

SUFFOLK COUNTY LEGISLATURE

SPECIAL MEETING

FIFTEENTH DAY

NOVEMBER 8, 2000

Taken by: Lucia Braaten
 Alison Mahoney

 Riverhead, New York

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[THE MEETING WAS CALLED TO ORDER AT 1:10 P.M.]

P.O. TONNA:

All Legislators, please come to the horseshoe. Henry, the roll.

MR. BARTON:

Good afternoon, Mr. Chairman.

P.O. TONNA:

Good afternoon. And how are you today?

MR. BARTON:

Very good. Thank you for asking.

P.O. TONNA:

Okay, great.

(*Roll Called by Mr. Barton*)

LEG. D'ANDRE:

Mr. Chairman, before we get started --

P.O. TONNA:

Guys, there's a roll call here and I would ask that everyone come into the horseshoe.

(*Roll Call Continued by Mr. Barton*)

LEG. D'ANDRE:

Mr. Chairman, before we get started with this meeting --

P.O. TONNA:

Yes.

MR. BARTON:

12 present. (Not Present at Roll Call: Legs. Guldi, Towle, Haley, Foley and Cooper)

LEG. D'ANDRE:

I'd like -- I'd like you to --

P.O. TONNA:

Thank you.

LEG. D'ANDRE:

I'd like you to do a little something for our winner, Steve Levy.

P.O. TONNA:

Okay.

LEG. D'ANDRE:

Have him take a bow and stuff.

P.O. TONNA:

Okay.

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LEG. D'ANDRE:

Because that's very appropriate.

LEG. LEVY:

That's the only nice thing that's going to be said about me all day.

LEG. D'ANDRE:

Hey, count your blessings. Count your blessings, Steve.

LEG. LEVY:

Thank you.

P.O. TONNA:

Okay. We're going to ask that all rise for the salute to the flag, led by Legislator Levy, who soon will be Assemblyman Levy.

(SALUTATION)

Thank you very much. Could everyone stay standing for a second? We're going to take a moment of silence for Sister Geraldine Ellen Bowles,

who died suddenly. Sister Gerry was Vice President of the Mission and Ministry and Saint Catherine of Sienna Hospital. She'll be sorely missed by her family, friends and colleagues. And I know she's often been here lobbying us on health care issues.

(MOMENT OF SILENCE)

Thank you. Okay. Henry.

LEG. D'ANDRE:

Say those nice things about Levy.

P.O. TONNA:

Okay. Say some nice things about Levy?

LEG. D'ANDRE:

Yes. He won.

P.O. TONNA:

I'm going to wait to see how he votes.

LEG. D'ANDRE:

He won.

P.O. TONNA:

No, I'm joking. Legislator Levy, on behalf of this august body of Legislators, some of them who say they'll miss you, some of them who say we're glad to see you up in Albany representing the people of Suffolk County, we could honestly say congratulations with a resounding, resounding victory. So congratulations.

LEG. LEVY:

Thank you.

(Applause)

and, Mr. Chairman, I just want to thank Legislator Guldi, who was my
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biggest contributor. He worked harder than anybody to get rid of me from the Suffolk County Legislature. So thank you, George.

LEG. CARACAPPA:

Let's here it for George. Yea, George.

P.O. TONNA:

There you go, great.

LEG. CRECCA:

Thank you, George.

P.O. TONNA:

And I think I'm happy, because it's just one less lawyer on the Suffolk County Legislature. Okay.

LEG. D'ANDRE:

Now you're being a proper P.O.

P.O. TONNA:

There you go. Thank you. Michael, thank you for -- Henry, we're going to call on you to read the meeting notice.

MR. BARTON:

Okay.

P.O. TONNA:

Is that the procedure here?

MR. BARTON:

Sure.

P.O. TONNA:

Go ahead.

MR. BARTON:

In front of each Legislator is a Notice of a Special Meeting to all

County Legislators from the Presiding Officer. "Please be advised that a special meeting of the Suffolk County Legislature will be held on Wednesday, November 8th, 2000, at 1 o'clock in the afternoon in the auditorium located at the County Center, Center Drive, Riverhead, New York, pursuant to Section 2-6(B) of the Suffolk County Administrative Code." There are 19 items listed, beginning with a one-hour public portion.

P.O. TONNA:

Okay. Thank you very much, Henry. We're going to go to the public portion. A Diane Mercieca. How do you say that, Diane?

MS. MERCIECA:

Mercieca.

P.O. TONNA:

Mercieca. Okay, thank you.

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MS. MERCIECA:

Good afternoon, everyone. Is it on?

LEG. FISHER:

Mike's not on.

MS. MERCIECA:

Good afternoon, everyone. Good afternoon, everyone. I'm Diane Mercieca. I'm the Executive Director for the South Fork Community Health Initiative.

The South Fork Community Health Initiative is a not-for-profit organization established in 1979 -- '79 to develop and promote health programs and activities for the people of the East End. The mission of the South Fork Community Health Initiative is to serve the community of the South Fork, that's East Hampton and Southampton, with an ongoing advocacy voice for the health care of all the people. Last year, we served over 3,458 people with outreach programs like breast cancer mammography, prostate screenings, immunizations, health conferences and blood pressure screenings for seniors.

We received money from the Suffolk County Legislature last year for our outreach worker and to increase South Fork's operating budget. In the -- in the 2001 County budget, that was not reflected. I respectfully request for the money for the outreach worker and for the increase of our operating budget be obtained through the omnibus bill.

Thank you for all your considerations.

D.P.O. LEVY:

Thank you.

LEG. FOLEY:

Thank you.

D.P.O. LEVY:

Next speaker is Michael Cascone, please. That's Michael,

Ms. Michael.

MS. CASCONE:

Do you have Debra's down there, too, because I thought she was next?

LEG. LEVY:

Oh, I thought that was Debra. I'm sorry. Debra Puca?

MS. CASCONE:

Yes.

LEG. LEVY:

Debra.

MS. CASONE:

Okay.

LEG. LEVY:

Okay.

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MS. PUCA:

Hello. My name is Debra Puca. I hope that you will make this smoking bill a law. My mom and I had lived with my great-grandma since I was born, and when I was seven, my great-grandma died from lung cancer. I used to take her cigarettes and throw them away or put them in water to ruin them, so she couldn't smoke them.

LEG. LEVY:

Debra, would you, please, speak very closely into the microphone?

MS. PUCA:

Oh, okay.

D.P.O. LEVY:

And if we could have everyone else quiet, please.

MS. PUCA:

Should I start over?

D.P.O. LEVY:

No, it's all right.

MS. PUCA:

Okay. I used to take her cigarettes and throw them away or put them in water to ruin them, so she couldn't smoke them, but nothing would stop her, not even when she was so sick that she couldn't breathe.

In the spring of this year, I started smoking, because a lot of the kids I knew smoked. I had been doing it for about two months when my mom and my grandma found out. Then my grandma showed me the picture of my great-grandma taken just before she died. That made me stop. I wanted to help some of my friends who smoked, so I showed them the picture, too. A couple of them stopped smoking, too, and even though not all of them stopped, it was the first time that we all started talking about how bad cigarettes are for you. We talk a lot about it. Most of the kids who smoke want to stop, but can't. They think -- they think -- I think they realize now that they are addicted to cigarettes and that is why they can't stop. It makes a difference for them to think of smoking as an addiction, not just a bad habit.

None of my friends and other kids at school can believe that the County Executive would sign this law. They think that it must be the cigarette companies who don't want this law and can't believe it is the American Cancer Society, the Lung Association and the Heart Association that don't want it. It doesn't make any sense to them or me either. Even kids who smoke can't believe that there is no law for kids not to smoke. They wonder why there isn't. To them it means that it is okay to smoke, then, because they expect the adults to say it is wrong, so -- so wrong and dangerous for you that we have made a law against it. I know what cigarettes can do, how they can make you sick and make it so you cannot breathe, or go anywhere, or do anything, and they make it -- and then make you die from cancer. So you don't have to convince me, but it seems like I have to try to convince you.

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There are people, kids and adults, who don't even care that kids as young as eight years old can smoke. We expect adults to tell us right

from wrong and to make the laws that tell us that, and that is what this law will do. We need to have this law for all of the people who can't or won't figure this out for themselves.

Now, since tobacco companies can't advertise their cigarettes on T.V., they are now advertising on matches, such as the one I have here. It shows a picture of a beautiful woman on one side, and on the other side it says, quote, unquote, "Until I find a real man, I will talk a real smoke," quote, unquote. This is just plain dumb. We have such a smart growing population and when we have so much information about how -- it tells us how bad cigarettes are and nicotine are for us.

I hope you really think about the power you have over many kids' lives. Please consider my statement and make this law -- make this law. And, also, tomorrow is my thirteenth birthday and it would be great to wake up and know that this is a law. Thank you.

LEG. LEVY:

Thank you, Debra, very much.

(Applause)

LEG. FISHER:

Thank you. Happy birthday.

MS. PUCA:

Oh, thank you.

LEG. LEVY:

Now, we'll go back to Ms. Cascone.

MS. CASCONE:

Hi. My name is Michael Cascone, and I am here to speak about voting on the overrides who -- County Executive Gaffney's veto of the smoking bill.

There is a law in physics which simply states that for each action, there is an equal and opposite reaction. Well, at least we're all working within the laws of the universe, although it may at times seem otherwise. How did there get to be a "them" and an "us"? How did there get to be sides? We all have the same goals in mind to try to protect kids from smoking, but it is in our methodology that we differ. We believe in doing everything, and they believe in doing some things. We believe in a comprehensive effort, and they believe in a selective effort. They say that the law victimizes children that are already addicted to smoking. We have laws against children buying, drinking and being given alcohol. Do these laws victimize children? We victimize them further by not doing everything that we can. The cigarette companies, they say, love this legislation, but has one cigarette company actually come forward and actually said this? They say that it won't be effective. Is the criteria for passing a law that it must be 100% effective or no dice?

History records the first murder in the United States being --

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happening during -- with the Mayflower Pilgrims. That was 380 years ago. We've had a lot of murders since then. We don't repeal the murder laws. It's unrealistic to think that it will work for all children, but it will work for some. They say that it doesn't work, and, yet, Ginny Fields has come here and has told you that specifically in the State of Florida, in the West Pam Beach Sheriff's Department, that this law does work.

We know the statistics. We know that each day, 3,000 children begin

smoking, and most of them are between the ages of 12 to 13 years old; that 30,000 people in New York State will die this year, and 90,000 children this year will begin smoking. We know that if these trends are not reversed, 377,000 of our state's children will die prematurely from smoking-related illnesses. The Centers for Disease Control and prevention said that the first nationally represented survey of sixth through eighth graders found that 12.8% of them use tobacco, that 9.2% of these 11 to 13 years old had smoked cigarettes, 6.1% of them had smoked cigars. The survey of 15,058 children and 131 schools across the country also included high school students and it found that 34.8% of 9th through 12th graders use some form of tobacco.

The results of this study prompted Michael Ericson, the Director of the Office on Smoking and Health at the U.S. Center for Disease Control to say that if the current patterns continue, 5 million children under the age of 18 alive today in the United States will die prematurely as a result of cigarette smoking.

The specter is here. Each time you see a child putting a cigarette into its mouth and sucking out its sweet, innocent, healthy life, just remember, David Satcher, the United States Surgeon General, has recently been quoted in Newsday as saying that, "Failure to effectively use every intervention strategy available to help our young people would be a tragic mistake. The time to act is now," unquote. Thank you.

D.P.O. LEVY:

Thank you.

(Applause)

Next speaker, Comptroller Joe Caputo.

MR. CAPUTO:

Thank you, Mr. Deputy Presiding Officer.

D.P.O. LEVY:

Welcome, Joe.

MR. CAPUTO:

I'm here today, of course, to speak on the omnibus resolution and the terrible drastic affect it will have upon the operation of my department. I want to offer you some comments regarding today's votes on the omnibus resolution prior to your voting. I want to let you know that if you took every vote and adopted it as it's structured, you would be reducing my payroll account to the effect of not enough money to pay all the people that are presently in my department or would

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remain in my department. If you made all the transfers, there would be 4,000,188 -- \$4,155,000 necessary to meet my payroll for the rest of the year 2001. Making those deductions, it would bring it down and only fund me to the extent of \$3,861,000. So on January 1st, I will start with a shortfall in my 110 Payroll Account of \$294,000, if you vote for every resolution, taking away money from my department in that payroll account, whether it be for the ASPCA, the Youth Bureau, or anybody else.

I want to be specific as to some of the resolutions themselves. On Page 1 of a group of six, and Note BA 5 and 6, Type 2, Mr. Levy, reducing salaries and increasing turnover savings, his recommendation. The reduction is \$159,000, the turnover savings of \$107,000 plus. They also recommend removing a new account clerk position for \$25,161. I

ask you why not allow my department to prove itself, as it has in the past, by supporting us instead of going against the County Executive's recommendations as to what he has recommended for the department? Page 3 of 6 in BA, Note Number 45, Mr. Levy, in revenue, says that there will be an increasing of vending machine revenue by \$100,000, a terrible farce. What documented proof do you have that this is even possible? You have not gotten the support of anybody with the investigation that you conducted during this year regarding the vending machines. I have seen no results. The Purchasing Division has cooperated and put together the RFP, but there have no been letting of any contracts. So how do you have a number, which we'll talk about later?

The support statement for transferring audit fees, which the Budget Review Office has the gall to recommend, from the Audit and Control Department to the Legislature, \$285,600. I must tell you, the Suffolk County Charter provides that the responsibility and authority for the auditing functions remain with the Comptroller, the Department of Audit and Control. Without changing that Charter, I don't see any justification for allocating the money to another area, and asking the Budget Office of the County Executive to approve a voucher, and then the Budget Review Office of the County Legislature to cross-prove the voucher before it's paid. As I said, that responsibility remains with the County Comptroller's Office.

Schedule E, Pages 16, 17, 18 and 19, deal with the Employee Benefits and Risk Benefits. The General Administration and Self-Insurance, 33 positions. Employees Medical Health Program is six positions. A creation of the Director of Human Resources, grade 35. Why? Just a simple why question. Civil Service already provides outside services to contemplated employees. The County follows through during employment through Civil Service procedures and promotions and contractual union agreements. I believe there is no need for this to take place. Of course, philosophically, we could argue for many hours.

Schedule E, Page 20, a Physician II, Roman numeral two, back to the Sheriff's Department. Mr. Levy and Mr. Crecca make the recommendation. I say it's not adequate just to transfer the same money. You should get more money from other parts of the County's budget if you want to create and transfer these positions to the

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Sheriff's Office. We found in this past year that the money that was in the budget was not adequate in order to fund and hire the physicians that we were seeking. So I say the positions need additional funding in order to attract a physician to accept the position.

LEG. FOLEY:

Which budget amendment is that, Joe?

MR. CAPUTO:

BA 54. The General Services Manager, DPW, Grade 32. Suddenly we're going to go back to General Services. The fallacy of the leasing of County automobiles a half a dozen years ago or more and you never learn from it, and you have a lawsuit from a man who was forced or attempted to be forced to sign the requisition to lease those vehicles and this still has not been resolved. An Assistant, Grade 29, for the same purpose to the General Services Manager. Note D46, Page 5 of 14,

purchasing to DPW, 18 positions. Now those 18 positions, of course, come from the -- from the Purchasing Department. And I ask why, why make the change? They're doing -- they have been doing a great job, and if they're doing a great job, why not continue?

Sorry, but I misplaced the next page. That's terrible. I appreciate your patience.

Why, because they have become too efficient? Why to DPW, a Department that cannot even do things that have been previously assigned to them in the past? Deliver services for the responsibilities that they previously had. In DPW, who can play to the favorite vendor as it did last year in preparing for our panic of Y2K coming upon us for this year? DPW had a contract with a vendor acting as an advertising agent for 15 years with our bus system for the companies that wanted to advertise, or people who wanted to advertise their product or services on said buses. We never received a copy of this contract -- of his contract with the County, a 15-year contract, until and only because of the diligence of my auditors was it discovered. We have found over \$954,000 due to Suffolk County. We have received \$500,000 last month, and the balance shall be paid in February.

DPW, who cannot tell us how many vending machines and how much money they received from said vending machines, is where you want to put the Purchasing Division. The complaints from many departments claiming to have only nine months to spend their budget is self-serving and fallacious. What prevents anyone from putting in their requisition on January 1st of any year for what they're going to need for the rest of the year? If you -- theoretically, when a department submits its budget request and it is subsequently approved through the budget procedure, as you will do today, they, the department, should already know what it needs and should begin to process its paperwork to order same on January 1st.

D.P.O. LEVY:

Joe, excuse me. We only have an hour on the hearing and I tried to -- I'm trying to extend you, because you're an elected official and the budget affects you. I'm giving you as much time as possible. But after the hour, these other people won't be able to speak, so if you could just keep that in consideration, please.

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MR. CAPUTO:

I thank you very much. The only exception would come to pass when we are thinking of a new generation of equipment, which is not yet available, then you would have a problem in ordering it. There are a number of other items, as I mentioned before, which involve the transferring of money where supporting of the ASPCA, supporting of the Youth Bureau, supporting of other aspects, taking it out of not only my department, but other departments in the 110 category for salaries, and I think that's a poor judgment. That's a terrible recommendation to make. We have nothing whatsoever to do with the ASPCA. If you want to take money out of somewhere, take it out of your contingency account that you have and fund it that way, don't fund it on the back of people that are working for you and their careers and then jeopardize the fact that they will not have enough money in the budget next year to pay their salaries.

I thank you for your courtesy and I appreciate your consideration.

LEG. D'ANDRE:

Mr. Chairman.

D.P.O. LEVY:

Legislator D'Andre.

LEG. D'ANDRE:

May I say something? First of all --

D.P.O. LEVY:

Just keep in mind, Mike, we only have an hour for the hearing; okay?

LEG. D'ANDRE:

I know, but we have somebody who is a former P.O. Of this august body and he should be recognized as such before he even spoke, and I'm sorry that you didn't do that or anybody didn't do that, the Presiding Officer. Okay.

MR. CAPUTO:

The picture's on the wall, Mike, it's all right.

LEG. D'ANDRE:

Never mind. Never mind. Joseph, let me tell you, you saved us millions of dollars in borrowings in New York City with that money crowd when you went to borrow for our running of this Legislature, and that's not to be forgotten. Also, this body should have enough confidence in you to I think treat you a little bit differently.

D.P.O. LEVY:

All right. Thank you, Mike.

LEG. D'ANDRE:

And I make this recommendation to the staff. If there's any way we can ease the pain on Joe's department, I urge all my Legislative friends to do that. He's one of us, he's not a stranger.

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D.P.O. LEVY:

Thank you, Mike, for your comments. Legislator Foley -- Legislator --

LEG. GULDI:

Guldi.

D.P.O. LEVY:

Guldi, for a point of --

LEG. GULDI:

Joe, you mean that's your picture up there? I always thought that was your son.

MR. CAPUTO:

He works for the Parks Department, he's a plumber.

LEG. D'ANDRE:

Having said that --

MR. CAPUTO:

And my other son is going to my alumni in City College.

D.P.O. LEVY:

Legislator Foley.

LEG. FOLEY:

Mike, thank you.

LEG. D'ANDRE:

Having said that --

D.P.O. LEVY:

Come on, Mike.

LEG. FOLEY:

Mike.

LEG. D'ANDRE:

I'd like to get somebody to come in and support my recommendations.

LEG. FOLEY:

Yeah. Well, Mike, given the fact that others need to speak, I think we need to hear from the others. But, at the same time, giving due respect to the Comptroller for his current position as much as his past public positions, we should get a response from BRO, if not right now, but after everyone else speaks, and whether or not the Comptroller would stay to hear that, but out of -- not only out of deference, but out of respect, also, for this budgetary process, he makes --

LEG. D'ANDRE:

Well, I --

LEG. FOLEY:

Wait. He makes certain -- he's made certain remarks that do need to be responded to by our Budget Review folks. But, first, let's hear from the others and then we'll hear a response, Joe, to some of your points.

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D.P.O. LEVY:

Excellent suggestion. Let's move on, let's sheer from the public, and we'll have Budget Review wrap it up at the end.

LEG. D'ANDRE:

Let me just say one other thing.

D.P.O. LEVY:

Please, Mike, make it very quick.

LEG. D'ANDRE:

And I'll just say we're not going to have Joe come in here as somebody who hasn't been there, that doesn't know what we're doing. Joe's full aware of what this Legislature has done.

D.P.O. LEVY:

Thank you. Thank you, Mike. You said that.

LEG. D'ANDRE:

And he's always cooperated. So let's show him the same courtesy.

D.P.O. LEVY:

Okay. And he's been shown a lot of courtesies. I gave him a lot more time than I did the others, because he's got --

LEG. D'ANDRE:

And you're going to Albany, and by all means you, should leave with a good thing.

D.P.O. LEVY:

All right. Thank you, Mike. All right. Let's move on. Thank you, Mr. Caputo. Marilyn Shellabarger.

MR. CAPUTO:

Thank you, Mike.

MS. SHELLABARGER:

I guess it's good afternoon. And let me say farewell, hail and farewell, Steve, and best wishes. And like some of the other Legislatures -- Legislators, as I look through this budget, some give and some take away. And you and I have always gone round and round on some things.

You know I come to speak representing the -- all of the health centers. And having just received this -- the resolutions and not -- at half past twelve and trying to pore over it, I have to ask a question about the conflicts that some -- you know, some take away and

some add, and that is a question, for instance, when the omnibus adding -- amending adding resolutions to many of the things that we appeared before the Health Committee and had been agreed to do, and then when I read that there's also a resolution and they're conflicting. That means that you're going to vote for them singly; am I correct?

LEG. FISHER:

Yes.

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D.P.O. LEVY:

Well, if there's a conflict, once the omnibus is passed, if there's a subsequent resolution that says conflict, it cannot be voted upon, because they're mutually exclusive. So just so you know. Okay?

MS. SHELLABARGER:

Okay. And, therefore, I am urging you to support the omnibus resolution, especially those in regards to the Health Department, especially those in relationship to the health centers.

And I just wanted to put a thought in your mind with all this terrible scramble we're having with all the seniors losing their extended -- with the the HMO's withdrawing from Suffolk County. Don't forget that the health centers will welcome all Medicare recipients, we always have. And we don't offer the same prescription benefits, but with {Epic} that the State provides and with many of the arrangements that have been made with some of the pharmaceutical companies, we can certainly be a stopgap, if not just a permanent solution, for many seniors. And I wanted to remind you of that, because I think this is something you do get calls, I'm sure, into your office. But I'm saying support all the resolutions that add money to increase efficiency and increase the productivity, and for the many needed services that are so excellent. You know, I keep I'm saying we're unique in Suffolk County. Thank you very much.

LEG. FOLEY:

Marilyn, just for the record, it should reflect that as we do with every budget over the last probably 15 to 20 years, this institution every year improves the budget as it relates to the health centers, and this year is another example of that, where we do improve, increase the amount of monies available in order for the health centers to reach an ever larger proportion of the population that is either underinsured or uninsured. So, once again, we do have before us crafted both an omnibus bill, as well as some other resolutions that, in fact, does an even better job than the proposed budget does in serving those who need our health centers.

MS. SHELLABARGER:

Yes. Thank you very much. And, you know, I urge you to vote yes.

D.P.O. LEVY:

Thank you. Vincent -- Dr. Vincent Fontana. Vincent Fontana. All right.

We'll pass over. John Meyer? Good afternoon, John.

MR. MEYER:

Good afternoon. I'll have to raise this a bit first. Good afternoon. My name is John Meyer; I'm the Treasurer of the Association of Municipal Employees. Because of the change in the date of today's meeting from Monday to today, our President, Phyllis Garbarino, is not able to be here today because of conflict with Benefit Fund meetings, and has asked me to represent her. She would want me, I'm sure, to

congratulate the soon to be Assemblyman Levy on his victory last night.

You may be aware that our union has a contract with the County, which
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expires this year. And due to the announcement of the Police arbitration and other issues, this particular budget, the 2001 budget and the 2002 budget are of particular importance to us. So we've taken -- our union has taken the unusual step of hiring one of the "Big Five" accounting firms, KPMG, to advise us of any possible problems for us in the 2001 budget. And they've had some chance to look over it, but not in a great detail as yet.

