLEY:  
No.

LEG. HALEY:  
Yes.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Pass.

LEG. TOWLE:  
Pass.

LEG. GULDI:  
Pass.

LEG. LEVY:  
No.

P.O. TONNA:  
Yep.

LEG. COOPER:  
Yes.

LEG. BINDER:  
Yes.

LEG. ALDEN:  
No.

LEG. CARACAPPA:  
No.

LEG. TOWLE:  
No.

LEG. GULDI:  
No.

MR. BARTON:  
Nine.

LEG. CARACAPPA:  
Mr. Chairman?

P.O. TONNA:  
Okay, that motion fails. We're going to go right to the agenda.

LEG. CARACCIOLO:  
Sorry, Vinny.

P.O. TONNA:  
Legislator Towle has the next, I'm sorry.

00229

LEG. TOWLE:  
Yeah, Mr. Chairman, the Parks Commissioner I imagine is also here for 1664 - Authorizing Suffolk County to settle the litigation entitled Neal Lewis, Et al v. Robert Gaffney in his capacity as Suffolk County Executive and the Suffolk County Legislature.

LEG. GULDI:  
Second.

LEG. TOWLE:  
I want to make a motion to move that out of order and to approve.

LEG. GULDI:  
Second.

P.O. TONNA:  
Okay. 1664 in Parks?

LEG. FISHER:  
Yes.

P.O. TONNA:  
Motion and a second. All in favor? Opposed? Okay, it's in front of us know. Is there a motion?

LEG. TOWLE:  
Motion to approve.

LEG. GULDI:  
Second.

LEG. FISHER:

Second.

P.O. TONNA:

Motion to approve, seconded by Legislator Fields. All in favor?  
Opposed? Approved.

LEG. TOWLE:

Cosponsor as well.

LEG. CARACAPPA:

Mr. Chairman?

P.O. TONNA:

Yes.

LEG. FOLEY:

Cosponsor.

LEG. CARPENTER:

Cosponsor.

LEG. BISHOP:

Cosponsor.

00230

LEG. CARACAPPA:

I hate to be selfish in my request here, but motion to take out of order 1716 - Amending the 2000 Capital Budget and Program and appropriating funds in connection with the renovation, construction and additions to the 6th Police Precinct (CP 3184). This is another project, Capital Project that is in dire need of moving forward.

LEG. TOWLE:

Second

LEG. CARACAPPA:

It's on page nine on the bottom part of Public Safety.

P.O. TONNA:

Police precinct?

LEG. CARACAPPA:

Yeah, it's the funding for the 6th Precinct, it's been going for years now.

P.O. TONNA:

Okay, there's a motion. Who's the second?

LEG. TOWLE:

Second.

LEG. CARPENTER:

Second.

P.O. TONNA:  
Seconded by Legislator Towle. All in favor? Opposed? It's in front of us.

LEG. POSTAL:  
I'm opposed.

P.O. TONNA:  
No, it's in front of us now.

LEG. POSTAL:  
Oh, it's in front of us?

P.O. TONNA:  
Okay, now --

LEG. FOLEY:  
Just on the motion.

P.O. TONNA:  
Wait. There's a motion and a second for approval. Okay, on the motion, Legislator Foley.

LEG. FOLEY:  
The relocation -- is this for the current 6th or --

00231

LEG. CRECCA:  
I can't hear a thing.

LEG. CARACAPPA:  
It would be the new 6th Precinct.

LEG. FOLEY:  
This is for the existing building or the new 6th?

LEG. CARACAPPA:  
The new 6th Precinct. As you are well aware of, we made funds available in the last program to renovate the existing building and make it a substation in the near future.

LEG. CRECCA:  
Mr. Chairman, put me on the list.

LEG. CARACAPPA:  
The Budget Review Office has recommended that we move the precinct due to the fact that it's -- building it to the specs that the new precincts around the County have been built to is not feasible at this location due to the fact that the land is not available, there are environmental factors that had to be taken into account as well. It's impossible to build a new -- or renovate the precinct up to current

standards of the other precincts on this property and we should be moving it.

LEG. FOLEY:

If I just could make a quick follow up, Mr. Chairman. Joe, I know you have met with Elsie Owens and others in the community.