There are a lot of things to talk about, there are a lot of interesting items in the budget, but before I do that, I wanted to just thank Mr. Pollert and Mr. Spero from your Budget Review Office, who have been very cooperative in providing us with documents to help us better understand the budget. And we also want to thank the Comptroller's Office for the documents they have provided. Often we find ourselves at odds with your Budget Review Office, but that's not the case and we appreciate their cooperation.

I wanted to speak today about the stand-alone resolution, the budget supplement, which is on the agenda, which, if it's enacted, would require that the appropriations cap and the property tax cap be pierced. We strongly urge that you enact that resolution to pierce those caps. Going by Mr. Pollert's report, because we haven't really had a chance to look at the omnibus resolution, it's only been available today, and some of the provisions, and using his terminology, if that -- if those caps were not pierced and the property tax is not in the budget, then as much as \$57 million in appropriations would have to be cut. Mr. Pollert uses a phrase in his report that if the funding is not there, the Police Department's personnel would have to be -- checks for their personnel would have to be stopped as early as September of 2001, I think he says. In the real life -- in the real world we all live in, we know that that's not going to happen. More than likely, if there have to be appropriation cuts, they'll have to be in the General Fund, and most of our 6,700 members are made from the General Fund.

We think that the record of the Legislature has been good, that over the last five or six years, the property tax increases, when there have been any, have been minimal. And your Budget Review Office talks about a maximum impact of \$72 per homeowner. Taken over the whole tax bill, the average homeowner's tax bill, that's a very -- not insignificant, but certainly a very minimal amount of money. But the most important thing that would happen, if you don't vote to pierce the caps, is that you're going to lose that flow of money for this year and not have it available, and you'd be that much further behind with the 2002 budget. So that's our concern. And we --

D.P.O. LEVY:

If you could wrap up, John.

MR. MEYER:

Yeah.

D.P.O. LEVY:

If you could wrap up, please.

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MR. MEYER:

Yes, I am. And we hope very -- we strongly urge you to enact that resolution, rather than some of the provisions of the omnibus bill.

All right?

D.P.O. LEVY:

Thank you.

MR. MEYER:

Thank you.

D.P.O. LEVY:

Shirley Morrison.

MS. MORRISON:

Shirley Morrison; I'm the newly elected Chairman of the Riverhead Health Center Advisory Board, and I'm here to support Number 82, and the request that amendments, which adds an Administrator II position. The position is badly need for all the reasons I specified in my testimony to the Health Committee. And I'd like to thank the Health Committee for their support from the bottom of my heart.

And while I'm here, I'd also like to support Diane Mercieca's request for an outreach worker for the South Fork Community Health Initiative. Diane is on our board and we work to serve the same group of patients. Diane is an old nurse like me. She works like a dog, and I know she wouldn't ask for help unless she really needed it. Thank you.

D.P.O. LEVY:

Thank you. Richard Couch from the American Cancer Society.

MR. COUCH:

First of all, congratulations to Legislator Levy. I'm proud to live in your district, and proud that you'll be serving us in Albany. I look forward to working with you there.

To members of the Legislature, my name is Richard Couch. I'm Director of Advocacy for the Long Island Region of the American Cancer Society. I'm here today on behalf of over 200 volunteer advocates on Long Island to encourage you to sustain the County Executive's veto of Law 810-2000, the Youth Tobacco Possession Law.

As I'm sure you remember, I've spoken to you on this issue previously, so I will be brief. There have been many misconceptions about what this proposed legislation will and will not do. The sponsor has been quick to point out that this legislation will not criminalize youth, and that it does not penalize youth. Opponents have argued that, in fact, youth will feel penalized, because something was taken away from them with little or no explanation. The element that would offer education is not attached to the legislation.

Many have spoken against this legislation publicly, namely the American Cancer Society, the American Lung Association, the American Heart Association, Suffolk County Health Commission, Dr. Clare Bradley, and the Police Commissioner. The County Executive has heard our concerns, yet this body seems not to.

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As I've said in the past, Suffolk County has a great record in tobacco control. In fact, in recognition of my organization's signature event, the Great American Smoke-Out, the American Cancer Society is preparing a report card, which grades ten metropolitan counties on their tobacco control efforts, and I will share with all of you here today that Suffolk County will be getting the absolute best rating in the State of

New York because of your tobacco control efforts. This is because of the good work that you've done. You have a terrific Clean In-Door Air Act, and a well-funded comprehensive Tobacco Control Program. The sponsor has stated numerous times that she doesn't want kids to smoke, and I've stated nearly as many times that we don't want kids to smoke either. I understand her desire to do something helpful in the fight against tobacco and I think that her intent is genuine, but I still don't understand why youth possession legislation. There are measures that Suffolk County can take to help control tobacco use. To enhance County control, Suffolk County could require tobacco retailers to be licensed by the County. Such measures would help to increase retailer compliance from around 82%, where Suffolk County usually is, closer to 100%. This would send a clear message to retailers, to tobacco retailers in Suffolk County that they will obey the law or lose their license.

I invite the sponsor, or any other Legislator who's interested, to work with voluntary health organizations on drafting plans that will work. Youth possession laws will not work.

I've praise the comprehensive tobacco control program that Suffolk County has funded, and have heard this body question its progress in getting started. I'm sure you all know this, but I will mention it publicly, that next week the Suffolk County Health Department is sponsoring a Tobacco Control Conference right here in Suffolk County. The event will reach out to hundreds of residents and educate them on the ills of tobacco use. The following day there will be a youth seminar to specifically direct the message towards young people. This is proof that Suffolk County is doing something good and something positive to curb youth tobacco use and this body funded that program.

Why would the County, with the best tobacco control record in the State of New York, enact bad legislation like youth tobacco possession legislation? I hope you won't. And, again, thank you for your time.

D.P.O. LEVY:

Thank you.

LEG. FOLEY:

Thanks.

D.P.O. LEVY:

Next speaker is Michael Mart.

MR. MART:

Good afternoon. My name is Michael Mart. I live and reside in the Village of Port Jefferson. I live in the Village of Port Jefferson and I work there. It's an interesting juxtaposition with speakers today,

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because I'm here to speak in favor of the youth possession law.

I know and you probably know adults who drink liquor. I know and maybe you might know adults who might have used marijuana. And I know and you probably know adults who smoke. But the adults that I know who drink alcohol are not alcoholics, and the adults that I know who may have used marijuana at one time or another are not drug addicts, but the adults that I know who smoke are addicted to cigarettes. Almost all smokers eventually become addicted, and studies have shown that almost all smokers begin smoking before the legal age that they -- of 18 to buy cigarettes.

The American Cancer Society, Lung Association, the others that were

just cited here, have often said that the tobacco industry supports youth possession laws. And I ask you, as Legislators, the majority of you have voted for this who are looking for another couple of votes to override the veto, have any of you been approached by the tobacco industry to support this legislation? Have you been given campaign funds? Have you been given letters of support? I found no record of that in any of the other 42 states that have youth possession laws in one form or another. If it's true that they do, let's see the evidence. These same agencies, as well intended as they are, say that youth possession laws are unenforceable and shift the law enforcement efforts away from retailers. We just heard that a moment ago from Mr. Couch. Has any evidence been presented by any of these associations backing up that assertion? Do any of you have copies of any legislation that show -- I mean, any studies that show that this form of legislation in those other 42 states doesn't work? Because I have at least two studies right here that were given to me by Mr. Michael Cummings, who is at the Roswell Park Cancer Institute in Buffalo who has been identified by the local chapter of the American Cancer Society as a well respected expert on this subject, and both of these studies show clearly that in states and counties where you have youth possession laws, that it does -- that they do, in fact, reduce the rates of youth beginning to smoke. So you have to base your decision, I would hope, not on assertions, but on facts. If you'd like copies of these, I will make them available to you. I think the sponsor, Ms. Fields, has this -- these studies.

D.P.O. LEVY:

Yeah. Please provide one to the Clerk, if you would, sir.

MR. MART:

I will.

LEG. FISHER:

Mr. Chairman.

D.P.O. LEVY:

Yeah, Legislator Fisher.

MR. MART:

Very good. I'm sorry?

00018

LEG. FISHER:

Thank you very much.

MR. MART:

You may keep those. May I just make one other thing?

D.P.O. LEVY:

Yeah, conclude.

MR. MART:

I notice here that in this room, I am not allowed to smoke, none of us are allowed to smoke. It says right there. If I were to reach into my pocket and take out some tobacco, cigar, cigarette, you would remove that from me, and you would do it rightfully so, because this County has recognized that it's not good for people to smoke or others to breathe that smoke. So, please, take the cigarettes out of the hands of the kids who are standing on the corners or are in the parks who are clearly under 18 who are doing that, and that the parents don't know about it, and there's no way that the parents' prohibition against the use of those products by young kids can be backed up by authority.

Thank you very much. Please override the legislation.
(Applause)

D.P.O. LEVY:

There's a question, sir.

MR. MART:

Yes. Oh, sure.

D.P.O. LEVY:

Legislator Fisher.

LEG. FISHER:

Actually, I just wanted to thank you for coming. I know that you feel very strongly about --

MR. MART:

I do.

LEG. FISHER:

And your comment with regards to the speaker who spoke before you, who said that this Legislature is not listening, this Legislature is listening to both sides and, therefore, we're making our decision based on both sides of the issue.

MR. MART:

I appreciate that. Thank you very much. Any other questions?

D.P.O. LEVY:

That's it, sir.

MR. MART:

Thank you.

(Applause)

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D.P.O. LEVY:

Next speaker is Lee Lutz.

MR. LUTZ:

Good afternoon to you all. And, quickly, before I begin my congratulations also to Legislator Levy, I can't wait to read and hear about you shaking them up up in Albany.

LEG. HALEY:

We can't either.

LEG. BISHOP:

We can't wait until we hear about the retribution.

D.P.O. LEVY:

I'll be back.

LEG. CARACAPPA:

Poor Steve.

D.P.O. LEVY:

I'll be back.

MR. LUTZ:

I am here today as the Executive Director of the Campaign Finance Board for Suffolk County. I'm here to address our budget request for the Fiscal Year 2001. Each of you has received a letter from me dated October 16th in which I outlined some of the highlights of a report, which we also forwarded to you, which spells out in effect what the law of this County requires the Campaign Finance Board to do. We are asking, of course, for the resources in order to do what the law requires us to complete. I'm not going to go back into that letter. You all have it. I hope you've all read it and you know what's in it and you know what I'm talking about.

The points I would like to make are simply this. I know time is short today and I'll be quick. In your omnibus proposal, under D55, is item for some additional money over and above the County Executive's recommendation for us for Fiscal Year 2001. And, of course, we're appreciative of that, although I'd like to point out that it simply doesn't come near what we're going to need to do what we're required to do. I would ask you to check with your own Budget Review Office. I am not aware, I am not privy to what their recommendation was, but I spent a great deal of time with both Vicki Siracusa and Kevin Duffy from the Budget Review Office going over exactly what it is we are required to accomplish in the Year 2001, and I dare say that their recommendation was significantly higher than that number. I believe that they recognize some of the things that we're required to do and that we need the resources to do them.

In addition, also on the agenda today is a resolution, BA68, which Mr. -- which Legislator Levy has submitted, which would supplement, of course, that amount. However, I had a question regarding that. Legislator Levy, you had answered a question earlier in the public session and I was looking for clarification, that if the omnibus bill

00020

passes, that resolutions that have conflicts would be eliminated from consideration? Am I -- did I understand that correctly? Deep

D.P.O. LEVY:

No. Well, it depends on the situation. But you can always add more to a line item or cut more from a line item, but you can't use the same line item twice.

MR. LUTZ:

I see.

D.P.O. LEVY:

You can't use an offset, the same offset twice.

MR. LUTZ:

Okay. So what --

D.P.O. LEVY:

But you can increase a certain line item or further decrease a certain line item.

MR. LUTZ:

So then there is means by which this Legislature can adjust our --

D.P.O. LEVY:

Yes.

MR. LUTZ:

-- our budget for 2001. Okay. That's what I was -- I'm relieved to hear that and I am appealing to the members of the Legislature to address our needs. They're significant to us. They are virtually insignificant to the budget. We're talking about I think \$1.9 billion and our drop in the bucket is hardly going to be felt. Nonetheless, we are going to be unable to do what we're required to if we're not provided with those resources. And with that, I thank you.

LEG. CARACAPPA:

Thank you.

LEG. FOLEY:

Lee. Lee, just as a follow-up. Not only can we amend this proposed budget, but we can also, during any given year within an operating budget at the Legislature on a quarterly basis can amend that

particular year's operating budget as well. The County Executive can do it at any particular meeting. So whether or not this particular resolution is approved today, we can always take a look at this again early next year to see whether or not, in fact, there are other areas where we can offset surplus monies in order to more fully fund your particular shop, so to speak; okay?

MR. LUTZ:

I appreciate that suggestion. I was aware that amendments can be made throughout the year. It was discussed at a meeting of the Board on Friday, and, of course, there was some reluctance, some nervousness having to do with the fact that we would not have the money going into the year that we would need, and that we may have to be back asking for

00021

more during the course of the year, which we, frankly, prefer not to do. We'd like to have an operating budget which will meet our needs. Nonetheless, if we must, we certainly will. And I thank you for the suggestion.

D.P.O. LEVY:

Last speaker, Joe Poerio.

MR. POERIO:

Good afternoon, Legislator Levy, and congratulations as well.

D.P.O. LEVY:

Thanks, Joe.

MR. POERIO:

I just want to continue. Joe asked me to just follow up on a couple of other items that he and I'll just make it as brief as possible. Just for the record, so that when Budget Review checks this out, he can check the numbers and references that we're making. Under DBA-49 Page 1 of 4, arbitrarily removing 75% of the proposed new positions in our budget does not make for good management and our needs for next year. Under DBA-50, Page 1 of 3, and 51, Page 1 of 2, there's a suggestion, instead of new positions, to reclassify positions, and the funding is reduced on that. Budget Review recommends using the reclass procedure and eliminate new positions where we would provide promotional opportunities and follow their recommendations. And with this initiative, you also ask that they approve to reduce reclass funding, so you're doing both.

Under DBA-52, Page 2 of 7, arbitrarily releasing travel -- I'm sorry. Arbitrarily reducing travel expenses, which are provided pursuant to the union contracts, and they're asking that that be reduced by 50%, whereas in the current year, we've already used up a higher amount than what was provided to us, and that was about \$14,500. So we would -- and these are the 32 cents a mile for employees traveling. This year we're at about 15,000 already and you're reducing that next year, the Budget Review is reducing that to 7,500, which is totally impossible. We really can't function that way.

And DBA-58, 1 of 2, Joe made the point I think before of, you know, using some of our 110 money to fund the ASPCA and taking that money from permanent salaries seems -- just seems inefficient and it's going to render a problem for us to pay our staff.

And, Mr. Levy, in your bill, one of your bills, DBA-66 and 69 and 74, you have in there \$50,000 to take from the salary line, \$50,000 for drinking water, also for the MacArthur noise study, \$50,000, and

\$100,000 to the Youth Bureau, and I'm sure that all these funds are warranted, but to take them away from --

D.P.O. LEVY:

They're not from you, Joe. That's turnover savings, that's not from your department.

00022

MR. POERIO:

There's a portion of it from our 110 money coming out of that.

D.P.O. LEVY:

I mean, it's a portion from every department throughout the County.

MR. POERIO:

Yeah, it's a portion from every department.

D.P.O. LEVY:

It's so insignificant, it's not worth mentioning.

MR. POERIO:

What we're saying, we're saying that, and it's just a point that we're making, that there might be other areas that might be better served to take the money from than take it from the salary line, which is just going to just end up short for every department including ours next year. And so those are the points I'd like to make. Thank you.

LEG. FOLEY:

Thank you.

D.P.O. LEVY:

Okay. That's our final speaker.

MS. ZACHARIA:

Excuse me. I put a card in.

D.P.O. LEVY:

Did you, ma'am. What's your name?

MS. ZACHARIA:

Marianne Zacharia.

D.P.O. LEVY:

Do you know what number you were?

MS. ZACHARIA:

Nine.

D.P.O. LEVY:

You're right, Marianne Zacharia. Sorry if we overlooked you or you weren't --

MS. ZACHARIA:

Okay. Good afternoon.

D.P.O. LEVY:

Good afternoon.

MS. ZACHARIA:

On behalf of -- my name is Marianne Zacharia. I am the Director of Education and Advocacy for the American Lung Association of Nassau/Suffolk. On behalf of the American Lung Association, I would like to reiterate our opposition to Resolution 810-2000, adopting a local law to ban purchase of tobacco products by minors. And although

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we appreciate the County Legislature's intention of preventing children from a lifelong addiction to nicotine, the American Lung Association of Nassau/Suffolk is adamantly opposed to this legislation.

As we have stated repeatedly, youth purchase and possession laws are an ineffective means of tobacco control. We stated our case to the County

Executive, Mr. Bob Gaffney, and he agreed with us. We are asking for the support of this Legislature to uphold that veto.

The American Lung Association would like to thank the Legislature for its support in enacting important tobacco control measures over these past years. The body has been very supportive in crafting strong clean air -- indoor air laws, restricting the marketing of tobacco products to minors by banning point of sale advertising in self-service displays, and by banning the sale of herbal cigarettes to minors.

These are proven effective tobacco control measures.

You have voted to earmark 20% of the County share of the tobacco settlement dollars for the development of a comprehensive tobacco education program following CDC Best Practice guidelines. The Suffolk County Department of Health is well on their way to implementing this plan and we look forward to working with them in this very important endeavor. I also look forward to working with this caring and proactive Legislature in the future to craft proven effective tobacco control legislation that we can all support, and we all need to work together to accomplish this goal.

I just wanted to make one comment about the Michael Cummings piece of paper that you all received. I would love to see a copy of that, because, as I recall, I think at the first meeting that we -- this particular piece of legislation was discussed, Michael Cummings did send down a statement from the Roswell Park Institute and he very much was clear, as far as his feelings were concerned, about opposing this type of legislation. So I would love to see that study, or whatever it is, because as far as we know, and everything that we've spoken to him in the past, he is against youth possession laws, as are all of the tobacco control advocates, as far as we know.

I would like to just also offer this -- Legislators a copy of our new calendar, which is "Don't Blow Smoke," and this is a poster contest that we run in the schools each year. We start with kindergarten, we go all the way through the 12th grade. These are the 12 top posters from the high school, the high schools in Nassau and Suffolk County, and I think that you'll really appreciate their talent and their art, and I hope that you'll hang it in all of your offices. So I'll be handing all these out to you.

D.P.O. LEVY:

Thank you. You can contact the Clerk, ma'am, for that information that you had requested; okay?

MS. ZACHARIA:

Okay. Thank you very much.

D.P.O. LEVY:

Thank you. That's the last of our speakers. If we have all the
00024

Legislators come into the horseshoe, we can proceed with the agenda.

LEG. CARACAPPA:

Does anybody else wish to be heard?

D.P.O. LEVY:

Anyone else want to be heard? Okay. Being none, let's move on.

Legislator Tonna, come forward, or we'll call a quick five-minute recess.

LEG. HALEY:

Five minutes.

LEG. LEVY:

All right. We'll call a five-minute recess and adjourn at quarter-after.

[THE MEETING WAS RECESSED AT 2:10 P.M. AND RESUMED AT 2:15 P.M.]

P.O. TONNA:

Roll call. Roll call.

(*Roll Called by Mr. Barton*)

LEG. CARACCIOLO:

Here.

LEG. GULDI:

(Not Present)

LEG. TOWLE:

Here.

LEG. CARACAPPA:

(Not Present)

LEG. FISHER:

(Not Present)

LEG. HALEY:

(Not Present)

LEG. FOLEY:

Present.

LEG. FIELDS:

Here.

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. CRECCA:

Here.

00025

LEG. D'ANDRE:

(Not Present)

LEG. BISHOP:

(Not Present)

LEG. POSTAL:

(Not Present)

LEG. BINDER:

Here.

LEG. COOPER:

(Not Present)

LEG. LEVY:

Here.

P.O. TONNA:

Here.

MR. BARTON:

We have ten present.

P.O. TONNA:

Okay.

LEG. COOPER:

Present.

P.O. TONNA:

We're going to start -- I would ask that, all Legislators, please come to the horseshoe. We have ten present and we should have 18 here right

now. We're going to start voting.

LEG. FOLEY:

Mr. Chairman, before we start voting --

P.O. TONNA:

Yes.

P.O. TONNA:

Could you, please, ask staff to get all Legislators to the horseshoe, please?

P.O. TONNA:

Yeah. Can we get everyone in? Ann Marie, could you just try to help whip some people in? Thank you.

Okay. Everyone has the special meeting notice, and we'll move on to consider Item Number 3, to consider the vote on I.R. 2072. Okay. I'd ask that Legal Counsel come in, also. Somehow we're losing Legislators, we're not gaining them.

00026

LEG. GULDI:

Mr. Chairman. Mr. Chairman. Mr. Presiding Officer.

P.O. TONNA:

Yes.

LEG. GULDI:

I'd like to be recognized for a second. I'd like to make a motion to -- I talked to Budget Review about this. One of the items that was deleted from omnibus was a stand-alone for \$45,000 for temporary sound barriers on the bridge on Route 105. I'd like that to be prepared, so it could be considered in due course, when we get to that point on the agenda, as a stand-alone. And I was informed I had to do that by motion, so I so move. I need a second.

LEG. FISHER:

Second.

P.O. TONNA:

Okay. There's a motion and a second for a stand-alone that adds \$45,000 for a sound barrier in Riverhead.

LEG. GULDI:

No. It's on the bridge between Southampton -- Route 105 Bridge between Southampton and Riverhead

P.O. TONNA:

Okay.

LEG. CARACCIOLO:

No.

P.O. TONNA:

Wait.

LEG. CARACCIOLO:

I'm not going to debate it now, Mr. Chairman.

P.O. TONNA:

Wait, wait, wait. There's a motion and a second --

LEG. GULDI:

To prepare the bill.

P.O. TONNA:

To prepare the bill.

LEG. GULDI:

Consider it later.

LEG. CARACCIOLO:

Okay. Just I'd like to put on the record, since this bridge tranverses the borderline between two towns, part of which is in my district and part of which is in Legislator Guldi's district, I'd like my colleagues to know that I and a number of local organizations, including Town Boards, have come out in opposition to this sound barrier.

00027

P.O. TONNA:

All right. Do you have a problem with them adding it to the agenda and then voting on it?

LEG. CARACCIOLO:

Well, if we want to do a vote up or down so we can put the issue to rest, I have no problem with that.

P.O. TONNA:

Okay. So there's a motion and a second. All in favor? Opposed? Fine.

MR. BARTON:

18.

P.O. TONNA:

Great. All right. Now let's go to Item Number 3, to consider and vote on I.R. 2072, 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 \$250 million tax anticipation notes of said County in anticipation of the collection of real estate taxes or assessments levied or to be levied by said County for the fiscal year commencing January 1st, 2001, and providing for other matters in connection therewith. Now you understand why I don't read the resolutions. Okay. I'll make a motion. Is there a second?

LEG. CRECCA:

Second.

LEG. GULDI:

Second.

P.O. TONNA:

Second, Legislator Crecca. All in favor? Opposed? Okay, approved. Number -- Item Number 4. I'm just going to read--

MR. BARTON:

17, 1 not present. (Not Present: Leg. Postal)

P.O. TONNA:

I.R. 2073 (Resolution authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, James Van Deinse, as Administrator of Estate of Patricia Van Deinse SCTM 0200-267.00-01.00-004.000). Is there a motion?

LEG. HALEY:

Motion.

P.O. TONNA:

Motion by Legislator Haley.

LEG. GULDI:

Second.

00028

P.O. TONNA:

Seconded by Legislator Guldi. All in favor? Opposed? Approved.

MR. BARTON:

17, 1 not present. (Not Present: Leg. Postal)

P.O. TONNA:

Okay. I.R. 1972 (Resolution authorizing Real Estate Division to acquire War Veterans Building in Lindenhurst). Is there a motion? Legislator Bishop, is there a motion?