LEG. CARACAPPA:

Yes, we've had --

LEG. FOLEY:

Not to get into a long discussion, but how have you addressed their concerns?

LEG. CARACAPPA:

We met with the Police Commissioner --

LEG. FOLEY:

If you don't mind me asking.

LEG. CARACAPPA:

-- the Department of Public Works, Charles Bartha being there as well, the County Executive was present as well, Legislator Haley, myself, and we had quite a discussion, a big public meeting where we listened to their fears, I think we alleviated their fears and made the promises to them that we would keep the police presence in the Coram area under our watch. I have held up my end of that promise by putting the monies in the Capital Budget to keep that Police presence in the future and everyone at this point in time seems to be happy that we've met and compromised and gone forward in that approach.

00232

LEG. FOLEY:

So finally, Joseph, the Police Commissioner has also told the civics that he will continue to have an active police presence in that given area?

LEG. CARACAPPA:

Absolutely, and on top of that have a community center located in the current building which some of that money that we've appropriated -- not appropriated, but put in the program for next year will be used for.

LEG. FOLEY:

Okay, thank you.

LEG. CARACAPPA:

Among other things.

LEG. CRECCA:

I believe I had the floor next. Legislator Caracappa, do you want to explain to me and justify why we should take this one out of order

and vote on this one to approve and how this -- fixing up the 6th Precinct takes priority over a problem we have housing our juveniles?

LEG. CARACAPPA:

Because this project got more votes than your vote, how's that?

P.O. TONNA:

All right, here we go.

LEG. CARACCIOLO:

Mr. Chairman?

P.O. TONNA:

Okay, hold it a second. We have a vote, right?

MR. BARTON:

Yes.

P.O. TONNA:

All in favor? Opposed?

MR. BARTON:

It's a bond, a bond.

P.O. TONNA:

Roll call on the bond, Henry.

(\*Roll Called by Mr. Barton\*)

LEG. CARACAPPA:

Yes.

LEG. TOWLE:

Yes, cosponsor as well.

00233

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. POSTAL:

No.

P.O. TONNA:

Just how about Binder, Tonna, Bishop, that type of thing instead of Legislator; we know what we are.

LEG. BISHOP:

No.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Pass.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes

LEG. FIELDS:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
Abstain

LEG. FISHER:  
Yes.

LEG. GULDI:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. LEVY:  
Yes.

P.O. TONNA:  
Yep.

LEG. CRECCA:  
Abstain.

00234

P.O. TONNA:  
Okay.

MR. BARTON:  
14.

LEG. CARACCIOLO:  
Mr. Chairman?

LEG. CARPENTER:  
Mr. Chairman?

P.O. TONNA:

Hold it. Just so that we go, Legislator Fisher has not gotten one of these opportunities yet, then we'll move to Legislator Caracciolo.

LEG. FISHER:

Mr. Chairman, on page nine there are two resolutions here that I would like to take out of order because Lance Millamo has been here all evening.

P.O. TONNA:

1695 and 1696?

LEG. FISHER:

1695 and 1696.

P.O. TONNA:

Let's start with 1695. Make a motion, I second it to take it out of order. All in favor? Opposed? It's in front of us, 1695 - Extending deadline for new investment policy of Suffolk County Vanderbilt Museum Trust Fund.

LEG. TOWLE:

Explanation.

LEG. FISHER:

Okay, motion to approve and --

P.O. TONNA:

Okay. Motion to approve, seconded by myself. All in favor? Opposed?

LEG. ALDEN:

On the motion.

P.O. TONNA:

On the motion.

LEG. ALDEN:

Just a brief explanation, please?

LEG. FISHER:

Okay. I can ask Budget Review if they can do a quicker explanation than I.

00235

LEG. CARACCIOLO:

Jim?

LEG. FISHER:

1695.

LEG. CARACCIOLO:

The Vanderbilt investment.

LEG. GULDI:  
Trust Fund.

LEG. LEVY:  
The trust fund, the new investment policy.

LEG. CARACCIOLO:  
New investment policy. Counsel, could you tell us?

P.O. TONNA:  
Paul? Jim?

MR. SABATINO:  
Well, the investment policy allowing the use of principal and capital gains by the museum expires July 31st of this year, this would extend it for another 18 months.

LEG. CARACCIOLO:  
All right, we have a motion to approve?

LEG. BINDER:  
Second, if you don't have one.

LEG. FISHER:  
We have a motion and a second.

LEG. GULDI:  
Call the question.

LEG. CARACCIOLO:  
Call the question.

P.O. TONNA:  
Okay, calling the question.

LEG. CARPENTER:  
All in favor?

P.O. TONNA:  
All in favor? Opposed? Approved.

LEG. CARACCIOLO:  
Mr. Chairman?

MR. BARTON:  
18.

00236

P.O. TONNA:  
Wait, wait, there's one more 1696 - Authorizing transfer of surplus County owned computers to the Vanderbilt Museum.

LEG. FISHER:  
Motion to take 1696 out of order.

P.O. TONNA:  
Motion by Legislator Fisher, seconded by myself to take it out of order. All in favor? Opposed?

LEG. CARPENTER:  
Motion and approve.

P.O. TONNA:  
Fine, it's in front of us. Motion by Legislator Fisher, second by myself. All in favor? Opposed? Approved.

MR. BARTON:  
18.

LEG. CARPENTER:  
Mr. Chairman?

LEG. LEVY:  
Mr. Chairman?

P.O. TONNA:  
I've got two more.

LEG. CARACCIOLO:  
Two, two, I've got two more.

P.O. TONNA:  
Wait, I've got to get Levy, he hasn't had one yet, and then we're going to Caracciolo. Go ahead.

LEG. LEVY:  
Okay, this is a motion to take out order 1659, this is one we've been waiting for a long time - Authorizing procedure for reimbursement of Campaign Finance Board expenses.

P.O. TONNA:  
Okay. Motion, seconded by myself. All in favor? Opposed?

LEG. HALEY:  
Page, page. No, no, don't do that.

LEG. LEVY:  
Page seven, page seven.

LEG. CRECCA:  
I'm sorry, I did not hear the number.

LEG. HALEY:  
Don't do that.

P.O. TONNA:

We're not going to vote on it yet, it's in front of us.

LEG. LEVY:

1659 on page seven. 1659 for the Campaign Finance Board, they've been waiting for their money for quite some time.

LEG. CRECCA:

Why can't we just go through the agenda? I'm sorry, nothing against you, Steve.

P.O. TONNA:

Okay. There is a motion to take it out of order and a second. All in favor? Opposed?

LEG. CARACCIOLO:

Hold it.

LEG. HALEY:

Roll call.

P.O. TONNA:

Roll call.

LEG. BINDER:

Explain it, though.

LEG. LEVY:

This is the one we've been going over.

P.O. TONNA:

We want their bills.

LEG. LEVY:

We tabled it, it's the payment of the bills for the --

LEG. CARPENTER:

Is this the envelopes?

LEG. LEVY:

-- Campaign Finance Reform Board so they can continue to do their work.

LEG. CARPENTER:

Oh, okay.

(\*Roll Called by Mr. Barton\*)

LEG. LEVY:

Yes.

P.O. TONNA:

Yep.

LEG. COOPER:  
Yep.

00238

LEG. BINDER:  
Pass.

LEG. POSTAL:  
Yes.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Pass.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes.

LEG. FIELDS:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
No.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. TOWLE:  
Yes.

LEG. GULDI:  
Yes.

LEG. CARACCIOLO:  
Pass.

LEG. BINDER:  
Abstain.

LEG. CRECCA:

Is this on the actual bill itself? Yes.

LEG. CARACCIOLO:  
Yes.

MR. BARTON:  
16-1 and 1 abstention.

00239

P.O. TONNA:  
Okay. Legislator Carpenter?

LEG. CARPENTER:  
Mr. Chairman, page nine, Health, call out of order and approve 1673,  
the Breast Cancer Awareness Program.

P.O. TONNA:  
Motion, seconded by Legislator Carpenter. It's in front -- all in  
favor? Opposed? It's in front of us now. Fine.

LEG. CARPENTER:  
Motion to approve.

P.O. TONNA:  
Motion to approve by Legislator Carpenter, seconded by Legislator  
Fields.

LEG. TOWLE:  
The number again?

LEG. CARPENTER:  
1673, page nine, Authorizing Estee Lauder Breast Cancer Awareness  
Program at County Buildings.