LEG. BISHOP:

Yes, motion to approve.

LEG. GULDI:

Second.

P.O. TONNA:

Motion by Legislator Bishop, second by Legislator Guldi. All in favor? Opposed? Approved. Item Number 6 --

MR. BARTON:

17, 1 not present. (Not Present: Leg. Postal)

P.O. TONNA:

-- To consider and vote on the override of a veto for Resolution Number 810, local law to ban purchase of tobacco products by minors in Suffolk County.

LEG. FIELDS:

Motion to approve.

P.O. TONNA:

Motion to approve.

LEG. FOLEY:

Second.

LEG. GULDI:

Second.

P.O. TONNA:

Motion to override.

LEG. FOLEY:

Second the motion.

P.O. TONNA:

Second by Legislator Foley. Okay. Roll call.

(*Roll Called by Mr. Barton*)

LEG. FIELDS:

Yes.

00029

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Pass.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

No.

LEG. FISHER:

Yes.

LEG. HALEY:

No.

LEG. ALDEN:

No.

LEG. CARPENTER:

No.

LEG. CRECCA:

No.
LEG. D'ANDRE:
No.
LEG. BISHOP:
Yes.
LEG. POSTAL:
(Not Present)
LEG. BINDER:
No.
LEG. COOPER:
Yes.
LEG. LEVY:
Yes.
P.O. TONNA:
Yep.
LEG. CARACCIOLO:
This is the veto override?
MR. BARTON:
Veto override, yes.

00030

LEG. CARACCIOLO:
Yes.
MR. BARTON:
Ten. (Not Present: Leg. Postal)
P.O. TONNA:
Okay. Motion sustained. Okay. I.R. 2075.
LEG. BISHOP:
The veto is sustained.
LEG. CRECCA:
The override is sustained.
LEG. BISHOP:
The veto is.
P.O. TONNA:
What?
LEG. BISHOP:
The veto is sustained.
LEG. CRECCA:
The override is sustained.
LEG. BISHOP:
Veto is sustained.
LEG. CRECCA:
The motion failed.
P.O. TONNA:
Yeah, motion, or whatever. Okay. Thank you. The veto is sustained.
2075. Is there a motion? Okay. I'll read it. A charter law to
consolidate and streamline County personnel functions for most
cost-effective employee friendly services.
LEG. HALEY:
Just to be laid on the table?
LEG. CARACAPPA:
Just to be laid on the table.
LEG. GULDI:
Is this a motion to lay on the table or approve?

P.O. TONNA:
This is to be laid on the table.
LEG. GULDI:
Motion to lay on the table.

00031

MR. SABATINO:
And to set the public hearing.
LEG. FISHER:
Second.

P.O. TONNA:
And to set the --

MR. SABATINO:
Public hearing for November 21st.

P.O. TONNA:
Okay, for November 21st. You got that, Henry?

MR. BARTON:
Yes.

P.O. TONNA:
Okay. All in favor? Opposed? Approved. Okay. To be laid on the table
I.R. 2074 (A Charter Law to transfer Purchasing Division to County
Department of Public Works).

MR. SABATINO:
And set the public -- and to set the public hearing.

P.O. TONNA:
And to set the public hearing on November 21st.

LEG. GULDI:
Motion.

P.O. TONNA:
Motion, second. All in favor? Opposed? Approved.

LEG. TOWLE:
Opposed.

LEG. CARACAPPA:
Opposed.

P.O. TONNA:
Okay. Who's opposed?

LEG. CARACAPPA:
Fred and Caracappa.

P.O. TONNA:
Okay, Caracappa and Towle, right? Okay.

MR. BARTON:
16-2.

P.O. TONNA:
Great. Item Number 9, to be laid on the table I.R. 2077 (A Charter Law
to transfer management of the Francis S. Gabreski Airport to County

00032

Department of Economic Development), and to set the public hearing on
November 21st

LEG. GULDI:
Motion.

P.O. TONNA:
Motion, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:

Okay. Consider and vote to be laid on the table 2071 (Resolution amending the 2000 Capital Budget and Program by appropriating funds in connection with the purchase of refrigeration truck for the Suffolk County Sheriff's Office), and to be -- set the public hearing for November 21st.

MR. BARTON:

There is no public hearing.

P.O. TONNA:

Oh, there's no -- this is not a -- okay. This is not a Charter Law?

LEG. GULDI:

Motion.

P.O. TONNA:

Okay. Motion, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

Okay. I.R. 2079 (Appropriating funds for the construction of a Document Library in the County Clerk's Office), to be laid on table.

Is there a motion? I'll make the motion.

LEG. TOWLE:

Motion.

LEG. GULDI:

Second.

P.O. TONNA:

Seconded by Legislator Towle. All in favor? Opposed? Approved.

MR. BARTON:

18, laid on the table.

P.O. TONNA:

Laying on table I.R. 2078 (Authorizing the New York State Commission for the Blind and Visually Handicapped to Operate a Vending Facility at the H. Lee Dennison Building). I'll make a motion.

00033

LEG. GULDI:

Second.

P.O. TONNA:

Seconded by Legislator Towle. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

Okay. I don't have an I.R. Number here.

MR. SABATINO:

Yeah. There's no bill. You have to skip over this.

P.O. TONNA:

Okay. We're skipping it? Okay. All right. I.R. 2076, to be discharged -- if discharged from committee. What are we talking about here? I'm sorry.

MR. SABATINO:

You skipped 14.

P.O. TONNA:

14 I can't even read.

MR. SABATINO:

14.

P.O. TONNA:

All right. 14, 2076 (Resolution authorizing the issuance of a budget note). Is there a motion?

LEG. CRECCA:

Explanation.

LEG. FOLEY:

Explanation.

LEG. CRECCA:

Explanation. It was cut off.

LEG. GULDI:

Explanation from Counsel.

P.O. TONNA:

Okay. Authorizing the issuance of a budget note. Can we have an explanation, Fred?

MR. POLLERT:

The 2001 -- the 2000 Operating Budget exceeded available appropriations due to cost increases in the area of the Department of Social Services. It's on the mandated side of the budget. Because the estimated expenditures exceed available appropriations, there's no authority for the Comptroller to make the necessary payments to the State of New York. We contacted both the independent auditors and we

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contacted the State of New York. They both recommended that the appropriate mechanism is the authorization of a budget note. The budget note was drafted by our bond counsel, Tom Rothman, of Wilkie, Farr and Gallagher. The budget note will not be issued. There will be no borrowing. It merely gives the Comptroller the legal authority to expend part of the fund balance for mandated Social Services costs. It is a legal device to enable the Comptroller to make the required expenditures. There is, likewise, no property tax impact on Fiscal Year 2001, because it was included in the estimated budget.

LEG. CRECCA:

So this bill actually authorizes the issuance of the bond note itself, or is this to lay on the table?

MR. POLLERT:

No, it does not. What it does is it authorizes a budget note, but the budget note will never be issued by the Comptroller's Office. So it authorizes and creates appropriations, but no borrowing will take place.

MR. SABATINO:

In fact, Section 2 specifically prohibits or bans the actual issuance of the note. That's important, section 2 would ban that from happening.

LEG. CRECCA:

Thank you.

LEG. FOLEY:

So what's the reason? So then -- again, then --

LEG. ALDEN:

I have a question.

LEG. FOLEY:

What's the reason, then, for the budget note?

MR. SABATINO:

It's to authorize the appropriations, so that Medicaid expenditures for

the Year 2000 can be expended. In the absence of the appropriation, we'll have bills, but no ability to pay them. And it's on the mandated side of the budget; you have to pay those bills.

LEG. FOLEY:

All right. Just further, if I may, Mr. Chairman.

P.O. TONNA:

Yes.

LEG. FOLEY:

Could you give us some detail as to why there were overruns, or, let's say, overruns in the Medicaid area?

MR. POLLERT:

Yes. The 2000 Operating Budget included sufficient appropriations for what we believed would be the costs in Medicaid. However, there had

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been substantial increases in both Suffolk County, as well as across the State of New York in Medicaid. When the State budget was done, they had anticipated that there would be local cost increases of 3 to 4%. In fact, those increases came in substantially higher, in the neighborhood of 7 to 8%.

LEG. FOLEY:

Due to which programs within Medicaid?

MR. POLLERT:

It is --

MS. HOWE:

In particular, prescription drugs, some physician costs that were granted a retroactive increase. But it's the same thing that's been all national. We're mirroring national trends.

LEG. FOLEY:

Now, even though -- the question that some have asked in the past, even though the number of Social Service cases are reducing, you know, there's a reduction in the overall number of cases, let's say public assistance cases at Social Services, at the same time, you're telling us that there are actual increases in Medicaid. So while on the surface it may appear contradictory, how could we have a reduction in cases and have such a sharp increase in Medicaid costs?

MR. POLLERT:

Primarily, because the cases which we do have, which are those individuals that are in nursing homes, or that large prescription drug costs are driving the costs, there has not been a substantial decrease in the Medicaid cost load. The large decrease has been in the TANF caseload, which was the old public assistance caseload. So that has declined rather precipitously. However, that's highly funded by the State and Federal government, whereas the Medicaid costs that are tracking up are 100% County cost, actually 92% County cost.

LEG. FOLEY:

Is the State -- in other words, Fred, is the State shifting more costs of Medicaid onto the counties and the cities, is that what we're seeing?

MR. POLLERT:

There have been --

LEG. FOLEY:

Have they changed the formula that further burdens cities and county governments?

MR. POLLERT:

There have been large retroactive increases that have been granted by the State of New York.

LEG. FOLEY:

Now, what do we mean by large retroactive? Retroactive to how far back, and who was granted that, the administration, the Legislature, who?

00036

MR. POLLERT:

That I'm not sure of. We just became aware of the fact that there is a retroactive increase in one area of Medicaid, which will probably have a cost associated with it of 2 to \$ 3 million.

LEG. FOLEY:

Is there any way to challenge that particular retroactive measure?

MR. POLLERT:

That I don't know. I would have to defer to the Commissioner of Social Services.

LEG. FOLEY:

Mr. Chairman. Mr. Chairman.

P.O. TONNA:

Yes.

LEG. FOLEY:

Notwithstanding that we'll be voting on this today, I would respectfully recommend that at the next Social Service Committee meeting, that you have the Commissioner try to explain this increase. I don't recall that this increase was ever presented to the joint Health Services and Social Services Budget Committee meeting that was held the other week.

And Fred or James, do you recall, did the Department of Social Services make our committee aware of this at the Budget Committee meeting, that there was this huge increase? And did they, in fact, tell us what they're going to try to do to challenge the State in this particular area, particularly when it comes to retroactive decision-making?

MR. SPERO:

They informed the committee of the increases. As far as trying to challenge them, I mean, we're at the -- we're the creatures of the State. The State sends us a bill, we have to pay it. If we don't pay the bill, they withhold our sales tax revenues, so --

LEG. FOLEY:

So they get it one way or the other.

MR SPERO:

Yeah, yeah.

LEG. FOLEY:

Okay.

MR. SPERO:

There's not a lot of degrees of freedom vis-a-vis that -- this expenditure.

LEG. FOLEY:

So, just once again, it's an unfunded mandate that some years ago, there was a great hewn cry about unfunded mandates when there was a former Governor in place, but, suddenly, over the last number of years,

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we haven't heard the same outcry about it. But I think we need to

bring that issue back to the floor next year as part of the State Legislative agenda. I know that Legislator Levy will take up the cause in Albany on trying to cut back on unfunded mandates.

P.O. TONNA:

Okay. Anybody else? All right. There was a motion and a second. All in favor? Opposed? Approved.

MR. BARTON:

Who was -- who made the motion, Mr. Chairman?

P.O. TONNA:

I made the motion and Legislator Foley -- oh, Fisher seconded it.

LEG. D'ANDRE:

What number? What number?

P.O. TONNA:

That was number 14. Fifteen --

MR. BARTON:

18.

P.O. TONNA:

I.R. 2039 (Resolution to adopt the County Executive's recommended Operating Budget For Fiscal Year January 1, 2001 through December 31, 2001 for the County of Suffolk)

MR. SABATINO:

15 is a bill that would approve the County Executive's budget as submitted. It's listed on the agenda in the event --

P.O. TONNA:

Oh, no.

MR. SABATINO:

-- that it got discharged, but if it's not, you pass over it.

P.O. TONNA:

Okay. We're just going to pass over it then. This is the pass-over bill.

Okay. 16, I.R. 2040 (Budget Supplement No. 1 to the 2000/2001 recommended Suffolk County Operating Budget). Is there a motion?

MR. SABATINO:

No. 16 was --

P.O. TONNA:

Oh, the same thing.

MR. SABATINO:

Okay. 16 is Part 2 to 15, which would be --

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P.O. TONNA:

Okay.

MR. SABATINO:

-- if you want the supplemental portion that was proposed by the County Executive.

P.O. TONNA:

All right. We're up to now, if you go to your requested resolutions, amending the 2001 proposed Operating Budget, you're going to get a sense more of where we are on agenda issues.

LEG. BINDER:

Mr. Chairman.

P.O. TONNA:

Yes. Does -- there has to be a motion for the -- for this? Is there a motion first? There has to be a motion and a second.

LEG. BINDER:

On what?

P.O. TONNA:

On Number 2.

LEG. BINDER:

I'll make a motion.

P.O. TONNA:

Okay. Motion by -- motion by Legislator Binder. Is there a second?

LEG. LEVY:

Second.

LEG. BINDER:

On the motion.

P.O. TONNA:

Okay. I -- okay. On the motion, Legislator Binder. But who's the second?

LEG. BINDER:

Levy.

P.O. TONNA:

Who's the second?

LEG. BINDER:

Levy.

P.O. TONNA:

Steve, do you second it?

LEG. LEVY:

(Nodded head yes.)

00039

P.O. TONNA:

Okay. Binder/Levy. Okay, great. Go ahead, Allan.

LEG. BINDER:

Mr. Chairman, I have a statement. In 11 years, I haven't read a statement in the Legislature, but I'm going to do that today, and I respectfully -- respectfully ask the or beg the indulgence of my colleagues. Mr. Chairman, I'm here today at great expense. I'm also here under protest, because I strongly believe this meeting was called in violation of our rules through a clear abuse of power by the Presiding Officer. But the importance of dealing with the budget compels me to attend to represent my constituents. I am aware of Counsel's memo justifying the Presiding Officer's actions. It is a memo I consider self-serving, as Counsel aided in the abuse by the Presiding Officer. This memo needs to be addressed and refuted. Counsel first states the obvious, that Legislative rules are subordinate to local law, resolutions and Charter. This is where the accuracy and veracity of the memo ends. He next states that the schedule we adopted by resolution at the Organizational Meeting on January 3rd. A vote of this body was a sham. Why do I say that? Because Counsel states that resolutions stated -- the resolution stated, it was "Operating Budget only," he infers that we never really meant for that meeting to take place. It was supposedly our real intention to take up other items at the meeting. So the illogic goes, the notice sent out for that meeting could be for any meeting dealing with the 2001 Operating Budget. The problem with this is clear. There was a date attached to that meeting, November 6th, and the subject for that meeting we voted on, "Only the Operating Budget," that meeting by

resolution was a regularly scheduled meeting and falls under Rule 15. Under Rule 15-B, it would have taken a resolution of a Legislature to cancel or reschedule that meeting. I know it was canceled or rescheduled, because I came to the horseshoe on that morning of November 6th and the Presiding Officer was not present to start the meeting.

Further, Counsel is well aware that there is no charter law or resolution superseding Rule 15-B that allows cancellation or rescheduling of a regularly scheduled meeting.

Counsel's third point, the Charter requires amendments to be distributed at least two days preceding the date scheduled for the actual vote. Now this is a scheduled -- date scheduled for the actual vote on such budget amendment resolutions. You'll notice that his words in his own memo, where he uses those words, "the date scheduled," clearly -- clearly denotes that he said it was a scheduled meeting for the budget. He goes on to say that distribution of the amendment was not possible until November 6th. So you would believe that Counsel has a point. We couldn't meet the Charter's required two-day deadline, so we couldn't have the November 6th meeting. Unfortunately, Counsel just happens to leave out the rest of the Charter section out of his memorandum of law to the Presiding Officer. The three dots he puts in his memo should have informed him, his client, that the Charter Law allows him to waive the two-day requirement at the request of the Budget Director, where he determines that the deadline, meaning the Budget Director, determines the deadline cannot be met. Why didn't

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Counsel advise the Presiding Officer that this was an option?

At minimum, the Presiding Officer should have desired a public airing of the problem and allowed us the right to decide the best course of action, including the possibility of recessing the meeting to a later date. I don't know why we didn't meet in public, as we have in the past. In fact, in the past, I voted to recess the budget consideration meeting in 1995, because Mr. Tonna could not attend, and I felt it important he have the opportunity to represent his constituents. Counsel also does not discuss why the amendments were so late, so I will. According to answers to my questions by the Budget Director, members, including the Presiding Officer, were adding and changing amendments after the established cutoff date, which cutoff date Counsel knows is also mandated by that very same section of the Charter. In other words, the Presiding Officer violated a Charter-established cut-off date, causing the inability to meet the Charter's two-day requirement. So it is clear that the Presiding Officer had the power to waive the requirement and should have, since that he helped cause the lateness of the amendment distribution. It is also again clear that Counsel cites no rule or law superseding Rule 15-B that would allow a cancellation or a rescheduling of the meeting we voted on, even where, to quote Counsel, "Nothing was available or eligible for consideration."

Counsel's fourth point, Counsel states that the Administrative Code allows the Presiding Officer to schedule a special meeting, and that he -- that he met the requirements. That is true, but added -- but adding extra resolutions to a meeting notice does not supersede our vote on January 3rd scheduling the budget vote on November 6th. The

Presiding Officer could have within his power called a special meeting for all of the other resolutions that we just did today, other than budget consideration, on any day he chose. But not having the November 6th the meeting and reschedule -- and scheduling consideration of other resolutions with consideration of the budget does not create a special meeting allowing nullification of our vote on January 3rd. Also, the Presiding Officer's memo, dated October 24th, characterizes the meeting today as being "pushed back," and that's a quote, from the meeting of the November 6th. Now, "pushed back," I would think, is a euphemism for reschedule.

My colleagues, what happens on a regularly scheduled meeting date in the future? What if the Presiding Officer has something else he has to do, can he just ignore the date and change it to a new one by calling a special meeting? What about our votes, do they mean anything? Will we let the Presiding Officer, using a clearly self-serving legal memo, marginalize us as Legislators? What of the budget process? I believe the Presiding Officer has put the whole process in jeopardy. Anyone who is not satisfied with the process, in the public or otherwise, I believe could bring a legal action and nullify all of our actions we will take today on the budget. We've spent a lot of our time fighting to protect Legislative prerogatives against encroachment by the Executive. We should also be concerned about a threat from within. Let me just say on the -- specifically on Budget Amendment, Omnibus Amendment Number 2, I support it, I support a zero tax increase. I

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want to commend those who took the time, effort and energy to put it together. I note that the Governor of the state criticizes Nassau County for something in the realm of a 15% increase at a time when Nassau County is in crisis. And for us to have an increase when we're not in crisis I think in the same -- in the same vein is improper. So I would hope that members would support a zero tax increase and go forward with keeping our County strong. I think keeping taxes low always helps the economy of the jurisdiction where those taxes are kept to a minimum. Thank you.

P.O. TONNA:

Thank you, Legislator Binder.

LEG. FISHER:

Mr. Tonna.

P.O. TONNA:

Before -- yes. Legislator Fisher, before -- sorry. I just would like to ask, Fred, can you just give us an overview of Omnibus 1? You know, if you remember Ghostbusters, you know, when Bill Murray asks is this a good thing, is this a bad thing, you know, one of those type of things. Do we end the world as we know it doing this? I would ask that you juxtapose the Omnibus 1 to Omnibus 2, and if you also take into consideration what I think that Legislator Haley was so concerned about and passed a law about with regard to a two-year budget model. I'd like to here a little about the projection, if Omnibus 1 passes, what that does for us in year two. And then I have Legislator Fisher, Legislator Postal, you know, Legislator Caracciolo. Caracciolo. All right. Legislator Bishop. Anybody else?

LEG. ALDEN:

Alden.

P.O. TONNA:

Alden.

LEG. CRECCA:

Crecca.

P.O. TONNA:

Crecca. Okay.

LEG. CARPENTER:

Carpenter.

P.O. TONNA:

Fred. Carpenter. All right. Fred, your turn.

MR. POLLERT:

Budget Amendment Number 2 is the first omnibus which is --

P.O. TONNA:

Just one other thing, Legal Counsel, just -- I'm sorry. I just want to ask a question. By the way, just in -- you know, I don't want a lengthy response to Legislator Binder, but he mentioned a number of legal issues, and I just wanted to ask you, because you're our Legal

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Counsel, you know, what is your opinion of his articulation of the rules and law?

MR. SABATINO:

None of the points made today were persuasive. I stand by the memo I sent out. On Monday, the only relevant date is October -- I'm sorry, November 10th. We're in full compliance with that. Presiding Officer Tonna's memo of October 24th was a courtesy to all Legislators to give advance notice that we would be unable to complete the action on the 6th. Legislators were free to show up on the 6th. The problem was, if you showed up on the 6th, you'd be sitting here looking at each other, because under the Charter, there would have been nothing to vote. So this meeting is in full compliance with the law and will withstand any challenge made anywhere.

P.O. TONNA:

Thank you very much, Legal Counsel. Now back to Budget Review.

MR. POLLERT:

Budget Amendment Number 2 is the first omnibus which is before the Legislature. It deals exclusively with the discretionary portion of the budget. What the omnibus would do would be to reduce the proposed tax levy to approximately zero percent. In other words, the tax warrant for 2001 would be the same as it is for Fiscal Year 2000. It's accomplished through an increase in proposed revenues in the General Fund, as well as appropriation decreases in the Police District. The decrease in the warrant in the General Fund would be \$17.3 million. It's accomplished through adjusting revenues for both Fiscal Year 2000 estimated, as well as 2001 projected. The decrease in the Police District are associated with a variety of initiatives, which would primarily decrease appropriations. In total, the General Fund and the Police District would be reduced a total of \$36.4 million. There is no mandated component to this omnibus, as I had said. The primary differences between it and Resolutions Number 3 and 4, which are the mandated and discretionary omnibus amendments, deal with the fact that the first omnibus picks up the revenues. It does not make adjustments to sales tax, does not make adjustments to debt service, to the MTA accounts, and to a variety of other appropriation accounts throughout

the budget. Number two is the first omnibus does not include funding for any Legislative initiatives or cost to continue for Legislative initiatives that were funded last year.

What the impact on Fiscal Year 2002 would be, to the extent that the Police District would be unable to achieve the savings that are projected, they will then enter the 2002 fiscal year with no fund balance or a deficit, which would result in a substantial increase in the Police District property tax warrant for 2002. In our Operating Budget review, we had projected that for 2002, the cost of the arbitration settlement, together with the continuation of the funding on proposed police classes will result in approximately a \$30 million net increase for 2002. Adoption of this --

P.O. TONNA:

\$30 million, that's 3-0.

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MR. POLLERT:

Yes.

P.O. TONNA:

0-0-0-0-0-0. Okay.

MR. POLLERT:

For 2002. To the extent that \$19 million is reduced from the Police District, which they may or may not be able to accommodate, that will be exacerbated if there's a carry-over deficit into 2002.

P.O. TONNA:

Okay. Thank you, Fred. Legislator Fisher, and then, Legislator Postal, you're up.

LEG. FISHER:

Actually, my original question was Legislator Tonna's question, which was to ask Budget Review for a comparison. We have discussed this before, Fred, and your indication, and what I understood to be, was that the impact of this first omnibus would be felt more severely next year, that it would create a hole in the budget next year and would result in, although a zero tax increase this year, it would result in a great need to increase tax next year.

MR. POLLERT:

The impact is in two different areas. There is approximately a \$17 million cut in the warrant in the General Fund. The primary difference between --

P.O. TONNA:

I would just ask -- hold it one second. I'd ask every Legislator, beepers, phones, put them on vibrate, or we're going to have to get a sheriff in here to pistol-whip somebody; okay? Thank you.

LEG. FISHER:

Okay. Can you repeat that? A \$17 million cut in--

MR. POLLERT:

There's a \$17.2 million cut in the General Fund tax warrant. That tax cut is achieved by, for the most part, taking Budget Review Office recommendations to increase revenues and not taking companion recommendations to make adjustments to sales tax, as well as increasing appropriations for the debt service and for the overtime in the Probation Department, the State Training School, the fuel oil account and the MTA transfer. So what happens in the General Fund is the positive recommendations to increase the revenues for both 2000 and

2001 have been picked up, but no adjustments to backfill holes that we had identified in the budget takes place.

The impact on the General Fund will probably not be as egregious as the impact on the Police District, in part because the General Fund has a capability of pulling revenues back from the Police District for 2002.

The broader impact will be felt in 2002 in the Police District. There is a cut of approximately \$19 million in expenditures for 2001. To the extent that those cuts do not materialize, it will result in either a deficit or a zero fund balance for 2002 being carried over in the
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Police District. As a result, in all probability, there will be a very substantial increase in the Police District tax levy next year. The extent of the increase will probably be larger than the impact that was projected for 2001, which was about a 12% increase.

LEG. FISHER:

And with Omnibus 2, how would you respond to that question?

MR. POLLERT:

What Omnibus 2 does is it picks up a great number of revenue improvements recommended by the Budget Review Office, but it also brings down the projected sales tax estimate by about \$10 million. It restores funding for debt service and a few programmatic accounts, which we felt were under-budgeted, and it also provides continued funding for a variety of Legislative initiatives, which were begun last year, as well as a few new Legislative initiatives.

LEG. FISHER:

So, Fred, what would be the net difference in the Police District taxes next -- in 2002, then, if we adopt Omnibus 1 or Omnibus 2, what would be the --

LEG. HALEY:

No, Omnibus 2 and 3.

LEG. FISHER:

Omnibus 1 and 2. That's budget amendment.

MR. POLLERT:

Basically, taken --

LEG. FISHER:

It's Omnibus 1 and 2.

MR. POLLERT:

Basically, taken together, Omnibus Number 1, which is Budget Amendment Number 2, would reduce taxes in total by \$36.4 million from amounts proposed by the County Executive. Omnibus Number 3 and 4, which relate to both the mandated and discretionary side of the budget, would reduce the tax warrant by approximately \$17 million from amounts proposed by the County Executive. So --

LEG. FISHER:

That's in 2001.

MR. POLLERT:

That's in 2001. So, in effect, the first omnibus would have no tax increase for fiscal Year 2000. The Budget Amendments Number 3 and 4 would reduce the proposed tax increase by about 42% and would result in a 5.75% increase in the tax warrant for the General Fund and the Police District.

LEG. FISHER:

But I'm looking forward to 2002.

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MR. POLLERT:

2002, it's difficult to project, but clearly, the two omnibuses, Number 3 and 4, would better position the County to have a moderate tax increase in 2002, whereas Budget Amendment Number 1 will telegraph any shortfalls through into Fiscal Year 2002. So there would be a dramatically larger tax increase required if Budget Amendment Number 1 is adopted.

LEG. FISHER:

So we can extrapolate from what you've said that the net result, if we looked at 2001 and 2002, would be that by the end of 2002, Omnibus 1 would result in a greater tax increase, if we looked at a projection.

MR. POLLERT:

Yes. If look at this as a two-year time --

LEG. FISHER:

As a two-year time.

MR. POLLERT:

Right. Basically, it comes down to you're either going to raise a certain amount of taxes in 2001, or it's going to be postponed into 2002. There are some cuts which are made in Omnibus Number 1. There are some revenue increases which will moderate the tax impact in 2002. For the most part, those cuts and those reductions are also reflected in Omnibus Number 3 and 4. But the items which may or may not materialize, such as the Police overtime, which are included in Omnibus Number 1, may result in there being a carry-over deficit into 2002 in the Police District. So, just using that item by way of comparison, there is approximately a \$4 million reduction in overtime included in Omnibus Number 1, and the reduction is approximately \$3 million in the two other omnibuses taken together. So to the extent that the police cannot have a \$4 million reduction in overtime, there will be a shortfall which will cascade into the following year and require a tax increase.

LEG. FISHER:

Thank you. Thank you, Fred.

P.O. TONNA:

Okay. Thank you. Legislator Postal, you're next.

LEG. BINDER:

Put me on the list, Mr. Chairman.

P.O. TONNA:

Okay.

LEG. FOLEY:

Paul.

LEG. POSTAL:

With regard to Budget Amendment Number 2, Omnibus Number 1, I was here in 1988 when we went through the Operating Budget process for 1989, and I can tell you that the pain was extreme. And there are some similarities between what happened at that time and what had been done

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in preparing the 1988 Operating Budget and what's proposed in Omnibus Number 1. One very striking similarity was that for the 1988 Operating Budget, there was an assumption that sales tax growth would continue as it had, and that there would be two-digit growth in sales tax revenue. The 1988 Operating Budget made that assumption, and when we went into

the recession in the Fall of 1988, sales tax revenue dropped dramatically. It was dramatically below what was projected. And I think we all remember that with the tax warrant, there was 160% tax increase. And people had, truly had great difficulty paying their property taxes, particularly senior citizens who have to budget and who have to look into the future and can't deal with wild fluctuations. So not only did that put us in truly terrible position, but it also created a deficit that required all kinds of dramatic attempts to correct the situation. We had roll-back bills, we had cut-back bills. We eliminated the outreach in the health centers. We were short staffed in all our County Departments. People had to wait hours in County health centers to see a physician. Women could not get an appointment for the first three months of their pregnancies for prenatal visits at our health centers. We had to deal with that. Youth programs all over the County were cut. That's what we're looking at in the omnibus.

We know that when the County Executive prepared his budget, he only had the sales tax figures for the first half of this year. And on the other hand, when the Budget Review Office did an analysis of that budget, we had the third quarter figures, so that we had a more realistic picture of what we're likely to take in sales tax revenues next year. That's not corrected in Omnibus Number 1. And to fail to correct that says that, okay, we won't have a tax increase next year, but we're going to stick our heads in the sand and we're not going to look at the fact that we're not going to have the sales tax revenues to balance our budget that we'd like to have. We end up, if we approve this resolution, in doing Nassau County budgeting. We're heading down the road to the same kind of budget that's put Nassau County in a fiscal disaster.

At the end of that trail back in 1988 that we headed down by making that over-estimation for sales tax revenue, our bond rating was reduced dramatically. We know we've worked very hard to upgrade our bond rating. To pass this omnibus would move us back down the trail to having our bond rating reduced.

Now, furthermore, we just heard that if we go ahead with this, we're going to ask taxpayers to deal with a wild escalation in their property taxes in 2002. And I think that the most difficult thing for a homeowner to face is that wild fluctuation. And because of that, because we knew that, we made some commitments here within this Legislature that we were going to work as best we could to stabilize property taxes, so that we wouldn't have those wild reductions in increases based on when we were up for re-election and when we weren't up for re-election. This really flies in the face of that commitment that we made. It also flies in the face of truly responsible budgeting. Because, if I heard the Budget Review Office correctly, it seems to -- and in reading the resolution, it seems to have looked at kind of one side of a balance scale. It seems to have taken a whole bunch of reductions. For example, let's move the police classes back.

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That's fine, we reduce our costs. But it doesn't put on the other side of the balance scale the fact that that's going to increase police overtime. That's going to come about at the end of next year. That's one of the reasons that it would increase costs in the Police District

so dramatically and drive property taxes up, because it reduces the cost for police by moving back the class, but it doesn't balance it with the corresponding need for increased overtime. So it's a very one-sided budget. It's truly like trying to balance your budget at home by saying, "Well, I know I'm going to get a pay raise next year," when you don't know that that's a fact. And, also, talking about how you're going to make cuts in things like your heating bill when you might have to buy additional clothing and heavier blankets for the family to keep warm. That's exactly what this omnibus is doing. It also cuts positions. Now those positions are now vacant, but many of those positions were positions that we put into the budget, because we felt they needed to be filled. They were positions in departments like the CPS, Child Protective Services, or CSEB, Child Support Enforcement Bureau. We fought for those positions for a long, long time. It's not our intention not to fill them, we're hoping that they will be filled, but cutting them out eliminates all possibility of filling those positions, and that was -- those were all Legislative policies.

So that I think that people who vote for this budget are truly putting on blinders, refusing to look ahead, creating a potential deficit for this County, with an attendant drop in our bond rating, and also putting property taxpayers in the position of facing an enormous property tax hike in the Year 2002.

P.O. TONNA:

Thank you very much, Legislator Postal. Here-here. Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you. Legislator --

P.O. TONNA:

How do you pronounce in the old country? Do it again.

LEG. CARACCIOLO:

Caracciolo.

P.O. TONNA:

Caracciolo. I'm going to get that. All right.

LEG. CARACCIOLO:

Legislator Postal predates my tenure here by several years. But as I look around the horseshoe, Legislator D'Andre, Postal, Levy, Binder and myself are the only Legislators that went through a very difficult time in Suffolk County in the last decade, and that was in the early '90's when the former administration and the present administration had to deal with this County being in excess of \$100 million in deficit.

Nassau County, of course, is much higher. But I think it's important to relive a little history and to go to those people who with us were part of that process to take us from where we were to where we are.

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And to do that, I'd like to call on the Budget Director and maybe Legislative Counsel to just summarize some of the places Nassau County is today and the similarities as to where Suffolk County was just a decade ago, and what has changed primarily in this Legislative body to ensure that we don't revisit the past in that manner? So if I could ask Counsel, because he's always good with 25 words or less in making summarizations like that to just kind of capsulize, Paul, where we were, what we've done to ensure that we don't revisit the past in a

negative way, and structurally build into our budgeting practices that will once again find us in a situation similar to where Nassau County finds itself.

MR. SABATINO:

Well, the biggest thing is that we've institutionalized a lot of our budget practices. So, for example, the cap laws in and of themselves give you an immediate benchmark, which Nassau County does not have, so you're always measuring yourself against something objective and it has a constraining influence. The second thing is we've institutionalized things like Pay As You Go. It sounds like a small item, but that 5-25-5 Law that Legislator Bishop introduced years ago has eliminated a large part of debt service that otherwise would be incurred for -- you know, for items that really belong in the Operating Budget. Nassau County does the opposite, they borrow for operating expenses. We broke the budget by referendum into two separate budgets, which is a mandated and a discretionary. When you do that, you have much greater accountability, because you're able to see what you're actually in control of, those items that affect you directly in terms of what the Legislature can adopt.

The other thing you've done is, over the years, you've -- and Nassau County doesn't have that. The other thing you've done is over the years, you've gone with tax stabilization reserve funds. We've institutionalized those as well. They're part of our County Code. Each and every year, you try to fund at least some portion of that. Another thing you did was Legislator Haley a couple of years ago introduced legislation that provides for that two year-budget analysis, so that we're now looking on a two-year basis as opposed to a one-year basis.

Those are the kinds of things that we've actually, you know, institutionalized in terms of protecting the budget process, and I think to a large extent, that accounts for, you know, much of the great success that Suffolk's had versus Nassau County.

LEG. CARACCILO:

The structural imbalances like one-shot revenues, which Suffolk was famous for back in '90 and '91, you know, while there were people that proposed that we do things like refinance and lease out, the lease buy-back for the Dennison Building, all kinds of crazy things came to the floor. Why? Because elected officials were attempting to minimize tax increases. But, again, it's the old cliché that rang true, if you don't pay today, you're going to pay tomorrow, and that speaks to the point that Legislator Postal made.

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This is foolhardy budgeting if you go along with this budget amendment, because, simply, what will happen in year two, which is only, you know, from where we sit today, 11 months, actually 10 months before the next budget process starts for Operating Budget FY 2002 starts, the County Executive has no choice. He proposes budgets, it's the Legislative body that disposes of budgets. Legislators will be up for re-election that support this resolution and find themselves in the very difficult position of having passed on an opportunity this year to approve a budget amendment which follows this that has a very small increase, and the first increase, and this must be emphasized, the first property tax increase in County portion of property taxes in the last seven or eight

years.

Now, speaking from my perspective as one of two East End representatives, Legislator Guldi and I don't represent, or we do to a very small extent, the Police District, so we are pretty much unaffected by what is the major factor that will be increasing the Police District portion of County budget next year, a small tax increase. Now, again, we hear numbers, we hear percentages, and everybody I think around this horseshoe knows how I feel about percentages and how misleading they can be. When all is said and done, what the next budget amendment will do will increase the average property tax for the average homeowner in Suffolk County by just about 1%. Fred mentioned 5.75, that's just the County portion. Of total taxes, it's 1%, the first increase in the last seven years. We have decreased taxes. I'd like someone around this horseshoe to tell me what school district has cut taxes two years out of the last seven? What town government has cut taxes, their portion of taxes two years out of the last seven? And I can go on and on and on. We have been responsible. We have made sure that in the last five years, that we budget prudently and properly, and what has happened? It's resulted in a bond rating upgrade. The tangible benefits associated with that is that less debt service means less interest expense and less money that we have to raise through taxes for taxpayers to pay off debt. You know, we hear a lot at the federal level about deficit reduction. Yeah, they've done a good job. But you know how they did it? They did it with a tax increase, not once, but twice in the '90's. We've done it without tax increases. We deserve a lot more credit than is often acknowledged. And let's stop the chicanery and make sure that we continue down the road of prudent fiscal and responsible government. Thank you.

P.O. TONNA:

Thank you. Legislator Bishop.

LEG. BISHOP:

Thank you, Mr. Presiding Officer. I think my colleagues are speaking very eloquently, and I'll be brief in adding my perspective on this. But, actually, I'd like to begin with the perspective of Joseph Mason and Chad Farrington. I don't think anybody knows those names.

P.O. TONNA:

I know the name the Chad.

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LEG. BISHOP:

But they're very important to Suffolk County, because they're the analysts.

P.O. TONNA:

I watch Charlie Angels and I saw the name Chad.

MR. SABATINO:

They're two electors --

LEG. FOLEY:

Are they in the audience.

MR. SABATINO:

They're two electors in the Electoral College, right?

LEG. BISHOP:

I don't think they're in the audience. But they keep a very watchful eye on Suffolk County, because they work for Fitch Investment Services

and they rate this County's fiscal practices and produce a bond rating in accordance with that. So the taxpayers ultimately care very greatly about what Mr. Mason and Mr. Farrington think about Suffolk County. And in their most recent report, they noted that the County has benefitted from better cooperation between its elected officials. They note that our fiscal practices have been prudent. We use prudent budget forecasting and budget practices, we have a low level of debt. So we are being watched and we are being graded, and we have earned high grades over the years in our fiscal practices. The budget amendment that's being offered here is a monument to immediate gratification and it jeopardizes the good works that we have done over the years.

Legislator Postal eluded to this. This document is produced by our Budget Review Office. We know how hard they work on it. And what this document does, this Budget Review report, is it analyzes line by line in painstaking fashion the Suffolk County proposed budget, and it identifies areas where revenues can be achieved that weren't recognized in the County Executive's forecast, and it also details areas where expenditures are going to run above what the County Executive forecasts.

What the budget amendment that you have before you does is it says, "All right, I believe everything the Budget Review Office says that's positive and easy, but I deny and close my eyes to everything that is difficult." So in this amendment, the authors are willing to recognize significant self-insurance fund reductions, significant turnover savings benefits, but they're not willing to recognize the fact that the sales tax revenue has been underestimated. What that means is if you adopt this resolution, you're adopting a structural deficit and you're jeopardizing the financial health of Suffolk County. Now, that would be easy to go back to your constituents and say we just went with what the County Executive said and he gave you this budget deficit. That would be easy, but it would be reckless. And we have worked very hard over the years to be fiscally prudent, responsible, and we have reaped the benefits. We have produced less taxes in my town. The County property tax is today less than it was in 1983, because we've

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been prudent, and because we've been disciplined. If we do something like this, I guarantee you that in two years, or maybe even next year, we're going to have to have significant tax increases, all because we didn't want to take the tough vote in 2000.

So let's be responsible, let's do what our budget analysts say is the prudent thing. Let's live up to the analysis that the bond raters have given us, and let's be responsible Legislators and keep this County's fiscal health in order and not become like Nassau County, a laughing stock who ultimately hands the bill to its taxpayers.

P.O. TONNA:

Okay. Legislator Crecca?.

LEG. CRECCA:

Was I next?

P.O. TONNA:

Yep.

LEG. CRECCA:

Question for Fred. On Omnibus Number 1, how much does that cut Police

District total, if you know?

MR. POLLERT:

Yes. It cuts it by \$19.1 million.

LEG. CRECCA:

And how much does Omnibus, I guess it's 2, or I guess Budget Amendment 3 and 4 cut the Police District?

MR. POLLERT:

\$14.3 million.

LEG. CRECCA:

Where's the difference in the 5 million between the two, if you would?

MR. POLLERT:

The difference in the two is police overtime in Omnibus Number 1 is included as the amounts originally requested by the Police Commissioner. That's a cut of \$4 million as opposed to \$3 million in the other omnibuses. There is also a reduction of an additional \$2 million over the two other omnibuses. In the 110 costs, assuming that there will be more -- that there would be less backfill and the town --

P.O. TONNA:

I would ask again that everybody leave their cell phones on vibrate or shut them off. Thank you.

MR. POLLERT:

The town revenue sharing amounts are reduced in the amount of \$2.5 million, as opposed to \$1.3 million dollars in the other omnibuses. The town revenue sharing is reduced to the statutory amounts required by law. Those those are the primary differences.

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LEG. CRECCA:

You referred earlier to 2002. I guess that gives a \$30 million figure that we would be looking at in increased costs in the Police District. Just so I'm clear, whether we adopt one or two, those -- that 30 million is still there; correct?

MR. POLLERT:

That is correct. There should be an absolute increase of approximately \$30 million in the Police Department, general fund and Fund 15 associated with the arbitration award and the two hirings.

LEG. CRECCA:

Okay. The difference -- I guess the point that you were making before, I just want to be clear on it, that's all, is that the difference is, is that in Omnibus Number 2, there's more room that there may be a surplus at the end of the year, is that what you're saying, that may make up for that? I'm a little confused, because either way, we're going to have 30 million there, so --

MR. POLLERT:

That's correct. But what the difference is, is with Omnibus Number 1, there are specifically two actions, which may or may not come about, which may result in there being a shortfall. One action is increasing the amount of the overtime reduction to a \$4 million cut over what was recommended. The second action deals with further reducing the transfer in for permanent salaries by \$2 million. And, finally, there's a third category, which I forgot to mention previously, which is bringing down the contingency account by approximately \$2 million more than is included in the other omnibuses. The contingency account

is for both the Detectives and the SOA salary adjustments.

LEG. CRECCA:

Okay. The other question I have, again, I'm just trying to see some of the difference between the two bills, you said that there's a bulk of cuts or recommendations from Budget Review, either increased revenues or decreases in expenditures, that both -- that mirror each other in both bills. I know one huge difference is that Omnibus 1 fails to take in Budget Review's recommendations regarding the loss of sales tax revenues. That makes up for part of it. Where the other -- you said debt service is another part of it. How much is the debt service part?

MR. POLLERT:

There's approximately -- D4, D10, D42, M4, M6 and M8 -- hold on -- adds about \$3.3 million. Those are adjustments recommended by the Budget Review Office that deal with both the debt service account, it deals with the State Training School in the Probation Department, it deals with overtime in the Probation Department, it deals with -- hold on two seconds.

LEG. CRECCA:

I think -- I'm looking more for the number. I think I know what it deals with, you know, pretty much. I got the ball park figure, but it's 3.3.

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MR. POLLERT:

So that's approximately \$3.3 million. The adjustment to the sales tax is approximately \$10.8 million, which was made in the other two omnibuses, which is not made in the first omnibus.

LEG. CRECCA:

Okay. That's roughly 14 million difference between the two, when there's actually more of a 17 or 18 million dollar difference between the two. Are there -- I guess my point is are there Budget Review recommendations of cuts or increases in revenues that are not in Omnibus 2 that are in Omnibus 1? Does that --

MR. POLLERT:

Yes.

LEG. CRECCA:

Is that a clear question?

MR. POLLERT:

Omnibus Number 1, the amount of turnover savings was also doubled. There's currently \$4.2 million worth of turnover savings included in Omnibus Number 1, whereas the other two omnibuses only do \$2 million worth of turnover savings.

LEG. CRECCA:

What -- and is Budget Review still sticking by its original recommendation, that there's --

MR. POLLERT:

We had recommended the \$2.5 million net, which is what was included in Omnibus Number 2 and 3. In addition to that, there is approximately \$5 million in Omnibus Number 2 and 3, which deals with a continuation and/or restoration of Legislative initiatives.

LEG. CRECCA:

Are there any other that you can espouse off the top of your head between Budget Amendment 3 and 4 and Budget Amendment 2 of cuts or

revenue increases that Budget Review has recommended that are not in 3 and 4?

MR. POLLERT:

No, I believe that's it.

LEG. CRECCA:

Okay. The 5 million in Legislative initiative monies, what portion of the -- and I don't know if you can answer that, of the tax warrant is that, if you know? How does that affect --

MR. POLLERT:

It's very difficult to evaluate it in terms of just property tax warrant, but the \$5 million -- hold on. Would be -- a strange number on the computer. It's difficult to evaluate it just in terms of property tax levy, because it's supported with sales tax and a lot of other revenues. It's about 10% of the total levy. Excuse me. It's roughly 10% of the total warrant. But you really can't evaluate it that way. The \$5.3 dollars, the largest component of that goes to the
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Youth Bureau, approximately \$1.1 million, but --

LEG. CRECCA:

If you can't -- I mean, if you can't extrapolate that number, I understand.

MR. POLLERT:

Okay.

LEG. CRECCA:

I know that that was a difficult question. So I'm just trying to get a general picture. There are -- it would be safe to say that through the -- if we -- if, as a Legislature, we end up adopting Budget Amendment 3 and 4 as opposed to Budget Amendment Number 2, there would be still some room through the stand-alone provisions that are before us to possibly make further cuts; would that be correct?

MR. POLLERT:

That is correct. What would happen is when we handed out the index, you will notice that the index has in the extreme right-hand column if there are conflicts with the the omnibus resolution. When Resolution No. 2 and 4 are in brackets, it indicates that savings may have been taken in the omnibus, but it's -- but there would be no conflict to making further reductions. So, for example, Budget Amendment Number 5 would further reduce salaries in the Department of Audit and Control. There's no conflict, even though turnover savings have already been increased in the omnibus bill.

LEG. CRECCA:

I heard a comment earlier that Budget Amendment Number 2, that's Omnibus 1, cuts jobs out of the budget and I don't -- did that have the affect of cutting any of the County Executive's jobs out of the budget?

MR. POLLERT:

None of the omnibuses, neither Omnibus Number 1, 2 or 3 would remove any spots from the budget. What those omnibuses do is they adjust turnover savings, which reduce the amount of time that a spot can remain filled. So it's taking \$2 million out of what was budgeted in departments for the permanent salary accounts, but there were no spots that are taken out of the budget. There are two stand-alone resolutions, one of which takes out a portion of existing vacancies,

and there's another stand-alone which would take out a portion of all new spots which have been added to the budget, but none of those are included in any of the omnibuses.

LEG. CRECCA:

The difference in the turnover savings, as you're saying, that one is estimated that it will take longer to fill the positions, and one -- than the other one is, is that --

MR. POLLERT:

That is correct.

LEG. CRECCA:

Okay. Is there one that's more prudent of those two estimates or -- in
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your opinion, or Budget Review's opinion, I should say?

MR. POLLERT:

It was our recommendation that turnover savings could be increased by approximately \$2 1/2 million. That is the dollar amount which is taken out of Omnibus Number 2 and 3.

LEG. CRECCA:

That's the extent of my questions right now. I may come back a little bit later, if there's -- as I hear more debate.

P.O. TONNA:

Okay. Legislator Carpenter?