P.O. TONNA:  
1673 - Authorizing Estee Lauder Breast Cancer Awareness Program at  
County Buildings. All in favor? Opposed? Approved.

MR. BARTON:  
18.

LEG. CARPENTER:  
The second one is the one right under it, 1734.

LEG. BISHOP:  
You don't get two. You got two bites at the apple.

LEG. CARPENTER:  
Well, I was just doing it because I had the microphone and it's for  
Legislator Crecca.

P.O. TONNA:  
No, I have Legislator Caracciolo then Legislator Crecca. Go ahead,  
Legislator Caracciolo.

LEG. CARACCIOLO:  
I have two.

P.O. TONNA:  
Go ahead. Name the numbers and let's pull them out.

LEG. CARPENTER:  
Oh no, no, no, I wanted two.

00240

LEG. CARACCIOLO:  
1714.

LEG. GULDI:  
Page.

LEG. CARACCIOLO:  
Page nine.

P.O. TONNA:  
1714 - Amending the 2000 Operating Budget and transferring funds to the Probation Department in connection with Juvenile Detention Services, second by myself. All in favor? Opposed? It's in front of us now. All right, now where are we?

LEG. CARACCIOLO:  
Page nine, 1714.

LEG. TOWLE:  
Explanation.

P.O. TONNA:  
Okay. Is there a motion?

LEG. CARACCIOLO:  
Motion to approve.

LEG. TOWLE:  
Second.

P.O. TONNA:  
Second by Legislator Towle.

LEG. TOWLE:  
Explanation.

LEG. FOLEY:  
Explanation, please.

P.O. TONNA:  
It's not anything to do with the site.

LEG. FIELDS:  
Can I answer that?

P.O. TONNA:  
Yes, of course you can.

LEG. CARACCIOLO:  
Budget review, would you explain 1714?

P.O. TONNA:  
Just wait. Legislator Fields has the floor.

LEG. FOLEY:  
Explanation.

00241

LEG. FIELDS:  
Can I ask the sponsor if he would consider removing the word binding  
and also --

LEG. LEVY:  
No, that's on 1703.

LEG. CRECCA:  
Which bill is this? This is not 1703.

LEG. CARACCIOLO:  
No, no, no, we did that. No, that's 1703.

P.O. TONNA:  
No, it's 1714.

LEG. LEVY:  
That's for the extension of money.

P.O. TONNA:  
Motion, second. All in favor? Opposed?

LEG. LEVY:  
Wait a minute, wait a minute.

LEG. TOWLE:  
Whoa, explanation.

LEG. CARACCIOLO:  
That's not what it does, that's not what it does. Would you let  
budget review explain what it does?

LEG. FOLEY:  
Explanation, please.

LEG. LEVY:  
I just want Budget Review -- this is just expending of the money for

the project, correct?

LEG. CARACAPPA:  
Three minutes.

LEG. CARACCIOLO:  
No.

MR. SPERO:  
No, this has not nothing to do with the detention center. This is to cover over expenditure of funds being incurred by Probation --

LEG. CARACCIOLO:  
Thank you. Motion to approve.

MR. SPERO:  
-- for the PINS Program.

00242

P.O. TONNA:  
Seconded by myself.

LEG. FOLEY:  
On the motion. Where is the money coming from?

P.O. TONNA:  
Yes, Legislator Towle.

LEG. TOWLE:  
I already seconded his motion, but I don't really care about that. I want an explanation on what the money is for, a little more specific than what you're giving me.

LEG. CARACCIOLO:  
Overtime, cover overtime expense; correct, Fred?

MR. POLLERT:  
Yes. Because of the JD's, roughly \$565,000 is associated with overtime, and the offset is coming from State Retirement.

P.O. TONNA:  
All in favor?

LEG. TOWLE:  
Whoa.

P.O. TONNA:  
Okay.

LEG. CARPENTER:  
That's it.

LEG. TOWLE:

Can I -- that's not it, I have another question, do you mind?

P.O. TONNA:

Okay, go ahead, go ahead.

LEG. TOWLE:

So it's 560 something thousand dollars beyond their budget at this point.

LEG. CARACCIOLO:

Yeah, and it's growing because we won't act on 1703.

LEG. TOWLE:

Are you done so I can finish having my --

LEG. CARACCIOLO:

Yes, I'm sorry.