LEG. CARPENTER:

Earlier, someone questioned why we would have a tax increase when we're not in crisis. And I prefer to operate in a little bit better mode, more of a business-type mode where you plan for the future. And I think that Legislator Postal, in her very eloquent remarks, gave us all of the reason. She gave us the history. I think we would be foolhardy to repeat the mistakes of the past. That in '88, when they projected double-digit sales tax increases, they were then faced with an Operating Budget that produced 160% tax increase. When we hear our budget experts telling us that by proceeding along the path that we hope to proceed today, that we will better position the County. That to try to go along with the temptation to deliver yet another zero tax increase, we would be dramatically increasing taxes in 2002, that there'd be a carry over deficit in the Police District in 2002. These are the kinds of actions that brought Nassau County to where they are today, and we cannot do this to the residents of this County, to the seniors, especially, who are on fixed incomes and have to plan, and plan very, very carefully.

You know, Legislator Caracciolo said that we should look back at the history, and this is the same Legislature that chose to increase sales tax a quarter of a percent and promised to do it temporarily, and this is the same Legislature that rolled back that temporary sales tax increase. This is the the Legislative body that rolled back the sales tax on clothing, because this is something that our residents wanted. This is something that makes everyday living the kinds of things that people have to do day in and day out to provide for their families, it made it easier for their families. And for us now to have the courage to adopt a budget, a budget plan that will ask the residents of this County on a -- an average basis per household to invest \$30 over the course of the year in the future of this County I think is very, very good planning.

It would be very, very easy to say, and I know that it's not easy to take the courage, to take that road and say, "Yes, I'm going to propose that we modestly increase taxes, that we say to our residents that we feel \$30 over what was paid in their County taxes last year is what needed -- what is needed this year to ensure that we provide the services that our residents are expecting, to provide the kinds of Legislative initiatives we were provided for in the past to increase the funding that went into preventive programs for youth, to increase the funding for West Nile Virus, the kinds of things that this

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Legislature has done. But it would be easy to say, "No, let's have a zero tax increase, because I'm afraid that maybe when I run next year, there's going to be a campaign piece that says, "Oh, she voted to increase taxes," or, "He voted to increase taxes." Well, if that's going to happen, so be it. But I think when we raise our hands and we swear to uphold the Charter of this County and do the right thing for our County residents, we have to be brave enough to take the tough votes, we have to be brave enough to say this is the right thing to do. And I believe that to resist the temptation to take the easy way out and to go forward and adopt the recommendations that our Legislative Budget Review Office has very soundly put before us and to adopt the work that this Legislative body did in a very collegial bipartisan fashion to protect the interest of this tax -- of the taxpayers of this County is the right thing to do.

P.O. TONNA:

Thank you, Legislator Carpenter. Legislator Caracappa? Go ahead. Okay. Thank you.

LEG. CARACAPPA:

Thank you, Mr. Chairman. Many things that I was going to say have been said already a couple of times, so I will be brief in my comments. But, first, let me say that Legislator Postal's comments, Legislator Caracciolo and Legislator Bishop's and so on were so right on, and especially Legislator Postal's, with her -- with her experience and her expertise in this body. It couldn't have said -- it couldn't have been said better what we're facing this year and what we're facing in the upcoming years as it relates to our budgeting and how we're handling -- how we handle our budgeting. In what we're facing in.

It was also a pleasure for me to serve once again on the Omnibus Committee, a couple of years in a row now for me, in the fashion that we did, in a bipartisan fashion. It's being recognized not only within or by the members of this Legislature that it works, but it's also being viewed as by outside people that it works better than in most counties, and we know this to be absolutely true. It was done in a cordial fashion, as Legislator Carpenter said, and the bottom line is it works. Beyond it working, it was able to have myself and other members part of that committee focus on other parts of the County, other parts of the County that aren't in our districts, where there are programs that have been cut, where there are problems that need to be funded, and that it really got us a focus on those problems and kept us from being so provincial in our views when it comes to budgeting and doing our jobs.

Everything that was spoken about relating to the makeup of the budget, Omnibus 1 is basically a gimmick-type of budget. Omnibus 2 is a

fiscally responsible budget. It was also stated that it's a tough vote raising taxes. I think for us, as people who raise their hand and take an oath, the differences between these two amendments, the tougher one for me would be Omnibus 1, knowing exactly what position I was going to be put this County in fiscally, my constituents in fiscally, and the well-being of this County next year, the year after that, and the year after that. It would be easy, but for me, a lot tougher to raise my hand and vote for this one, as opposed to putting all the hard work in that we did as a committee, making the tough choices within that

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committee, and coming out with a solid budget amendment to be voted on here today.

I wholeheartedly endorse Omnibus 2, sponsored by Tonna, Bishop, Caracciolo, myself, Carpenter, D'Andre, Foley and Postal. It continues to lead us down the path of fiscal responsibility, and that's our job to your constituents, and I'll look forward to casting my vote for it, Mr. Chairman.

LEG. D'ANDRE:

Well said.

P.O. TONNA:

Thank you. Legislator Foley.

LEG. FOLEY:

Thank you, Mr. Chairman. Fred, I just want to go over some facts and figures for a moment. The General Fund increase is a zero increase in the General Fund under Omnibus 2; correct?

MR. POLLERT:

Actually, there's a slight decrease of \$2.6 million.

LEG. FOLEY:

Okay. And there's -- so the great preponderance of the great majority of the increase is in the Police District.

MR. POLLERT:

That is correct.

LEG. FOLEY:

Okay. Now, you mentioned also earlier that, about this issue, of a potential of carrying over a deficit in the Police District and the Police District budget. The way that you've mentioned it in the past, and some Legislators have said it here today, in your estimation, Budget Amendment Number 1,, does it create, if not the probability, the great possibility of creating a structural imbalance in the County budget, the first Omnibus Number 1?

MR. POLLERT:

Omnibus Number 1 will cause a substantial tax increase in Fiscal Year 2002 in the Police District, and may result in there also being a potential shortfall in the General Fund, which would require moving sales tax revenues from the Police District back to the General Fund in 2002. That would really exacerbate the tax increase that's projected in the Police District. So even though the General Fund might be able to accommodate the cut, it ultimately will all flow through to Police District.

LEG. FOLEY:

Okay. Now, also, just for reemphasis, the fact that Omnibus 2 takes care of the hole, if you will, that the proposed County Executive's budget has with regards to the sales tax, there was an overestimation

of about \$18 million, 10 to \$18 million in sales tax?

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MR. POLLERT:

Our estimates were that sales tax were overestimated by approximately \$11.5 million for both Fiscal Year 2000, as well as 2001, with a possibility that that shortfall could be even larger, depending upon what happens with the economy.

LEG. FOLEY:

Now, there's only one omnibus that, let's say, takes care or makes the necessary adjustments.

MR. POLLERT:

That's correct. That would be --

LEG. FOLEY:

And that's Omnibus 2.

MR. POLLERT:

Yes. Two and three taken --

LEG. FOLEY:

Two and three.

MR. POLLERT:

Yeah.

LEG. FOLEY:

Okay. Thank you.

D.P.O. LEVY:

I believe Legislator Haley is next, who's not here. I don't think we have a component of Legislators. Could we have Legislators come to the horseshoe, please. We don't have enough. Now we do. Okay.

P.O. TONNA:

Okay, that's it.

D.P.O. LEVY:

Legislator Haley is waiting to speak. If not, Legislator Alden is next.

P.O. TONNA:

No. That was --

LEG. ALDEN:

No. I'm just saying to count me as ten.

D.P.O. LEVY:

Yeah, now we have ten.

LEG. CRECCA:

But we have nine now, I think.

P.O. TONNA:

Okay. All Legislators, please come to the horseshoe. We're going to cast the vote.

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LEG. CRECCA:

We have ten.

P.O. TONNA:

Okay. All Legislators, please come to the horseshoe.

LEG. ALDEN:

We're ready to vote?

P.O. TONNA:

We're ready to vote?

LEG. CRECCA:

Mr. Tonna? Presiding Officer.

P.O. TONNA:

Yes.

LEG. CRECCA:

If I can just make -- add just a couple comments.

P.O. TONNA:

Do you want -- you want to be recognized. Legislator Crecca.

LEG. CRECCA:

Thank you. I just want to comment again. There's been a lot of talk about Omnibus 1, Omnibus 2. I don't think it's -- it's public knowledge that I was one of the authors of Omnibus 1, so --

LEG. HALEY:

That's the rogue omnibus. I gave it that title.

LEG. CRECCA:

Yeah. But I just want to make a couple of comments about it. While I'm not -- I'll be the first one to admit now, and that's one of the reasons my name is not on it now, that it has some shortcomings in it. There's no question about that. I think probably the most difficult part of Omnibus 1 was the failure to recognize some of Budget Review's recommendations regarding the sales tax projections, revenue projections for 2000 and 2001. But let's also keep in mind, folks, too, that throughout this process, while that bill may or may not ultimately prevail, it did help influence this process. I think the Legislature as a whole has to be commended for the hard work they did to get us down from what was originally a blended proposed rate of near 12%. There was talk about 7 or 8%. Now we're, you know, looking at what is 5 3/4%. So I just want to say that through the process, we have gotten it down to 5 3/4%.

I do want to urge my fellow Legislators that if Omnibus 3 and 4 -- I'm sorry, Budget Amendment 3 and 4 are adopted, I do believe that there are some additional cuts, I'm not saying every single one of the stand-alones is a valid cut, I'm not saying everyone of the stand-alones should be adopted, those that cut, but I think we do have a responsibility to look at each one of those individually, and I think there are places where we can make some additional cuts, especially in a year when we want to make sure we're being as prudent as possible.

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If we're going to have to go with a tax increase, that we make sure it's as minimal as possible. So I'm just, you know, urging my fellow Legislators to really -- should Omnibus 1 fail and Omnibus 2 pass, let's just take a close look and see which ones of those other cuts might warrant support and which ones might not.

P.O. TONNA:

Legislator Haley.

LEG. HALEY:

Thank you. Fred, quick question. What is the affect of \$200,000 on that tax rate, combined tax rate increase? Just curious.

MR. POLLERT:

It's approximately 36 cents to the average homeowner.

LEG. HALEY:

Thank you. Another question. Let's take the three scenarios that we've talked about. We've talked about the County Executive's proposed budget and his two additional resolutions, which I think would approximate a little over 11% combined rate, or is that closer to 12?

MR. POLLERT:

There was a 12% increase in the Police District, 12.42. On a blended basis, it was 10.72.

LEG. HALEY:

Okay. Let's stick with blended when we're talking. So 10.72 versus Budget Amendment 2, which is a zero percent blended; correct?

MR. POLLERT:

Right.

LEG. HALEY:

Versus the Omnibus Budget Amendment 3 and 4, which is a combined 5.75.

MR. POLLERT:

That's correct.

LEG. HALEY:

All right. So it goes -- we got zero, 5.75, 10.72. In the interest -- and I am glad that everybody's finally, finally accepted that we have to look at multi-year financing, we have to look down the road at least 24 months ahead of time. I'm curious to know that all things being equal, because that's -- sometimes that's the only way you could look at things when you look to the future, I'm curious as to what a zero percent might equate to in a combined rate in 2002, 5.75 might equate to for a combined rate in 2002, and what 10.72 might equate to in the the Year 2002 on a blended rate. Do you have any idea what that might be?

LEG. BISHOP:

What does that mean?

LEG. CRECCA:

Legislator Haley, just for clarification, you're talking about what the
00061

tax warrant will be? In other words, what the tax --

LEG. HALEY:

Well, the tax warrant, you can derive the rate out of the tax warrant, yeah.

MR. POLLERT:

We didn't look at it that way. That would take a few minutes to work out. Needless to say, to the extent that you don't have revenues this year to cover reoccurring expenses, you're going to cascade whatever shortfall occurs this year into next year. So it's not just a --

LEG. HALEY:

Let me -- let me -- you could probably give your judgment here. Let's say, for instance, that 10.72% might equate to 5% in 2002, whereas maybe a 5.75% now might equate to a 10% increase, we'll say, you know, give or take a little bit. I think we're talking -- would you say it's safe to say that if we were talking over a two-year span a combined total of approximately 15% tax rate increase, that whether you do it 10.72% now versus 5% next year, or vice versa, is that much of a difference?

MR. POLLERT:

In the abstract, yes. In reality, though, the adoption of the omnibus cuts some expenses that won't be reoccurring. So, for instance, there are a variety of initiatives in the omnibus, particularly in the Police Department, that will, hopefully, reduce costs in future years, so that the omnibus includes a hiring of two police classes. Their salaries are going to be required to be budgeted all of next year, but,

hopefully, it will have a positive benefit on what the overtime is. So you're correct, if you lower costs in some areas this year, you will have higher costs next year. But, hopefully, the omnibus was very selective on what it reduced, so that you won't have a bounce-up of costs in the following year.

LEG. HALEY:

I certainly understand the need for increasing taxes when we've already -- you know we've reduced the quarter cent sales tax, we reduced sales tax on clothing. We know that our expenses are going up, the County is growing. It was coming. We knew that three, four years ago. I remember you and I talking about that, Fred.

MR. POLLERT:

Yes.

LEG. HALEY:

When we talk about the idea of easing the pain across two years, that's why I'm concerned. You know, if we're going to reduce down to 5.75, my suspicion is that we're going to be looking at an above 10% tax increase in, 2002 knowing full well what's going to happen in the Police District, plus what we make do on the discretionary side, or I should say the General Fund. And so the question is, is if you're willing to take do 5.75 this year, are you going to be willing to do possibly 10% or more next year, versus conversely is taking a little bit more of that bite this year and less of a bite next year? Or maybe making it equal. You know, I mean, we have to start thinking about

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those types of things, because if we can't project, I mean, it's real easy for us to cut down the 5.75, but that puts -- may put us in a precarious position for next year. Is that assessment -- I mean, how do you see us on the 5.75% blended, how do you see that for next year? I'm projecting a 10% increase in next year called for in the Police District.

MR. POLLERT:

That's correct. That was what we had forecast for the Police District when we did our Operating Budget report, because of the cost of the two classes and because of the arbitration. We can forecast what's going on in the Police Department with a lot of accuracy because it is primarily personnel driven. What the wild cards are is what's going to happen with Medicaid. And to the extent that Medicaid continues to track up at these tremendous rates, it may be necessary to pull some of the sales tax back from the Police District. That would in turn result in a larger than a 10% increase.

LEG. HALEY:

I just bring this up, because I think perhaps there's time to move another step closer to two-year budgeting for this County. Thank you, Mr. Chairman.

P.O. TONNA:

Okay. Legislator Alden?

LEG. ALDEN:

Freddy, I have just a couple of questions on -- 1999, what was the sales tax revenues?

MR. POLLERT:

Across all funds, it's \$729 million.

LEG. ALDEN:

Okay. And how much did they grow between 1999 and 2000?

MR. POLLERT:

It grew by approximately \$60 million. We had an unprecedented growth in 2000, so we went from \$729 million all funds to \$789 million all funds.

LEG. ALDEN:

And what's our projection as far as in 2001?

MR. POLLERT:

2001, the County Executive is projecting \$826 million. We believe that a more accurate estimate would be approximately \$824 million.

LEG. ALDEN:

And that -- it's got to be more than that.

MR. POLLERT:

No. He had projected \$826 million, we had projected \$814 million.

LEG. ALDEN:

So what's the growth between 2000 and 2001? That's -- and I know it's
00063

projected, but --

MR. POLLERT:

Slightly less than 5%.

LEG. ALDEN:

Less than 5%. And percentage-wise, what was this year's?

MR. POLLERT:

Hold on just one second. Roughly 8%.

LEG. ALDEN:

Eight percent?

MR. POLLERT:

Yes.

LEG. ALDEN:

That takes into consideration that we actually did away with the sales tax on clothing.

MR. POLLERT:

It does. Unbelievably, it does.

LEG. ALDEN:

So it still grew 8% over 1999.

MR. POLLERT:

That's correct.

LEG. ALDEN:

All right. Now, everything that we've done is based on assumptions; is that correct?

MR. POLLERT:

Yes.

LEG. ALDEN:

So, I mean, basically you're assuming that business is going to be as -- you know, we're doing business as usual next year and the year after, things like that, right?

MR. POLLERT:

Well, currently what we are forecasting, when we did our forecasting, felt that sales tax was overbudgeted by approximately \$11 million in 2000, and an additional \$11 million in 2001. We had looked for slowing in the economy. We feel that the economy is going to slow for the fourth quarter of this year, and that the projected 10% growth over the fourth quarter of last year is not attainable. We believe that the

sales tax will continue at about 5% next year.

LEG. ALDEN:

I'm glad you brought up the economy, because that's really my last point. Isn't it one of the, I guess, a basic tenant, that one way you can either slow economy, cool off an economy, or actually put a crimp in spending is to raise taxes?

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MR. POLLERT:

Yes, there is an impact on the economy to the extent that taxes go up.

LEG. ALDEN:

So when government puts their hands in people's pockets, the deeper they go in there, the more of an impact they can make in the economy; is that correct?

MR. POLLERT:

That's correct.

LEG. ALDEN:

Okay. And I just would offer this as like one of the last little comments that I have, that when we put our hands in people's pockets -- and, actually Angie Carpenter, Legislator Carpenter talked before about courage. True courage to me is what guys like the Corrections Officers and other law enforcement guys do on a daily basis. But aside from that, courage isn't going and taking an easy way out and raising taxes, courage to me is having the guts to conduct business and in your government and conduct government as a business, that's true courage. And by taking more and more money out of everybody's pocket, we almost ensure that we're going to end prosperous times for our constituents.

P.O. TONNA:

Legislator Bishop -- oh, Caracciolo, then Bishop. Or, Bishop, you want to go first?

LEG. CARACCIOLO:

Go ahead, Dave.

LEG. BISHOP:

If I may.

P.O. TONNA:

Okay.

LEG. BISHOP:

I just want to know, since we're speaking about true courage, what courageous cuts are you offering to get us to the no taxation level?

LEG. ALDEN:

You're asking me specifically?

LEG. BISHOP:

Yes, if you may, if you can.

LEG. ALDEN:

The Legislative body, as you well know, does not manage the government, there's an Executive Branch that manages the government. So the answer to that lies in the Executive Branch.

P.O. TONNA:

Okay.

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LEG. CARACCIOLO:

Mr. Chairman.

P.O. TONNA:

Legislator Caracciolo.

LEG. CARACCIOLO:

I'd like to pick up on the last point, not on his last statement, but the statement before the question that Legislator Bishop raised to Legislator Cameron.

LEG. ALDEN:

Alden.

LEG. CARACCIOLO:

And the last --

LEG. ALDEN:

Alden.

LEG. CARACCIOLO:

The last -- I'm sorry, Cameron Alden. The last sentence, he mentioned the word "prosperity". Well, anybody who follows the national economy knows that the national economy is starting to cool, and it would be irresponsible for us to expect that sales tax growth rates are going to continue as they have. It would be foolish to us to not anticipate what we know based on the arbitration award, salary adjustments that will come to other County employees and other police personnel. It would be foolish of us to not take note that there has been a tremendous spike, an increase in Medicaid costs, costs that we have little to no control over. And it's not about County government managing those costs, the national government and state government can't get a handle on health care costs. It's one of the single largest factors that drives interest -- not interest rates, but the inflation rate -- inflationary rate. That said, GDP is down from a 6 to 7% percent growth rate last December to, as we approach this December, it's down, based on current forecast, to about 3%. So things are cooling down. Some economists predict a soft landing, some predict worse, some predict better. No one really knows. We've had in the Finance Committee presentations by economists. Our own Budget staff has an economist on staff. It's a very fluid situation. But to go down the path, a path that we visited ten years ago, of irresponsibility makes no sense whatsoever.

When you build into the budget adoption process structural imbalances, then you are only waiting for the probability, not possibility, as Legislator Foley said, the probability that the next time around, some 12 months from now, Legislators will be sitting here the day before, the day after Election Day, it won't matter, because when the Executive proposes his budget, he'll have no choice and no flexibility in proposing, if we adopt this budget amendment, a tax increase that would be substantially more than the one that's before us today. And to put the one that's before us today in its proper context, because, as the Presiding Officer and Legislator Fields noted, when I heard percentages being bantered about, I get really worked up, because they are misleading the public of this County when any media organization

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publishes a percentage increase. Tell the people the truth. And right now, I'd like for those who are present to know, and for those that read and perhaps are listening to this discussion right now, following us on the internet, since we're live, what the numbers are. Fred, town by town, please, Budget Amendment 3 and 4.

P.O. TONNA:

We'll do that -- we can do that in the next one.

LEG. CARACCIOLO:

Well, I'd like -- no. It's important, so that people know what a zero irresponsible budget amendment provides, present and future, as well as what the alternative is. Let's put it clearly on the record. So, Fred, town by town, Budget Amendment 3 and 4, if adopted, what are the town-by-town tax increases for the average homeowner in Suffolk County? To get percentages, let's talk dollars and cents.

P.O. TONNA:

We have it, right? Is this the document in front of us, Fred?

LEG. CARACCIOLO:

No, no, no, that's not it, Paul.

P.O. TONNA:

I didn't think so.

LEG. CARACCIOLO:

That's not it. You don't have it, at least I don't have it. And this is something I've only requested for the last three weeks, so --

LEG. FOLEY:

Four weeks.

LEG. CARACCIOLO:

Four weeks. Brian, thank you. I don't have it, which means the media won't have it, and tomorrow's story will be 5.75 instead of \$32, \$28, \$48, etcetera.

LEG. BISHOP:

Tomorrow's story will be about the Presidential election, I'm afraid.

P.O. TONNA:

This is your big day. This is your big day. All right. Let's hear -- -- let's go by the numbers. Let's go to the videotape.

MR. POLLERT:

We left it in Hauppauge, but we're going to call it up on the machine.

LEG. CARACCIOLO:

Fred, I don't understand this. As --

P.O. TONNA:

Okay.

MR. POLLERT:

No. What we had done is we had -- what is attached is the Melvins,
00067

which were attached to the back of each of the budget amendments --

P.O. TONNA:

How did he get Melvin? That's what I want to know.

MR. POLLERT:

It's his middle name.

P.O. TONNA:

Who's the name -- who's Melvin?

MR. POLLERT:

It's Robert's middle name.

P.O. TONNA:

All right, go ahead.

MR. POLLERT:

The fiscal impact --

MR. LIPP:

You asked.

MR. POLLERT:

You can't make this up. The fiscal impact, which is attached to each

of the resolutions, has the fiscal impact from what was proposed by the County Executive. So the net impact on Resolution 3 and 4 --

LEG. CARACCIOLO:

Fred, stop.

MR. POLLERT:

Yes.

LEG. CARACCIOLO:

Because now you're talking like Greenspan and people don't understand what you're saying. All right? Let's talk something that people do understand. If I live in the Town of Babylon, what is my average tax increase under Budget Amendment 3 and 4?

MR. POLLERT:

We're going to get that off the computer. We did leave that in Hauppauge.

LEG. CARACCIOLO:

Yeah. My recollection is, based on something you faxed me two weeks ago, it's somewhere in the area of about \$35.

LEG. FOLEY:

Actually less now, it's less.

LEG. CARACCIOLO:

It's actually less now. That --

LEG. FOLEY:

Then it was 7%.

00068

MR. POLLERT:

Yes, it would be less than that.

LEG. CARACCIOLO:

That's right. Let me ask -- let me ask this question.

P.O. TONNA:

Okay. All right. Guys, why while we're doing it, because we're going to have to wait for that information, you know, Fred --

LEG. CARACCIOLO:

Okay.

P.O. TONNA:

I know it's important.

LEG. CARACCIOLO:

It's important. Let me ask Legislator Bishop --

P.O. TONNA:

Are you getting that now as we speak via internet telecommunication or --

LEG. FISHER:

Satellite.

P.O. TONNA:

Satellite?

LEG. CARACCIOLO:

Let me ask Legislator Bishop or Postal, representatives from the Town of Babylon, and they have nothing to do with Town government, and I want to make that clear, but in the Town of Babylon, there is a proposed budget. I don't know, has it been adopted yet?

LEG. POSTAL:

He's the Minority Leader, he'll answer it.

P.O. TONNA:

We don't want to talk -- you mean the 40% increase? No. We're not

talking percentages.

LEG. CARACCIOLO:

Well, I don't know what 40% means. It might only mean \$10, I don't know. What is a 30 or 40% --

P.O. TONNA:

I guarantee you that the Babylon taxes are not \$40.

LEG. CARACCIOLO:

Dave, do you have a sense of what they may go up, just town?

P.O. TONNA:

Can I make a -- can I make a suggestion?

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LEG. CARACCIOLO:

Don't try to act like a referee, I want the answer.

P.O. TONNA:

Okay. No. Can I make a suggestion? Can I make a suggestion that we vote on this and we'll get back to it in Omnibus 2 and 3.

LEG. CARACCIOLO:

Fine.

P.O. TONNA:

Or 3 and 4? Okay?

LEG. CARACCIOLO:

All right.

LEG. CARPENTER:

Yeah, especially after we adopt the --

P.O. TONNA:

All right.

LEG. CARPENTER:

-- the other further reductions.

P.O. TONNA:

Let us vote on this resolution and then we'll come back to you.

LEG. CARACCIOLO:

Okay. But --

P.O. TONNA:

I promise that I will give you a hearing.

LEG. CARACCIOLO:

Thank you.

P.O. TONNA:

And I just want to speak to the bureaucratic end of the Legislative Budget Review. There's an old Boy Scout -- be prepared. All right with Legislator Caracciolo as the Chairman of Finance, be prepared.

Okay. Let's go on.

LEG. CARACCIOLO:

Final question.

P.O. TONNA:

Is that your final answer?

LEG. CARACCIOLO:

Legislator Haley tried to go there, didn't quite get the answer, neither did I, neither did we, so maybe we can get a better sense. And I know there are a lot of variables when you project out beyond next year's budget to 2001. But, Fred, based on what we do know about Police District expenses for Year 2001, and assuming that there will be salary adjustments with the bargaining units that have yet to settle,

00070

what would you estimate Police District tax increases, if we adopt Budget Amendment 2 today, would be -- would look like a year from now?

MR. POLLERT:

Approximately \$30 million.

LEG. CARACCIOLO:

And in terms of a tax increase, since we're using percentages, because we don't have dollars, what kind of a percentage tax increase would that be?

MR. POLLERT:

Slightly less than 10%. In the neighborhood of somewhere in the neighborhood of 8 to 9%.

LEG. CARACCIOLO:

So the old adage, Mr. Chairman, you pay now or you pay later, and the trouble is, when you pay later, you always pay more.

P.O. TONNA:

Right. Thank you very much. Okay. Let's -- I'd ask, all Legislators, please come to the horseshoe so that we can vote on this important budget amendment. Okay. There is a motion by Legislator Binder and a second by Legislator Levy. Roll call.

LEG. D'ANDRE:

On what are we voting on?

P.O. TONNA:

This is the bad budget, Mike.

LEG. ALDEN:

Mike. Mike, this is the one that does not raise taxes for your constituents.

P.O. TONNA:

All right, go ahead.

LEG. CARACAPPA:

This year.

P.O. TONNA:

Go ahead.

(*Roll Called by Mr. Barton*)

LEG. BINDER:

Yes.

LEG. LEVY:

Yes.

LEG. CARACCIOLO:

No.

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LEG. GULDI:

No.

LEG. TOWLE:

(Not Present)

LEG. CARACAPPA:

No.

LEG. FISHER:

No.

LEG. HALEY:

Pass.

LEG. FOLEY:

No.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Abstain.

LEG. CRECCA:

Pass.

LEG. D'ANDRE:

No.

LEG. BISHOP:

No.

LEG. POSTAL:

No.

LEG. COOPER:

Yes.

LEG. TONNA:

Pass.

LEG. TOWLE:

(Not Present)

LEG. HALEY:

Abstain.

LEG. CRECCA:

Yes.

P.O. TONNA:

I'm going to make a motion to table subject to call.

00072

LEG. CARACAPPA:

Second.

LEG. GULDI:

Second.

P.O. TONNA:

Thank you, Legislator Caracappa. Motion to table subject to call.

LEG. BINDER:

On the motion.

P.O. TONNA:

Second by Legislator --

LEG. ALDEN:

Opposed.

LEG. BINDER:

On the motion.

LEG. BISHOP:

But why are you thinking of --

LEG. ALDEN:

Opposed.

LEG. BISHOP:

Mr. Chairman, why would you do that?

LEG. ALDEN:

This is ridiculous.

LEG. BINDER:

On the motion.

LEG. BISHOP:

I would urge my colleagues to oppose that. It's defeated, let it go down.

P.O. TONNA:
All right. You know what, I'll withdraw my motion, and I'm a no on the budget.

MR. BARTON:

No, okay.

P.O. TONNA:

Amendment.

MR. BARTON:

Six. (Not Present: Leg. Towle)

P.O. TONNA:

Okay. I make a motion to -- oh, he did, he said six, Paul.

00073

MR. SABATINO:

Oh, he did.

P.O. TONNA:

Yeah. Okay. I make a motion to approve --

LEG. POSTAL:

Second.

P.O. TONNA:

-- Budget Amendment 3. Do we do 3 and then 4 separately?

MR. SABATINO:

Separately.

MR. POLLERT:

Yes.

P.O. TONNA:

Okay. Seconded by Legislator Postal.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

Yep.

LEG. CARACCIOLO:

Do we have the information?

P.O. TONNA:

Okay. I don't think so. We'll get back to it somehow.

LEG. ALDEN:

Motion to table subject to call.

P.O. TONNA:

Okay. There's a motion to table subject to call?

LEG. ALDEN:

No. I withdraw that.

P.O. TONNA:

Okay.

LEG. CARACCIOLO:

Mr. Chairman, wait a minute.

MR. POLLERT:

It's an average increase of \$30. We're still working on the town-by-town.

P.O. TONNA:

Okay.

00074

MR. POLLERT:

We did prepare that, it's just we did leave it in Hauppauge. We brought in cartons of papers, but the wrong --

P.O. TONNA:

Right. You know, Fred, there is no going -- there's not going to be any living this down, I want you to know that. I've got the wet noodle in the back, I am definitely going to beat you with that.

LEG. CARACCIOLO:

Mr. Chairman, I would just note --

P.O. TONNA:

I just --

LEG. CARACCIOLO:

I would just note that based on that information of approximately \$30 tax increase for the average homeowner in Suffolk County, the first tax, property tax increase in seven years, that anyone who feels that that's not responsible government by giving them the services they deserve is not responsibly acting on their behalf.

P.O. TONNA:

I'd like to just take two minutes, first of all, to go through Budget Amendment Number 3 and Number 4 for a second. The very first thing I want to do, as the Presiding Officer, and this is, obviously, my first budget process with regard to being Presiding Officer, I wanted to thank Legislator Postal, Legislator Bishop, Legislator Foley, Legislator Caracappa, Legislator Caracciolo, Legislator Alden, and Legislator Carpenter for their work on the Omnibus Committee. It took up a lot of time. I would have to say that for me and being involved in the Omnibus Committee, I think each of the seven years that I've been a Legislator, I would have to say that it's just -- it was amazing when people sat down. First of all, there was not one hint of any partisanship, partisanism, partisanship, there was only the concern about cooperation. We didn't look or deal with any, and I would ask anybody to, you know, to say whether I'm right or wrong, we didn't look at a thing. We didn't even look and say let's blame Bob Gaffney, let's blame the Executive Branch, let's blame this, let's blame that. All we did was said how do we cut, how do we thin down this budget as best as possible, how do we mitigate a tax increase in the Police District that is forced upon us because of the police arbitration award, and in a very, very clear -- it was heartening for me to see Legislators roll up their sleeves, sharpen their pencils, and do the responsible thing. And I just would like to go over a few of those.

The very first thing, and I'd like to maybe make the contrast, unlike what has happened in the past in Nassau County, we first went at how do we plug holes, how do we make sure that our budget is structurally sound, and that was really very heartening. And we had very good direction from the Office of Budget Review in being able to help us to realize that with regard to sales tax projections, we needed to plug a \$20 million hole. We made sure, with regard to our debt service, we plugged a \$900,000 hole in debt service.

If you were running your business, Ladies and Gentlemen, and I do run a

00075

business, this is the type of team that I would want in doing our budgets and fiscal things. If I feel comfortable, if this was my personal money, this is -- the people of Suffolk County can feel very proud of what this Budget Committee did and in working with other Legislators.

A couple of other things. We were able to avoid the temptation to

being able to overestimate revenues and underestimate expenses. And I can't -- I can't really overstate that enough, that people really wanted to do the responsible thing. And, sure, there are going to be critics that say give it back to the County Executive, let him manage the budget. Sure, there -- but this is our time, this isn't the County Executive's time. The tradition that has been set up in this Legislature is that what we do, more than even phone cell bills, or even safe haven bills, which have been really good bills that we've passed this year, more than anything that we do as Suffolk County Legislators, we do the budget, and we did it in a spirit of bipartisanship, in a spirit of being conservative and trying to make sure that we shared certain pain. But there's one other thing that we did. We didn't overlook the importance of programs and services like breast cancer, campaign finance reform, child support, domestic violence program, downtown revitalization and beautification, emergency food assistance. We made sure that we had the money in with pay-as-you go for seniors, recreation, probation, substance abuse, transportation issues, all things that are preventive, that in the long run, if we invest in this stuff now, in these type of programs, we're going to save money down the road. And we did that with some other things this year.

We added \$14 million to our tax stabilization funds in being able to take LIPA money and put it right in the LIPA PILOT money and put it in. As Legislator Bishop said, we were able to increase, you know, our standings amongst financial institutions. Our bond ratings have gone up. We've done so many responsible things year. And the last act, the act today was to make sure that we resist what is politically expedient, but in the long run, would be extremely detrimental to Suffolk County.

And I just want to commend my colleagues on the committee, to commend those Legislators who worked along with us. This was our time. You've done a great, great job. We still have a lot of work ahead of us. But I just want to say thank you very, very much for the support and for the work that's been done. Legislator Postal.

LEG. POSTAL:

I can speak, thank you, as a member of that omnibus Budget Committee very confidently about supporting this omnibus, because I honestly do feel that it's the responsible thing to do. I feel that -- you know, I feel very comfortable in going to my constituents and talking about what we've done in this omnibus to create stability with regard to our property taxes, to correct that sales tax revenue shortfall. In the Police District, yes, we had an arbitration award that we really have no opportunity to discuss or debate, but we made some responsible cuts in the Police Department, cuts that will not only maintain efficient police service, but that will not decimate the Police Department, will give us public safety in the most cost-effective way possible.

00076

We consolidated and streamlined some different County agencies and services of County government to provide more effective and, again, more cost-effective service. But we also restored some services and they were important services. They were services like providing an educational component for Parents for Meagan's Law, services like helping people to learn to read and to improve their reading skills,

providing support for child care, so that parents can go out to work, continue to maintain their productivity and support our economy. We provided restoration to programs that were cut, which had supported -- which had provided important services to victims of breast cancer. Parenting programs to help parents develop the skills to let their children grow up successfully, so that they don't rely on services like our law enforcement services someplace down the line. So that, again, I feel extremely comfortable. I feel that I can stand up and support my vote in support of this omnibus budget, because not only does it do what I feel is responsible for continuing the services that are necessary, but I feel it provides a strong fiscal foundation for the County.

LEG. ALDEN:

I have a question.

P.O. TONNA:

Legislator Bishop is next. Okay. I put you on the list.

LEG. ALDEN:

Good. I just have a question.

P.O. TONNA:

Legislator Bishop is next.

LEG. BISHOP:

I'll yield to Legislator Alden's question.

P.O. TONNA:

Okay.

LEG. BISHOP:

Do you have a question?

LEG. ALDEN:

I know we're considering the second omnibus now, but procedurally, is there any way that we can consider some of the cuts that are proposed, either prior to the omnibus, or to include them in the omnibus, because

--

LEG. CARPENTER:

There are separate budget amendments. There are separate --

LEG. ALDEN:

Well, I'm asking --

LEG. CARPENTER:

-- budget amendments.

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LEG. ALDEN:

I guess it's a procedural question.

MR. SABATINO:

Well, if there's a desire to consider items before the omnibus is voted on, it would take a motion by someone, second, and approval to amend a particular provision of the omnibus, but you'd have to identify with specificity what that proposal is, and then, if the particular --

LEG. ALDEN:

I think all the amendments that are listed, they actually -- they even give what provisions they conflict with, don't they?

MR. SABATINO:

Yes, but it's a little bit -- I mean, it's a little bit tricky, because you have to -- you have to--

LEG. ALDEN:

Well, Budget Review would have to keep a running tab.

MR. SABATINO:

It's a little bit tricky -- it's a little bit tricky, because the stand-alones were constructed on the premise that there would be no omnibus. So if you're going to try to go back and amend the omnibus, we really would have to listen carefully to what the proposal would be to do with the stand-alone. I mean, for example, some of them -- if some of them are like doubling up on the cut. So I suspect that, you know, the individual moving for that stand-alone as an amendment to omnibus really wouldn't mean to propose the amendment in its totality, probably would mean to just take a portion of it. But I wouldn't know that unless I listened to the sponsor making the motion. So it's not quite as simple as you take the stand-alones and you just move them over with one vote.

LEG. ALDEN:

No, that isn't what I was proposing. I was proposing to take them almost line by line, because there might be a willingness to indentify it, because some of these things have been identified by Budget Review and have not been incorporated into Omnibus 2 as recommendations by Budget Review. So that -- and you know what I'll do is -- I think you answered my question. I'll wait until after the discussion and then I'll make a motion.

MR. SABATINO:

Okay. It would be taking like one at a time. But then, like I say, we'd have to -- we'd have -- you'd have to take them one at a time and we'd have to have a careful analysis to make sure that we understand what the motion is going to be, because some of them just as a -- some of them, just as a naked motion, would be probably unworkable, because they'd be like double counting.

LEG. ALDEN:

Right, okay.

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MR. SABATINO:

So as long as we understand that.

P.O. TONNA:

Legislator Bishop.

LEG. BISHOP:

Thank you, Mr. Chairman. I just want to make a few quick points to my colleagues in favor of this resolution.

When the police binding arbitration award was first announced, you'll recall that in the newspaper, there were headlines reading that there would be 150 to \$200 increase per household. When this process is all said and done through the hard work of not only this Legislature, but also the Executive's Budget Office, we have worked together to bring this down to a -- where's my melvin? I think it will be 25 to \$35 --

LEG. CARPENTER:

Thirty.

LEG. BISHOP:

Thirty.

LEG. CARPENTER:

On average.

LEG. BISHOP:

Thirty on average per house. A hundred percent of the tax increase is attributable to the binding arbitration award. Not one nickel is

attributed to any kind of discretionary action by this Legislature. A hundred percent of the increase is due to the binding arbitration award, and the binding arbitration award is, of course, a function of a system created by the State Legislature, not the County Legislature. So right there, I'm comfortable in presenting that to my constituents, because it is something that has been dumped upon this Legislature to deal with, and we have dealt with it in an extraordinary fashion, taking something that was projected to come in at \$150 and bringing it all the way down to \$30. That's a pretty good record.

LEG. D'ANDRE:

You're darn right.

LEG. BISHOP:

Second is that this amendment is prudent. It plugs the budget holes, and that's important as we move towards next year and we do multi-year budgeting, and we've heard a lot about that in this discussion. It also stems our overreliance on sales tax. If you look at the County budgets over the last several years, as the economy has picked up, we have continued to drive down our General Fund, which is great in the short term, but as soon as the economy slows, we're going to be left without a stable tax base. We could have continued that kind of reckless behavior, and we've stemmed the tide on that, and that's important, and that's something positive as well.

And, finally, this budget amendment makes Suffolk County a more livable place. We are addressing transportation through enhanced bus routes, 00079

child care, salary enhancement to stabilize an industry that's losing people and fails to provide as quality service as we want it to. Youth services, health care, environment and public safety and justice have all been addressed through this amendment.

So we've done our job in identifying needs for Suffolk County residents. We've done our job in lowering and addressing an outrageous tax increase that was dumped on us by a system that we did not create and do not control.

P.O. TONNA:

Thank you, Legislator Bishop. Legislator Foley.

LEG. FOLEY:

Yeah. Thank you. A number of initiatives have already been listed, but for a matter of emphasis, and as the Chair of the Public Works and Transportation Committee, what I find one of the most noteworthy additions through this process has been, as mentioned briefly a moment ago, is the enhancement of a number of bus routes, particularly in Central and Western Suffolk County, whereby working class people will be able to get to work on time in the morning on certain bus routes, and will also be able to take those buses at night after working hours. As it stands now, as we've read in a number of press reports, as well as from our own Transportation Division within the Department of Public Works, a number of those bus routes have not been able to garner as many bus patrons as they would like, simply because the bus schedules do not mirror the times that people need the bus in order to get to work and from work, and if you also combine the fact that these enhanced bus routes will also allow bus patrons to go to our institutions of higher learning, whether it's two-year colleges or four-year institutions.

This particular budget amendment, Omnibus 2, points us in the right direction of finally coming to grips with enhancing our bus routes in order to try to give bus patrons better service, number one, and also as a means of attempting to cut back or cut down on the amount of congestion on our roadways by trying to enhance the use of our mass transit system.

Secondly, the Presiding Officer thanked the whole Budget Committee who did work in a very collegial fashion. He also mentioned, and I will again, our deep gratitude to the Budget Review Office and to all their staff for putting in terrific work into this budget. They always were there. They're ever ready to answer our questions, no matter how small or large. And, again, with a smile on their face, they even worked some weekends as well. So for this particular Legislator, I want to thank the Budget Review Office for doing a fantastic job. And without you, this institution would be all that much poorer for their -- for our efforts. So thank you, Budget Review Office.

MR. POLLERT:

Thank you.

P.O. TONNA:

Thank you. Legislator Fields is next.

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LEG. FIELDS:

As a freshman Legislator, even though I would have liked it to be a zero percent increase, if the numbers are correct, what it comes down to is if it's a \$30 average, about 57 cents per household per week, which to me is actually terrific.

And I would like to reiterate what others have said about our Budget Review Office. I think we owe a great debt to them. I think they are a wonderful group of people. And I think that everybody on the omnibus committee has done a great job. We've added two police classes and we'll be putting more police on the the streets, and we've kept programs and services in, and I think that is absolutely fiscally prudent at 57 cents a week.

P.O. TONNA:

Thank you. Legislator Carpenter.

LEG. CARPENTER:

Actually, I wanted to mention the police classes, and I'm glad Legislator did that. It was something that we had overlooked. We are adding two police classes. We have not had a police class in the last four or five years. And what that will mean, enhanced public safety, more police on the streets, and it will also help us diminish the police overtime costs. So it's not just a simple matter of looking at the numbers and reducing it, we are doing something concrete by actually putting more officers on the street that will address the problem of police overtime.

P.O. TONNA:

Thank you very much. Legislator Caracciolo. I'm going to -- how do you say it again? Come on.

LEG. CARACCIOLO:

Caracciolo.

P.O. TONNA:

Caracciolo. Caracciolo. I'm going to get that.

LEG. CARACCIOLO:

Okay. All right, Paul. I'm glad some of the other Legislators segued into a very important part of County program and services. It's interesting that the public understands, I represent East End Towns, and in the Towns I represent, they all have their own Town police departments. And the residents in the East End Towns, including myself, we don't blink every year when we see Town tax increases to the tune of 5 to 8%. And let me tell you, Ladies and Gentlemen, 5 to 8% in a Town like Riverhead is about \$200 a year in Town tax increases. And it's primarily due to service costs in public safety. And the public doesn't balk, it doesn't complain, because the facts are school district taxes account for 65% of the average property owner's tax bill.

That said, here in Suffolk County, again, I think a little history lesson's in order, because Legislators Binder and Foley -- Levy, rather, were here when this Police Department in Suffolk County saw its strength reduced to an all-time low of some 2,200, actually it was a

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little bit below 2,200 sworn personnel at one time. And, at that time, Legislators repeatedly insisted on something being done to increase police strength and to put out extra patrols -- or I shouldn't say extra patrols, but basically provide the type of community policing patrols, COPE, if you will, DARE, if you will, and other special services, so that the residents of this County received first rate police protection.

From 1992, when this administration took office, we saw an increase in police personnel to where we peaked about two-and-a-half years ago -- to where we peaked some two-and-a-half years ago with about 2,700 sworn personnel.

P.O. TONNA:

Yes.

LEG. CARACCIOLO:

Where we peaked some two-and-a-half years ago to some 2,700 personnel. Now, we have seen the force reduced. And much like the national government, police officers are our national defense in local government and in the local communities. And I dare say, I don't know a Legislator here that wouldn't tomorrow support hiring more police officers. And as has been said by Legislator Fields, there is an inclusion of two classes next year. Let's take into account that the Police Department is also aging, you're going to see in the next several years --

P.O. TONNA:

I know the PBA President is aging, I know that. He's sleeping.

LEG. CARACCIOLO:

You're going to see in the next --

P.O. TONNA:

Half the time he's napping back there. I just -- I can't believe it.

LEG. CARACCIOLO:

And you're going to see in the next few years, I believe, an increase in those officers who will be retiring from the force, sheerly by virtue of the fact that they will have served between 30 and 35 years. That said, what has been often been neglected in reporting of police salaries is that in the binding arbitration award, new hires do not receive anywhere near what their predecessors received. And, in fact,

I was at an East End Supervisors and Mayors Association meeting just a couple of weeks ago, and one of the counsels that represented the County in the arbitration award pointed out that that fact was not reported or widely reported in the media. And that results in the County -- that results in a cost savings to the County, Mr. Chairman, of some \$2 million a year when we do hire the -- hire the next two police classes.

So it's important to keep in context where we've been, where we're going. And I dare say, no one here for \$30 a year is going to deny the residents of this County the police protection they deserve. I certainly won't. Thank you.

00082

P.O. TONNA:

Thank you. Okay. All Legislators, please come to the horseshoe for a vote.

LEG. LEVY:

I've got a question.

P.O. TONNA:

Oh, Legislator Levy has a question. So I guess you guys can spend about 30 more minutes out there. Go ahead.

LEG. LEVY:

First, just quickly, and then I'll get to this resolution. On the Resolution 2, I just want to make a point that back in 1988, there was a significant tax decrease to be followed by problems in '89. This is -- that was not a decrease, that was just a cost to continue. But on this particular resolution, Fred, I think there is a misnomer that this is somehow a budget vote, this particular bill. It's not. This is just one bill, is it not, of 85 different amendments that are before us today?

MR. POLLERT:

That is correct. This will not complete the budget vote process.

LEG. LEVY:

Right.

MR. POLLERT:

There's a whole variety of stand-alone resolutions, which are eligible for a vote. Some of --

LEG. LEVY:

So it's not fair to say that a vote on this budget, this -- excuse me. That's exactly what I don't want to say. A vote on this budget amendment, okay, is in and of itself creating a certain level of the budget, be it 5 3/4, or 11%, or zero percent.

MR. POLLERT:

That's correct.

LEG. LEVY:

Okay. So this --

MR. POLLERT:

This, together with all the other stand-alone resolutions to be considered, will come up with a final number.

LEG. LEVY:

Right.

MR. POLLERT:

Nor is it the end of the process. You still have to go through the County Executive veto process as well.

LEG. LEVY:

Right. So this resolution may pass, and then based upon what happens with the subsequent resolutions, we might end up with something far above it or something far below it; correct?

MR. POLLERT:

Most of the stand-alones are subtractions, so if they're adopted, for the most part, it would be a further reduction.

LEG. LEVY:

And this is very important as well, because I think there is a belief that if we do nothing, we have a zero percent increase, and that would not be the case, correct?

MR. POLLERT:

If you do nothing with respect to any of the omnibus?

LEG. LEVY:

If you do nothing with respect to any of the omnibus bills, we have the County Executive's budget, do we not?

MR. POLLERT:

You would have a disaster, because you would actually have a significant decrease. The budget as proposed, the 2000 recommended budget as proposed cannot continue to operate County government for Fiscal Year 2001. It will require supplemental appropriations. The first omnibus bill that was defeated brought in significant supplemental appropriations. If this bill is defeated, those supplemental appropriations will not exist and the Police Department cannot operate beyond the third quarter of Fiscal Year 2001.