LEG. TOWLE:

Thanks. So they've over expended their budget as of July by 500 and something thousand dollars.

00243

MR. POLLERT:

Just in overtime and then roughly \$820,000 in the actual housing.

LEG. TOWLE:

And has anybody signed off on that or they've just done that on their own?

MR. POLLERT:

That I don't know.

LEG. BISHOP:

All right.

LEG. CARACCIOLO:

It's just like the Police Department that's over budget, it's just like the Sheriff's Department that's over budget. No, nobody signs off on it, they just go over budget. That's why you have a Legislature, you're supposed to be a check and a balance. You don't want to be the balance, you don't want to deal with the issue of 1703, so a month or two or six from now you'll have another resolution for a half of million dollars in cost overruns because you don't want to deal with the issue.

P.O. TONNA:

Okay. We're making -- we're going to vote on this.

LEG. CARACCIOLO:

Two o'clock I wake up.

P.O. TONNA:  
All in favor? Opposed? Approved.

MR. BARTON:  
18.

LEG. CARACCIOLO:  
Thank you. Mr. Chairman, I have one more.

LEG. CARPENTER:  
No, no, one.

P.O. TONNA:  
Wait, just let Legislator --

LEG. CARACCIOLO:  
One more.

P.O. TONNA:  
Go ahead.

LEG. CARACCIOLO:  
1734 to approve.

LEG. CRECCA:  
That's the one I was going to do.

00244

P.O. TONNA:  
Okay, 1734. Motion by Legislator Crecca, seconded by Legislator --

LEG. FIELDS:  
Wait, what page is it on?

LEG. CARPENTER:  
Second.

P.O. TONNA:  
It's a task force. Second by Legislator Caracciolo. Okay. All in favor? Opposed? It's in front of us. Now, Legislator Crecca, seconded by Legislator Caracciolo. All in favor? Opposed? Approved

MR. BARTON:  
18.

P.O. TONNA:  
Next is Legislator Bishop then Legislator Haley.

LEG. BISHOP:  
1656, page eight.

LEG. CARPENTER:  
Mr. Chairman, we need about 10 more minutes.

LEG. CRECCA:  
Motion to extend the meeting.

LEG. BISHOP:  
Second.

P.O. TONNA:  
I have four minutes left, relax; it goes by my watch.

LEG. LEVY:  
What is this?

P.O. TONNA:  
Go ahead, Legislator Bishop.

LEG. BISHOP:  
1656, page eight.

P.O. TONNA:  
1656.

LEG. CARACCIOLO:  
Second.

P.O. TONNA:  
Okay, motion by Legislator --

LEG. HALEY:  
What page?

00245

P.O. TONNA:  
Motion by Legislator Bishop, seconded by Legislator Caracciolo. All in favor? Opposed? It's in front of us now. Motion by --

LEG. HALEY:  
Page.

P.O. TONNA:  
Number eight under Energy & Environment. Motion by Legislator Bishop, seconded by Legislator Caracciolo.

LEG. CRECCA:  
Brief explanation, please, one sentence would probably do.

P.O. TONNA:  
Yes. Fred?

LEG. BISHOP:  
Next year's quarter cent fund, planning to spend it --

LEG. FOLEY:

Storm water runoff.

P.O. TONNA:

1656 - Initiating implementation of water quality protection and restoration program.

LEG. HALEY:

Wait a minute, wait a minute.

LEG. CARACAPPA:

David, go ahead.

LEG. HALEY:

Explanation of the financial impact, please?

LEG. TOWLE:

Cosponsor.

MR. SABATINO:

This is the bill that --

P.O. TONNA:

Hold it. Paul's going to answer this, please, everyone.

MR. SABATINO:

This is the bill that makes a commitment to using a portion of that quarter percent money under the water quality sales tax extension for --

LEG. CARACCIOLO:

Storm water runoff.

MR. SABATINO:

-- Long Island Sound and Great South Bay storm water remediation projects at a total of \$2 million, but it's coming from within the  
00246

monies that were approved in a public referendum which will be materializing next year.

P.O. TONNA:

And that was some of the programs that we said we wanted.

LEG. HALEY:

That's two million out of 15 million, right? All right, go ahead.

P.O. TONNA:

Okay. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

Okay, Legislator Haley has one.