LEG. LEVY:

But beyond that, the proposal from the Executive called for an increase of over 10%.

MR. POLLERT:

Together with a supplemental, yes, approximately 10.42%.

LEG. LEVY:

Okay. So the only way to get a tax cut or a tax freeze, or to get below what he has introduced is to actually pass, affirmatively pass resolutions that brings it down; correct?

MR. POLLERT:

No. That is the reason that the omnibus bills are so important. If nothing is adopted, the County Executive is proposing with his legally constituted budget a substantial tax decrease. Basically, the General Fund is cut in half. The reason he had to do --

LEG. LEVY:

I'm talking about blended. I'm talking about the --

MR. POLLERT:

I'm talking about any -- yes. His legally constituted -- his budget includes two components, what he had to comply with in order to meet the cap rules and regulations. That legally constituted budget would

go into effect if there is no restoration of supplemental appropriations. It would result in a substantial tax decrease in both the Police District and in the General Fund, an unsupported level of taxation. The budget that he had to submit in order to conform with the 4% caps cannot operate by and of itself without supplemental appropriations during 2001. He is proposing adding \$83 million worth

of supplemental appropriations. That would result in an overall tax increase of 10.4% blended rate. This will reduce -- will provide the supplemental appropriations in a smaller amount than was recommended by the Executive and will result in a blended rate of 5.75%.

LEG. LEVY:

The resolution that was put forth by the County Executive that is first, but not his recommended, does that go up to the 4% level?

MR. POLLERT:

It goes -- his recommended budget, his legally constituted budget is below the 4%, because he was further above the expenditure cap than he was the tax levy cap. So to bring his budget into conformance with the tax levy cap, he actually had to cut -- I'm sorry. In order to bring his budget into conformance with the expenditure cap, he actually had to cut the tax levy below what it was last year.

LEG. LEVY:

The tax levy.

MR. POLLERT:

Yes. It is very confusing. I apologize. There is no simple way to put it outside of the fact that the recommended budget will require supplemental appropriations with a super-majority vote. The degree of the supplemental appropriations is a Legislative type of option. But it's definitely necessary to add supplemental appropriations to the budget that was recommended, because the budget that he had to propose came in below the tax levy cap.

LEG. LEVY:

Okay.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

P.O. TONNA:

All right, we're all done? All Legislators please come back to vote on Omnibus II, Budget Amendment -- or Budget III. I'm going to count to ten.

LEG. ALDEN:

And then we're going home.

P.O. TONNA:

I do count to three with my little children, you know, but with Legislators, since they're older and more mature, I figured I'd count to ten.

LEG. BISHOP:

Does Mike have any questions?

00085

P.O. TONNA:

Okay. Yes, Legislator Carpenter. I would ask all Legislators, please come to the horseshoe to vote. Thank you.

LEG. CARPENTER:

I know some of the Legislators were out of the room when Legislator Levy was questioning Budget Review Office, but I just want to make sure that I heard something correctly. When it was -- the question was asked about if we did not adopt the budget amendment, did I hear you say, Fred, that, quote, we would have a disaster?

MR. POLLERT:

Yes, you would absolutely and completely have a financial and operational disaster. If the legally constituted budget that was proposed by the Executive goes into force and effect, the Police

District could not operate for the remainder of Fiscal Year 2001, the General Fund would have severe appropriation shortfalls, and the General Fund Tax Levy would be cut approximately in half.

LEG. CARPENTER:

Thank you.

LEG. CARACAPPA:

Roll call.

P.O. TONNA:

Okay.

LEG. ALDEN:

Motion.

P.O. TONNA:

Motion what?

LEG. ALDEN:

I would like to make a motion to take all the requested resolutions amending the 2001 Proposed Operating before we vote and -- and vote on them.

LEG. CARPENTER:

I have a motion and a second for the other, right?

P.O. TONNA:

Okay, yes. But go ahead.

LEG. ALDEN:

I would like to take them first, vote on those and then amend this Omnibus with the results of those votes.

P.O. TONNA:

Okay. Paul, could I just ask you, first of all, what motion takes priority? And then after which motion takes priority, you know, how does this --

LEG. GULDI:

There's no second.

00086

LEG. FOLEY:

There's no second to it.

LEG. LEVY:

Let me hear what he has to say.

MR. SABATINO:

What I explained before --

P.O. TONNA:

Hold it, everybody. Okay, just wait one second, please. Is everyone -- is every Legislator in the room?

LEG. FIELDS:

No.

P.O. TONNA:

Okay, well enough. I just want to comment on -- Legislator Alden has made a motion.

LEG. ALDEN:

I just want to make it clear, though.

P.O. TONNA:

Legislator Levy, before he's done anything, wants a clarification of the motion.

LEG. FOLEY:

But there's no second to the motion.

LEG. LEVY:

Let's just hear what it is.

P.O. TONNA:

Let's just hear what it is and then if there's no second he's out and we'll go on.

LEG. ALDEN:

You would take each proposed amendment, vote on it separately, and then it would either amend the Omni -- well, we're going to vote on it separately either before or after, so I'm asking to vote on separately before.

LEG. BINDER:

Mr. Chairman?

LEG. CARACAPPA:

You're saying do all the stand-alones before the Omnibus.

LEG. ALDEN:

Right, as opposed to doing them after the Omnibus.

LEG. BINDER:

Mr. Chairman?

00087

LEG. CARACAPPA:

Omnibus would be last.

LEG. BINDER:

Mr. Alden, would you yield?

LEG. ALDEN:

Yield, I yield.

P.O. TONNA:

Wait, just wait, there's a ruling right now and then he'll yield.

LEG. BINDER:

Well, I would like to just --

P.O. TONNA:

Just wait. Let me just hear what Legal Counsel has to say.

LEG. BINDER:

I'd like to clarify before the ruling because it has bearing on that.

Are you saying that you want to offer each one of those stand-alones, you just want to one by one offer them as amendments to the Omnibus, is that what you're --

LEG. ALDEN:

Right, and individually they would be --

LEG. BINDER:

So you want to make motions. That should be in your right to offer those as amendments to the Omnibus, each one of them.

P.O. TONNA:

Yeah, but how do you do that when you didn't even pass the Omnibus yet, you're amending nothing.

LEG. BINDER:

He's amending -- he would be amending the Omnibus.

LEG. ALDEN:

You're amending a proposed Omnibus.

P.O. TONNA:

Okay. You know what? I'm not Legal Counsel and I don't want to even pretend to. So please, go ahead.

MR. SABATINO:

What I explained before when the question was raised was that you can't vote on the stand-alones in advance as stand-alones. But what you

could do, as I said, and it's going to take some work because we're going to have to then analyze each one at a time, is that you can make motions to amend the Omnibus before we vote on the final Omnibus bill. But in order to do that, we've got to take them one at a time but because they're constructed in many cases in an overlapping kind of a fashion, we're going to have to have a detailed analysis and understanding of what the motion is really going to be because it's not just as simple as saying, "I'm taking Budget Amendment No. 32" --

00088

LEG. ALDEN:

No, and we need that analysis whether we vote on these before the Omnibus is voted on or if we vote on it after the Omnibus is voted on.

MR. SABATINO:

Well, no, if you do it the other way around it's really easy because -- to some extent you have to do that, if you do it the other way it's easier. I'm not saying you can't do it, it's just if you do it the way it's supposed to be done if you want to change the Omnibus --

P.O. TONNA:

Okay.

MR. SABATINO:

-- you have to make a motion to amend the Omnibus.

P.O. TONNA:

But there's not a second yet. Is there a second now? Does anybody want to second this, a motion that -- wait, first of all, which motion takes precedent?

MR. SABATINO:

It's not a generic motion. Identify the first thing you want to do and then that's got to be a motion to do it and then we'll look at it. I don't know -- the motion you made before is out of order which is that just take all of the stand-alones, that we can't do. But if you have a disparate motion, you know, whatever it is, pick out an item, I don't know what you want to -- I don't know what portion you want to amend.

LEG. ALDEN:

Well, motion to take a requested resolution No. 5.

LEG. CARACAPPA:

Through?

LEG. FOLEY:

Five through what?

LEG. BINDER:

Legislator Alden, would you yield?

LEG. ALDEN:

Go ahead.

LEG. BINDER:

Is your motion to reduce the 2000 estimated permanent salaries 159,000 and increase 2001 turnover savings 107,628, to amend the Omnibus to do that; was that the motion you're trying to make?

LEG. ALDEN:

The proposed Omnibus, yes.

LEG. BINDER:

That's what you meant. That's his motion.

00089

P.O. TONNA:

Okay. There's a motion. Is there a second? Is there a second?

LEG. BINDER:

I will second.

MR. SABATINO:

But the problem is --

P.O. TONNA:

Okay, Legislator Binder -- what?

MR. SABATINO:

First of all, that deals with Omnibus Four, so we should vote on Omnibus Three first because I don't think there's anything out there that you want to amend on Omnibus Three.

LEG. ALDEN:

Omnibus Three is the mandated, I mean, if you want to do that.

MR. SABATINO:

So why don't we complete the vote on --

P.O. TONNA:

Cameron, just -- okay, go ahead.

MR. SABATINO:

See, I don't know what the motions are going to be.

P.O. TONNA:

I have no idea.

MR. SABATINO:

But if there's a proposal to amend anything on the mandated side of the budget, then it should be a motion to mandate something in Item No. 3, but we have to do No. 3 before we get to No. 4.

LEG. FISHER:

Sounds like a plan.

P.O. TONNA:

Cameron, it's okay, it's getting dark, I told my children, I'm sure everyone else told their families they're not coming home tonight, but do you -- what are you doing?

LEG. ALDEN:

I would prefer, before we vote on either three or four, to vote on all these requested resolutions that amend.

P.O. TONNA:

Okay. So put it in the form of a motion, we'll have Legal Counsel see if that is a valid motion.

LEG. FOLEY:

There's no second, Paul.

00090

LEG. CARACCILOLO:

Mr. Chairman?

P.O. TONNA:

There was a second, no? There's not a second for this? Okay, let's go back to --

LEG. LEVY:

I'll --

P.O. TONNA:

-- the motion that was in front of us then.

LEG. LEVY:

I will make a second because if this comes to -- if we can widdle it down to a certain extent I'll support it.

P.O. TONNA:

Steve, I want you to know, this is fodder for when we're doing our

going away party for the roast. I want you to understand, this is prime time fodder.

LEG. LEVY:

It's my resolution, how can I not second my own resolution?

P.O. TONNA:

Okay, great. Okay, all in favor? Opposed?

(Opposed said in unison by Legislators)

all right, great, the ayes have it-- I mean, the nays have it, that's it, it's over. Let's go back now.

LEG. ALDEN:

I have a question, though. Are these going to be voted on today?

LEG. FOLEY:

Yes, they're stand-alones.

LEG. CARACCIOLO:

Yes, they come after --

P.O. TONNA:

Cameron, Cameron, what -- absolutely. I don't want to bring this back tomorrow, no, I want to vote on everything today.

LEG. FOLEY:

Let's go.

LEG. FISHER:

If we can move.

LEG. CARACAPPA:

Roll call on the Omnibus.

00091

P.O. TONNA:

What do you think I have like this strategy just to walk away from this? I don't agree with these cuts. I would be glad to vote on them. There's a motion and a second for approval.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

Can we just vote on it now?

LEG. CARACCIOLO:

Yeah, just quickly. Fred has the numbers, I think they'd be very insightful for people who have the numbers, yes.

LEG. BISHOP:

The Melvin?

P.O. TONNA:

All right, I want the Oscar, go ahead.

LEG. CARACCIOLO:

In Babylon I know its about a \$2 increase. Go ahead, Fred.

MR. POLLERT:

Now Robert took my book. Can I just explain because this is really very embarrassing.

P.O. TONNA:

Is this a vaudeville act, Fred; is this a Budget Review vaudeville act?

Because I'm telling you right now, Fred, it's looking like that.

LEG. FIELDS:

This is what happens when they work so hard.

LEG. GULDI:

Start the meeting. Can we vote on the budget?

P.O. TONNA:

All right, can we --

MR. POLLERT:

What was asked was for us to come up with a town by town from what was adopted. This computer has just died, Jim's has died, Robert's in the back inputting the data, I gave him my schedule, it's just subtracting the two. It will take a few minutes.

P.O. TONNA:

Can we now vote on the budget? Can we do something significant? Okay.

LEG. ALDEN:

All right. On the motion. This is a motion to approve No. 3?

P.O. TONNA:

Wait, wait, no. There was a motion to approve and a second. We just went through all of the dialogue.

00092

LEG. ALDEN:

On the motion. Fred, what's the effect of the approval of this Resolution No. 3?

P.O. TONNA:

There's a million things.

LEG. BISHOP:

On what?

LEG. ALDEN:

On tax-- all right, I'll do it easy, on taxes; does it raise taxes, what does it do?

LEG. CARACCIOLO:

That's why I want the Melvin.

LEG. BISHOP:

Paul?

MR. POLLERT:

If you go to the last page, No. 3 and four cannot really -- you can vote -- they will require a separate vote, but taken together they will reduce the tax by approximately one-half; Jim is now walking in hopefully with the number.

LEG. ALDEN:

No, we're voting on three right now, three by itself.

MR. POLLERT:

All right. No. 3 will result in a \$17 increase from amounts originally proposed by the County Executive.

LEG. ALDEN:

Thank you.

P.O. TONNA:

We're cutting the increase in half, right?

MR. POLLERT:

No. You are increasing -- you are increasing what is proposed by the County Executive because you are increasing appropriations for debt service.

P.O. TONNA:

Right.

MR. POLLERT:

You are increasing appropriations for aid to the MTA, you are reducing the sales tax. So taken together, the mandated and the discretionary will result in a decrease from what the Executive has proposed.

P.O. TONNA:

Right.

00093

MR. POLLERT:

However the mandated by and of itself, which really needs to be considered together with the discretionary will actually result in a higher tax warrant than proposed by the County Executive because you're fixing mandated portions of the budget.

P.O. TONNA:

Right, okay.

LEG. CARACCIOLO:

Mr. Chairman?

P.O. TONNA:

All right, all in favor --

LEG. CARACCIOLO:

Hold it, wait a minute, wait a minute. You know, people want information, I want information. He now has that damn Melville, let's hear the numbers.

P.O. TONNA:

Okay, let's get it. Let's get that damn Melvin. It's Melville, Melvin?

LEG. CRECCA:

It's Melvin; Melville is a place in Suffolk County.

P.O. TONNA:

I said Melvin. I was with Melvin. Okay. Fred, you have it?

MR. POLLERT:

Jim has copies, he's making copies, if he stops talking. Now we've got two copies, Jim has a copy and Robert has a copy.

LEG. CARACCIOLO:

Just tell us for pete's sake.

MR. POLLERT:

Now we've got two copies, Jim has a copy and Robert has a copy.

P.O. TONNA:

Okay. I ask everybody here, I understand it's the witching hour, it's getting dark and some of us have to go. But I'm telling you right now, if there's not a little more law and order and if Budget Review, please, get this together; if now, we're going to have a recess.

LEG. CARACCIOLO:

Five minute recess, motion.

MR. POLLERT:

Could I ask for a five minute recess so that we can get this?

P.O. TONNA:

Fine.

00094

MR. POLLERT:

Thank you.

P.O. TONNA:

Five minute recess.

UNKNOWN LEGISLATOR:

Fifteen minutes.

P.O. TONNA:

Fifteen minute recess.

[BRIEF RECESS TAKEN: 5:39 P.M. - 5:49 P.M.]

P.O. TONNA:

Okay. Roll call, Henry. I would ask all Legislators, please come to

the horseshoe.

MR. BARTON:

Is this on the Budget Amendment?

P.O. TONNA:

No, roll call on attendance. We just had a recess.

MR. BARTON:

Oh, okay.

(*Roll Called by Mr. Barton*)

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Here.

LEG. TOWLE: (Not Present)

P.O. TONNA:

Here, here, here, here; don't get confused.

LEG. GULDI:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER: (Not Present)

LEG. HALEY:

Here.

LEG. FOLEY:

Present.

00095

LEG. FIELDS:

Yes, here.

LEG. ALDEN:

Present, here.

LEG. CARPENTER:

Yes, here, here.

LEG. CRECCA:

Yes.

LEG. D'ANDRE: (Not Present)

LEG. BISHOP: (Not Present)

LEG. POSTAL:

Here.

LEG. BINDER: (Not Present)

LEG. COOPER:

Here.

LEG. LEVY:

Here.

P.O. TONNA:

Here.

MR. BARTON:

13 are present.

P.O. TONNA:

Okay. Legislator Caracciolo, you had a question?

LEG. GULDI:

Call the question.

LEG. CARACCIOLO:

Mr. Chairman, I would suggest we move the motion.

P.O. TONNA:

Okay. So I would just ask, since there's only 13 Legislators here.

LEG. TOWLE:

Fourteen.

P.O. TONNA:

Fourteen now.

LEG. ALDEN:

Come on, move the question.

LEG. GULDI:

Call the question.

00096

P.O. TONNA:

Okay, let's roll call.

(*Roll Called by Mr. Barton*)

P.O. TONNA:

Yes.

LEG. POSTAL:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

No.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. D'ANDRE: (Not Present)

P.O. TONNA:

Okay. Get Legislator D'Andre, please.

LEG. BISHOP:

Yes.

LEG. BINDER:

No.

00097

LEG. COOPER:

Yes.

LEG. LEVY:

No.

P.O. TONNA:

I make a --

LEG. CRECCA:
Motion to extend the time of the vote until all Legislators get to the horseshoe.

P.O. TONNA:
Right. I just --

LEG. ALDEN:
What's your results?

LEG. CRECCA:
Motion to extend the time of the vote until all Legislators --

LEG. GULDI:
Second the motion.

P.O. TONNA:
I would just like to table for a second for ten minutes.

LEG. GULDI:
Second the motion that Legislator Crecca made.

P.O. TONNA:
Yes.

LEG. HALEY:
Is that an appropriate motion?

LEG. GULDI:
Roll call on the motion.

P.O. TONNA:
I make a motion to table the bill for ten minutes.

LEG. GULDI:
Wait, wait, wait, look behind you.

LEG. FIELDS:
Here he is, here he is.

P.O. TONNA:
All right, withdraw my motion.

MR. BARTON:
Mr. D'Andre, your vote, please.

P.O. TONNA:
This is for the budget, Michael.

00098

LEG. D'ANDRE:
For the budget, our budget.

P.O. TONNA:
Yes.

LEG. D'ANDRE:
It's a yes.

MR. BARTON:
15-3.

P.O. TONNA:
Thank you very much.

LEG. GULDI:
Let's go, No. 4.

P.O. TONNA:
Okay. We had three no's?

MR. BARTON:
Three, yes; correct.

P.O. TONNA:
Okay. I'll make a motion to approve Budget Amendment No. 4 -
(Discretionary Omnibus Budget Amending Resolution).

LEG. POSTAL:

Second.

LEG. GULDI:

Second.

P.O. TONNA:

Second by Legislator Postal. Let's just roll call, please.

(*Roll Called by Mr. Barton*)

P.O. TONNA:

Yes.

LEG. POSTAL:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

00099

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes.

LEG. FIELDS:

Yes to cut the proposed tax increase in half.

LEG. ALDEN:

No.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. D'ANDRE:

Pass.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:

Make mine a yes, please.

LEG. BINDER:

No.

LEG. COOPER:

Yes.

LEG. LEVY:

No.

MR. BARTON:

15-3.

P.O. TONNA:

Okay, that's great. Thank you, Henry. Are there any other motions?

There should be some other motions, Legislator Alden, right, isn't this where you want to make some motions?

LEG. TOWLE:

Mr. Chairman?

P.O. TONNA:

Let's go. I recognize Legislator Towle.

LEG. TOWLE:

Just an explanation on the motion before I make it. Last year in our contingency money, Legislator Caracappa, myself and Legislator Haley

00100

provided \$150,000 for St. Charles Hospital. Unfortunately, because of a delay in the contract, they're not going to be able to expend that money before the end of the year, we need to move that money to next year's budget. So I need to make a motion to amend the Omnibus, Section D-151, decreasing the 2000 estimated cost by \$155,000 and increasing the 2001 cost by \$155,000; it's just transferring the money to next year.

LEG. HALEY:

Second.

P.O. TONNA:

Okay, there's a second. On the motion, just let me ask a question.

This is revenue neutral, Fred?

LEG. HALEY:

No, that's not the only reason.

LEG. CARACAPPA:

Yes, it is.

P.O. TONNA:

This is completely revenue neutral?

MR. SPERO:

No effect on taxes.

MR. POLLERT:

What it would do is it would increase the 2000 fund balance which would lower taxes in 2001 and then it increases 2001 by a like amount, so there's no property tax impact.

P.O. TONNA:

All right.

LEG. TOWLE:

Legislator Postal, it's just moving the money because they have not had a chance to conclude the contract process, they're going to lose the money if we don't move it to 2001.

LEG. POSTAL:

And they had had a contract this year for the same?

LEG. TOWLE:

Yes.

P.O. TONNA:

Okay. There's -- what are you saying, Paul?

MR. SABATINO:

This is a stand-alone resolution that we're just approving subsequent to the Omnibus. So let's just give it a number, I think it's number -- we'll just treat it as a motion to approve No. 85 to do what you just described.

P.O. TONNA:

Okay. So we're -- Henry, this is a motion --

00101

MR. SABATINO:

It's a motion to approve Budget Amendment No. 85 to do whatever was

just outlined by Legislator Towle.

P.O. TONNA:

Okay. You got that, Alison? All right. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

Great.

LEG. CARACCIOLO:

Mr. Chairman?

P.O. TONNA:

Yes?

LEG. CARACCIOLO:

It's been brought to my attention that there was a scrivener's error in Omnibus. Fred Towle is getting the item number now; what is it?

LEG. TOWLE:

D-113.

LEG. CARACCIOLO:

D-113. The amount designated there, \$45,000, should actually read \$90,000, that was a scrivener's error. I checked with Budget Review earlier.

P.O. TONNA:

Fred, is that a scrivener's error?

LEG. CARACCIOLO:

I'm sorry, \$85,000.

P.O. TONNA:

Eighty-five, okay.

LEG. TOWLE:

It reads 40.

MR. POLLERT:

Right, it was short the \$40,000.

P.O. TONNA:

Okay, great.

LEG. TOWLE:

No, it reads 40,000, it should read 85,000, it's short 45,000.

LEG. CARACCIOLO:

Yeah, yeah.

00102

P.O. TONNA:

Yeah, that's what he just said.

LEG. HALEY:

Which number is it?

LEG. CARACCIOLO:

D-114.

P.O. TONNA:

Okay. So what do we do, how do we make a -- how do we correct that?

LEG. CARACCIOLO:

I --

P.O. TONNA:

Make a motion to amend?

MR. SABATINO:

No, just-- well, first it's D-113, is this an acknowledged error from Budget Review?

LEG. GULDI:

Yes.

P.O. TONNA:

Yeah, they just said it.

MR. SABATINO:

Okay. Then it would just be a motion to approve the correction of that line item.

LEG. CARACCILOLO:

Motion to approve the correction of the line item D-113 from 40 to 85,000.

P.O. TONNA:

Okay, second by Legislator Towle. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

Okay. Now let's go to --

LEG. CRECCA:

Mr. Presiding Officer, I have a motion.

P.O. TONNA:

Yes.

LEG. CRECCA:

Similar to Legislator Towle, I have \$235,000 of contingency money that's in the 2000 Budget which is in Parks, Historic Preservation Account and it will not be expended by the end of the year. It is from the contingency money from the 2000 Budget. I am asking for the same
00103

motion that Legislator Towle made, just so that that money will be expended in early 2001. Again, it should have no --

P.O. TONNA:

Fred -- it's got to be a stand-alone, we've got to give it a number, but Fred, does that make sense?

MR. POLLERT:

I'm sorry, I wasn't listening.

P.O. TONNA:

Legislator Crecca has something for you.

LEG. CRECCA:

I have \$235,000 in Historic Preservation Account in the Parks Department, it's the contingency money from the 2000 Budget, it was set aside for -- I believe it was labeled under -- I know for a fact it was in Parks, Historic Preservation. I'm looking to move that into the 2001 Budget, again, just because it will not be expended by December 31st of this year.