LEG. HALEY:  
Just remember that, Dave.

P.O. TONNA:  
We'll let Legislator Haley and then you.

LEG. HALEY:  
Page seven, 1092.

LEG. FOLEY:  
Second the motion.

LEG. HALEY:  
Motion by myself, seconded by Legislator Foley.

P.O. TONNA:  
What page, seven?

LEG. HALEY:  
Seven, 1092.

P.O. TONNA:  
1092 - Amending policy for out-of-County tuition payments for Suffolk  
County Community College established by Resolution No. 184-1996.  
Motion by Legislator Haley --

LEG. CARPENTER:  
Second, second.

P.O. TONNA:  
-- seconded by --

LEG. HALEY:  
Foley.

P.O. TONNA:  
-- Carpenter.

00247

LEG. CARACCIOLO:  
On the motion.

P.O. TONNA:  
On -- let's get it in front of us. All in favor? Opposed? It's in  
front of us. Go ahead.

LEG. CARACCIOLO:  
Counsel, could you give us an explanation?

P.O. TONNA:  
Motion by Legislator Haley, second by Legislator Carpenter.

LEG. CARACCIOLO:  
Explanation by Counsel.

MR. SABATINO:  
This is going to change the methodology for incentives for the college to try to drive down out-of-County tuition by giving \$200 per every student that's reduced below the base line of 94-95 instead of using a simple subtraction method between appropriations. So it would be \$200 per student reduction using 94-95 as a basis.

LEG. CARACCIOLO:  
All right, when you say --

P.O. TONNA:  
Okay.

LEG. CARACCIOLO:  
Whoa, whoa. When you say \$200 per, who gets the \$200 dollars?

MR. SABATINO:  
The Community College.

LEG. HALEY:  
Quick explanation. The problem is they used to base it --

P.O. TONNA:  
You don't want that quick, Marty.

LEG. HALEY:  
-- on the number of students, but the State keeps changing the rate. So even though the number of students, they have been successful, the rate has gone up so they haven't --

LEG. CARPENTER:  
No, they were doing it the opposite, they were doing it on the amount of money.

LEG. CARACCIOLO:  
Okay. There's a positive financial impact?

LEG. FOLEY:  
Yes.

00248

LEG. CARPENTER:  
Yes.

MR. SABATINO:  
It's a positive incentive, yes.

LEG. CARACCIOLO:  
Okay.

LEG. LEVY:  
Just on the question.

P.O. TONNA:  
Okay.

LEG. LEVY:  
This is supposed to be -- this is giving money to the college if they get people not to go --

LEG. CARPENTER:  
Right.

LEG. LEVY:  
But I know that, but my point is they already have an incentive to make sure that students in Suffolk County don't go elsewhere, so what is the purpose of spending money --

LEG. CARPENTER:  
It's already policy but it was not working properly.

LEG. CARACCIOLO:  
It will help them with their advertising expenses.

LEG. CARPENTER:  
Legislator Foley sponsored the resolution a couple of years ago.

LEG. LEVY:  
Yeah, but I still --

P.O. TONNA:  
Okay. Guys, I'm going to tell you right now, we are at time, I'm giving you five seconds. One --

LEG. GULDI:  
All the question.

LEG. HALEY:  
Call the question.

MR. SABATINO:  
You have 30 seconds.

P.O. TONNA:  
We have 30 seconds left? Okay, there's a motion to approve. All in favor? Opposed?

00249

LEG. LEVY:  
I'll oppose.

LEG. CARPENTER:  
Good.

P.O. TONNA:  
Okay, approved.

MR. BARTON:  
17-1.

LEG. CRECCA:  
Motion to extend the meeting 15 minutes.

LEG. CARACCIOLO:  
Second.

P.O. TONNA:  
Okay, let's vote. Motion to extend the meeting. You've got four seconds, three.

LEG. GULDI:  
Roll call.

P.O. TONNA:  
All in favor? Opposed? Opposed.

LEG. HALEY:  
Opposed.

LEG. CARACAPPA:  
Opposed.

LEG. FISHER:  
Opposed.

P.O. TONNA:  
Roll call. It's over, sorry. We didn't make it.

[THE MEETING WAS ADJOURNED AT 2:00 A.M.]