MR. POLLERT:

That would require a separate resolution because we didn't do anything with that within the Omnibus. So that's a separate stand-alone resolution, we'd be happy to draft it out.

P.O. TONNA:

Okay. So we have to draft it so we can get back to that later?

MR. POLLERT:

Yes.

P.O. TONNA:

And it's revenue -- completely revenue neutral?

MR. POLLERT:

Yes.

P.O. TONNA:

Okay.

MR. SABATINO:

Can we just have a time out for one second? There's just a numbering problem which can be corrected. When I referred to Legislator Towle's amendment as No. 85, I was not aware that a different 85 and 86 were being handed out. So if we could just correct the designation of Legislator Towle's bill as 85 to No. 87, we'll have an accurate record.

LEG. TOWLE:

I like 87.

MR. SABATINO:

So just a motion to make that correction, it's a procedural motion.

00104

P.O. TONNA:

Okay. I make a motion, seconded by Legislator Towle. All in favor?

Opposed? Approved.

Okay, let's go on while there -- and Legislator Crecca, just come back to me before we close the meeting to remind me.

Okay, No. 5 - (Reduce 2000 Estimated permanent salaries \$159,282, increase 2001 turnover savings \$107,628). Is there a motion?

Legislator Levy?

LEG. LEVY:

Motion.

P.O. TONNA:

Motion by Legislator Levy. Is there a second?

LEG. ALDEN:

Second.

P.O. TONNA:

Second by Legislator Alden. Okay, all in favor? Opposed?

(*Opposed said in unison by Legislators*)

LEG. LEVY:

Just ask for those in favor.

P.O. TONNA:

Okay.

LEG. HALEY:

Isn't it a conflict?

P.O. TONNA:

No, it's not a conflict, it just takes out more, if it's in parentheses it takes out more. Okay, two --

LEG. FOLEY:

We already do this in Omnibus.

P.O. TONNA:

Right.

LEG. CARPENTER:

No, no. What number are we on?

P.O. TONNA:

We're on No. 5.

LEG. FOLEY:

Mr. Chairman?

P.O. TONNA:

Guys, can I just say something?

00105

LEG. FOLEY:

Mr. Chairman?

P.O. TONNA:

Everybody just stop, I will bring you up-to-date. I would ask that everyone concentrate right now on the business at hand. We are now at No. 5. There was a motion by Legislator Levy and seconded by Legislator Alden.

LEG. FOLEY:

On the motion.

P.O. TONNA:

Just wait.

LEG. FOLEY:

On the motion.

P.O. TONNA:

Okay. Yes, Legislator Carpenter first.

LEG. CARPENTER:

Budget Amendment No. 5, if you look to the right, conflicts with number four which we adopted.

P.O. TONNA:

No, it is parentheses which means --

LEG. FOLEY:

It means it's already included.

P.O. TONNA:

-- that it's taking more out than was already included in Omnibus.

LEG. FOLEY:

Mr. Chairman, correct me if I am wrong; to the Budget Review Office, doesn't that 2 and 4 parentheses mean that essentially this has already been done in Omnibus, we have already --

MR. POLLERT:

Yes, you have already increased turnover savings by two and a half million dollars, including taking money from the Department of Audit and Control. This would now go above and beyond that and continue to cut the salaries within the Department of Audit and Control, that's what the Comptroller spoke to previously..

P.O. TONNA:

There was a request for a roll call. Roll call.

(*Roll Called by Mr. Barton*)

LEG. LEVY:

Yes.

00106

LEG. ALDEN:

Yes.

LEG. CARACCIOLO:

No.

LEG. LEVY:

I don't need a roll call.

LEG. GULDI:

No.

LEG. TOWLE:

No.

LEG. CARACAPPA:

No.

LEG. FISHER:

No.

LEG. HALEY:
Pass.
LEG. FOLEY:
It's already in Omnibus, no.
LEG. FIELDS:
No.
LEG. CARPENTER:
No.
LEG. CRECCA:
Pass.
LEG. D'ANDRE:
No, I can't touch Caputo.
LEG. BISHOP:
No.
LEG. POSTAL:
No.
LEG. BINDER:
Yes.
LEG. COOPER:
No.
P.O. TONNA:
No.
LEG. HALEY:
No.

00107

LEG. CRECCA:
No.
MR. BARTON:
Three.
P.O. TONNA:
Okay, Resolution No. 6 - (Remove new Account Clerk Position, reduce salaries \$25,161). Is there a motion?
LEG. BINDER:
Motion.
P.O. TONNA:
Motion by Legislator Binder. Is there a second?
LEG. ALDEN:
Second.
P.O. TONNA:
Second by Legislator Alden. Is there an explanation?
LEG. LEVY:
That was just a Budget Review recommendation.
LEG. CRECCA:
Fred, would you be able to explain No. 6, Budget Amendment No. 6?
MR. POLLERT:
Yes. There's a new Account Clerk in the Department of Audit and Control. What this resolution would be would be to strike the new spot and to reduce the salaries by \$25,000.
P.O. TONNA:
Okay. Thank you very much. All in favor? Opposed? Opposed. Okay, who's in favor? Legislator Binder, Alden and Levy. Okay, that's it. All right, next.
MR. BARTON:

Three.
P.O. TONNA:
No. 7 - (Reduce 2000 Estimated Permanent salaries \$60,000).
LEG. BINDER:
Motion.
P.O. TONNA:
Motion by Legislator Binder, seconded by Legislator --
LEG. ALDEN:
I will second it.
P.O. TONNA:
Alden.

00108

LEG. FOLEY:
Explanation.
LEG. GULDI:
No, Brian.
LEG. FOLEY:
Okay.
P.O. TONNA:
I mean, people can read this. Okay, all in favor? Opposed?
LEG. LEVY:
I just want to point out that these weren't coming out of thin air.
P.O. TONNA:
Who is for it? Who is for it? Okay, we have Binder, Alden, Levy, all
right, and Crecca; Crecca's on that one, too.
LEG. LEVY:
And these were from Budget Review, I didn't make them up.
MR. BARTON:
We're up to five.
P.O. TONNA:
Okay. No. 8 - (Reduce 2000 Estimated Permanent Salaries \$581,000,
Increase 2001 turnover savings \$229,000).
LEG. BINDER:
Motion.
P.O. TONNA:
Motion by Legislator Binder. Seconded by?
LEG. ALDEN:
Alden.
P.O. TONNA:
Alden. Okay. All in favor? Opposed?
LEG. CARACCILOLO:
On the motion. Wait a minute. This is cutting a substantial amount of
money from a departmental budget, I'd like to hear Budget Review's
analysis.
MR. POLLERT:
We had made a recommendation that we felt that the Permanent Salary
Account was over budgeted in light of the large number of vacancies
which he had as well as the long lead times he was having with
recruitment. We had made a recommendation that turnover savings could
be increased, this was done in part in the Omnibus Bill when that two
and a half million dollars was charged across departmental lines. So
this would be taking the amount that was included in the Omnibus bill

00109

and increasing it by yet another \$581,000.

LEG. CARACCIOLO:

Is that something that you believe would be advisable?

MR. POLLERT:

No, I do not believe it's advisable because it was included in the Omnibus bill.

LEG. CARACCIOLO:

Thank you.

P.O. TONNA:

Okay. All in favor? Opposed?

(*Opposed said in unison by Legislators*)

Okay, who's for it? Legislator Binder. Legislator D'Andre is for this, to reduce the District Attorney's money?

LEG. D'ANDRE:

Reduce it?

P.O. TONNA:

Yeah.

LEG. D'ANDRE:

No.

P.O. TONNA:

No, I didn't think so. And legislator Alden, are you for this?

LEG. ALDEN:

I didn't raise my hand.

P.O. TONNA:

Okay, just Legislator Binder. And Levy, are you for this, Legislator Levy? Okay, Binder and Levy.

MR. BARTON:

Two.

P.O. TONNA:

Okay. Now we'll go to No. 9 - (Increase Federal Aid \$66,700 in 2000 and \$66,700 in 2001).

LEG. BINDER:

Motion.

P.O. TONNA:

All right, motion by Legislator Binder. Seconded by?

LEG. LEVY:

Myself.

P.O. TONNA:

Legislator levy. All in favor?

00110

LEG. FISHER:

Question, Budget Review?.

MR. POLLERT:

This has already been included in the Omnibus bill. What this would be would be to double the revenue estimates; our revenue estimates in these amounts were already included in the Omnibus bill.

P.O. TONNA:

All right.

LEG. GULDI:

Read the report.

P.O. TONNA:

Okay, all in favor? Opposed?

LEG. BINDER:

I withdraw my motion.

P.O. TONNA:

You withdraw your motion, there we go.

Okay, No. 10 - (Adjust revenues and expenditures in Capital Prosecution Fund, Transfer \$614,270 to the General Fund). Motion by Legislator Binder.

MR. POLLERT:

Ten is in conflict.

P.O. TONNA:

Okay, that's nice.

No. 11 - (Reduce 2000 estimated equipment \$13,000). Motion by Legislator Binder. Seconded by?

LEG. LEVY:

Myself.

P.O. TONNA:

By Legislator Levy.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

On the motion.

LEG. CARACCIOLO:

Where would the \$80,000 be stricken from?

MR. POLLERT:

That would come out of the County Executive's 110 costs. This was not included in Omnibus, therefore there is no conflict.

00111

LEG. CARACCIOLO:

And do you recommend that it be stricken?

MR. POLLERT:

Yes, it was a recommendation.

LEG. LEVY:

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MR. POLLERT:

However, it impacts Fiscal Year 2000. In the Omnibus we tried to stay away from increasing the fund balance, so we left all the 2000 accounts alone. So again, this is not a 2001 estimate, it's a 2000 estimate.

P.O. TONNA:

There we go.

LEG. LEVY:

I just want to --

P.O. TONNA:

Okay, all in favor?

LEG. LEVY:

I don't need to talk.

P.O. TONNA:

Yeah, I agree. All in favor? Opposed?

LEG. TOWLE:

In favor.

P.O. TONNA:

You're in favor. Okay, now we have --

LEG. HALEY:

Opposed.

P.O. TONNA:

Okay, opposed. Who's in favor? Legislator Levy, Legislator Binder, Legislator Crecca and Legislator Foley and Legislator Towle, okay? That got broad support.

MR. BARTON:

Five.

P.O. TONNA:

Okay, here we go. No. 12 - (Reduce 2000 estimated permanent salaries \$87,000, increase 2001 turnover savings \$27,000). Is there a motion? Motion by Legislator Binder. Seconded by? Is there a second, Legislator Levy?

LEG. LEVY:

Yes.

00112

P.O. TONNA:

Yes, there is.

LEG. LEVY:

Thank you, sir.

P.O. TONNA:

Okay. All in favor? Opposed?

LEG. FOLEY:

Mr. Chairman?

P.O. TONNA:

Yes.

LEG. FOLEY:

Mr. Chairman, those particular amounts have already been included in the Omnibus; is that not correct?

MR. POLLERT:

Plus it picks up the 2000 amount which we were avoiding doing in the Omnibus bill. We didn't want to keep increasing the size of the fund balance.

P.O. TONNA:

Okay. So now we have all in favor? Opposed? Who's in favor, could you just tell us who's in favor? Legislator Binder and Legislator Levy; okay, that's it.

MR. BARTON:

Two.

P.O. TONNA:

Okay, No. 13 - (Reduce 2000 estimated equipment \$13,000). Legislator Binder, you want to make a motion?

LEG. BINDER:

Yep.

P.O. TONNA:

Okay, seconded by Legislator Levy; no surprise there. Okay, are we doing -- all in favor?

LEG. CARACCIOLO:

On the motion. What equipment is being deleted?

MR. POLLERT:

It's just we had lowered an estimated amount because Purchasing Department has --

LEG. CARACCIOLO:

Disregard.

P.O. TONNA:

Thank you. All in favor? Opposed? Who's in favor? Legislator Binder,

00113

Legislator Levy, Right? Great.

MR. BARTON:

Two.

P.O. TONNA:

Okay, we're on No. 14, am I right?

MS. FARRELL:

Right.

LEG. GULDI:

Same motion, same second.

P.O. TONNA:

I don't think we can do that, can we, same motion, same second, same vote? Great. No. 14, (Reduce 2000 estimated tax advertising expense \$22,400). Same motion, same second, same vote. Thank you, Fred.

MR. BARTON:

Two.

P.O. TONNA:

No. 15 - (Reduce 2001 overtime in Medical Examiner's Office \$25,000). Same motion, same second, same vote.

LEG. CRECCA:

Can I ask for an explanation? It's in the Omnibus already?

MR. POLLERT:

Yes, it is.

MR. BARTON:

Two.

LEG. CRECCA:

Thank you.

P.O. TONNA:

No. 16 - (Remove \$420,032 and 6 new RN's & 13 new LPN's at John J. Foley Skilled Nursing Facility). There's a conflict.

No. 17 - (Reduce 2000 estimated overtime \$36,000 in substance abuse and \$6,500 in Mental Health). Same motion --

LEG. LEVY:

Hold on. Does this mean since there's a conflict --

LEG. BINDER:

I'm not going to make a motion.

LEG. LEVY:

I'll will --

P.O. TONNA:

Sixteen you can't make one, there's a conflict.

00114

LEG. LEVY:

Yeah, I can make a motion.

LEG. BINDER:

It conflicts with 59.

P.O. TONNA:

Oh, with 59, I'm sorry; I apologize.

LEG. LEVY:

I'm going to pass over this with the option of coming back to it.

P.O. TONNA:

Wow, great, we'll get back to that. Okay, 17, is there a motion?

LEG. BINDER:

Motion.

P.O. TONNA:

Motion by Legislator Binder. Seconded by?

LEG. LEVY:

Second.

P.O. TONNA:

By Legislator Levy. Same motion -- no. Okay, all in favor? Opposed? Okay, Legislator Binder and Levy are the only ones for this one? Okay, 17, great.

MR. BARTON:

Two, fails.

P.O. TONNA:

No. 18 - (Reduce 2000 estimated permanent salaries \$6,467 in Emergency Medical Services). Same motion, same second, same vote.

LEG. LEVY:

Just an explanation, Mr. Chairman. As we're going through the revenue reductions here, it is an opportunity for us to widdle away at the overall Omnibus that we just put in. I mean, it's not going to necessarily bring us to zero but it could, it could bring us to five, it could bring us to three, it could bring us to zero or below depending on what we do. So I hope we get at least past some of these.

P.O. TONNA:

I don't think so, but go ahead. All right, is there a -- there's a motion and a second; same motion, same second, same vote on 18.

MR. BARTON:

Two.

P.O. TONNA:

Okay, we're on 19 now.

LEG. CRECCA:

Nineteen conflicts out.

00115

P.O. TONNA:

Conflicts out. No. 20 - (Remove \$32,640 for the contract with Eastern Long Island Hospital Greenport Satellite Clinic). Same motion, same --

LEG. CRECCA:

Just an explanation.

P.O. TONNA:

Legislator Crecca, you want to make a motion here?

LEG. CRECCA:

I want to ask for an explanation. Yeah, I'll make --

P.O. TONNA:

Well, first we have to have a motion.

LEG. CRECCA:

I'll make a motion to approve. Explanation.

P.O. TONNA:

Motion by Legislator Crecca, second by Legislator Levy. All right, there's a question being asked.

LEG. CRECCA:

Fred, for No. 20, or Jim.

MR. SPERO:

They gave them more money than they needed.

P.O. TONNA:

There we go. Okay.

LEG. CRECCA:

I made the motion already, right?

P.O. TONNA:

Motion, second. All in favor? Opposed? Who's for? Okay, who's for it?
Legislator Crecca and Legislator Foley and Levy, okay.

LEG. LEVY:

We gave them more money than they needed.

P.O. TONNA:

And Fields.

LEG. FOLEY:

I'm opposed.

P.O. TONNA:

Okay, and Binder.

LEG. LEVY:

I'm confused on that one, let's do that again.

LEG. FIELDS:

Yeah.

00116

P.O. TONNA:

There is a motion and a second. All in favor, raise your hand. There
you go, you've got Binder, Crecca, Alden and Levy. Opposed, everybody
else. Thank you very much.

MR. BARTON:

Four.

LEG. LEVY:

There's a separate agency that got more money than they needed, nobody
cares?

P.O. TONNA:

Four, great. No. 21 - (Remove \$300,000 for Public Awareness Campaign in
Public Health). Is there a motion?

LEG. FISHER:

I'm sorry, I just have to go back and ask a question. There was an
error and they got \$32,000 more than they were supposed to get, is that
what you said?

MR. SPERO:

More than they needed, yes.

LEG. FISHER:

Then I'm going to change my vote to a yes.

LEG. FIELDS:

So will I, change mine to yes.

P.O. TONNA:

Okay. Okay, guys, let's go back.

LEG. GULDI:

You've got to make a motion to reconsider.

P.O. TONNA:

You do have to make a motion to reconsider, the roll call was called.

LEG. FISHER:

I will make a motion to reconsider.

LEG. FIELDS:

And I'll second it.

P.O. TONNA:

Okay. Motion by Legislator Fields, seconded by Legislator Fields --

LEG. FISHER:

The other way around.

P.O. TONNA:
Fisher, Fields.
LEG. LEVY:
Roll call on this one.

00117

LEG. CRECCA:
I request a roll call on it.

P.O. TONNA:
All in favor? Opposed? It's in front of us, thank you. Okay, now a motion by Legislator Binder, I think, and then there was a second by Legislator Levy.

LEG. HALEY:
We're back to No. 20.

P.O. TONNA:
Twenty.

LEG. LEVY:
Roll call on this one.

P.O. TONNA:
Roll call.

(*Roll Called by Mr. Barton*)

LEG. CRECCA:
Yes.

LEG. LEVY:
Yes.

LEG. CARACCIOLO:
No.

LEG. GULDI:
No.

LEG. TOWLE:
No.

LEG. CARACAPPA:
No.

LEG. FISHER:
Yes.

LEG. HALEY:
Even though he played better golf, no.

LEG. FOLEY:
No.

LEG. FIELDS:
Yes.

LEG. ALDEN:
Yes.

00118

LEG. CARPENTER:
No.

LEG. D'ANDRE:
No.

LEG. BISHOP:
Pass, pass.

LEG. POSTAL:
Yes.

LEG. BINDER:
Yes.

LEG. COOPER:

Yes.

P.O. TONNA:

No.

LEG. BISHOP:

Yes.

MR. BARTON:

Nine.

P.O. TONNA:

Great, okay.

LEG. LEVY:

I've got 10, I have ten

LEG. HALEY:

Doesn't matter, he's got nine.

P.O. TONNA:

Well, it doesn't really matter, that's why we have a Clerk.

LEG. LEVY:

You're right, it's nine, I counted somebody twice.

P.O. TONNA:

Okay, there you go. That's why he's the professional.

All right, 22 - (Correct funding for two contract agencies in Alcohol & Substance Abuse). Is there a motion?

LEG. FIELDS:

Motion.

LEG. FISHER:

No, 21.

P.O. TONNA:

No, 21 is conflicted out.

00119

LEG. CARACCILOLO:

Mr. Chairman, could I just make a suggestion? You know, people seem to forget that the County Executive is the Chief Budget Officer of the County, and he has to administer the County Budget. That said, he will probably veto a number of these marginally approved resolutions and this is an exercise -- well, not yet but, you know, as we go along we were getting close. And we're going through an exercise here that's taking up a lot of time and I would just ask my colleagues to use good judgment and common sense as we consider these resolutions. Thank you.

P.O. TONNA:

Okay. No. 22, motion by Legislator Fields. Is there a second?

LEG. FOLEY:

Second.

LEG. LEVY:

Is there a --

P.O. TONNA:

Is there a second? Legislator Foley, okay. All in favor?

LEG. LEVY:

On the question.

LEG. CARPENTER:

Explanation.

P.O. TONNA:

On the motion, explain.

LEG. LEVY:

Is there a fiscal impact on these? I don't think there is.

LEG. CARACAPPA:

What's the dollar amount?

P.O. TONNA:

This is an add, right?

LEG. CARPENTER:

Fred, 22, explanation on 22.

LEG. CARACAPPA:

What's the dollar amount?

LEG. FOLEY:

It's actually a reduction.

MS. BRANDEAU:

This corrects two contract agencies in the Division of Mental Hygiene for Alcohol and Substance Abuse to the correct levels. One agency received additional State funding which was not included in the recommended budget although the revenues were, so that's the increase. And, let's see, the other agency the budget included money that was a

00120

one-shot from last year, the recommended budget. So the net decrease is 9810 to the property tax levy.

P.O. TONNA:

Okay. All in favor? Opposed? Is anybody opposed to this? Okay, it passes, 18.

MR. BARTON:

18.

P.O. TONNA:

That's 22. Okay, 23.

LEG. CRECCA:

Conflicts out.

P.O. TONNA:

Conflicts out. Twenty-four conflicts out.

LEG. CARPENTER:

No, two didn't pass.

P.O. TONNA:

Oh, that's right. Okay, back to 23 - (Increase 2000 Estimated State Aid \$1,265,040). Is there a motion?

LEG. LEVY:

Motion.

P.O. TONNA:

By Legislator Levy. Is there a second?

LEG. CRECCA:

Second.

LEG. FOLEY:

Explanation.

P.O. TONNA:

By Legislator Crecca.

MR. POLLERT:

What this resolution would do is the Legislature accepted State aid in the General Fund for a Labor Department Program but it was not reflected in the estimated budget. We did not include it in the Omnibus bill because we also knew that there was a problem with sales tax in Fiscal Year 2000, and items like this self-correct, the over estimate and sales tax.

LEG. CARPENTER:

So it's not really recommended to do this is what you are saying.

P.O. TONNA:

Okay.

00121

LEG. FOLEY:

So, Fred?

MR. POLLERT:

Therefore, it wasn't included in the Omnibus because this is how sales tax was corrected in Fiscal Year 2000, they had an over estimate of \$11.5 million.

P.O. TONNA:

Okay.

LEG. GULDI:

Call the question. Keep the meeting moving, call the question.

P.O. TONNA:

All in favor? Opposed?

LEG. FISHER:

Opposed.

P.O. TONNA:

Opposed. Okay, who's in favor? Legislator Crecca and Legislator Levy and Legislator Caracciolo and Binder, there you go.

MR. BARTON:

Four.

P.O. TONNA:

Okay, that's 23.

Okay, 24 is conflicted out. 25, conflicted out.

No. 26 - (Reduce 2000 estimated cost for Legislative contingencies \$917,550). Is there a motion?

LEG. LEVY:

Motion.

P.O. TONNA:

Motion by Legislator Levy. Seconded by Legislator --

LEG. LEVY:

Now just note, this is not wiping out Legislative Contingency funds in 2001.

P.O. TONNA:

That's okay. Do you want to go through that speech like we did last year?

LEG. LEVY:

No, no, no.

P.O. TONNA:

Okay, I just wanted to know.

00122

LEG. LEVY:

Just explain what this is, Fred.

LEG. FISHER:

That was my favorite.

MR. POLLERT:

With the Legislative Contingency Accounts, the money is put into a contingency account and as you adopt resolutions you transfer it to different areas of the budget. When the Executive proposed his budget, he left it both in the contingency account as well as transferred the

same money to the department, so it double counted the expenses but the expenses only happened one time.

LEG. BINDER:

Second.

MR. POLLERT:

Again, the reason this was not included in Omnibus is these positive items were picked up to wash out the projected shortfalls in sales tax

LEG. LEVY:

No, this was not counted in Omnibus, not used.

P.O. TONNA:

Great. All in favor? Opposed? Okay, who's in favor? Okay, Legislator Alden, Crecca and Levy.

LEG. CARACCIOLO:

And me.

LEG. BINDER:

And Binder.

P.O. TONNA:

Okay, and Binder and Caracciolo.

MR. BARTON:

Five.

P.O. TONNA:

All right, there we go. Now we're on No. 27, conflicted -- no, not conflicted out yet, (Reduce 2001 permanent salaries, remove new Chief Deputy Commissioner position, reduce equipment funding).

LEG. ALDEN:

It goes with 68.

P.O. TONNA:

Is there a motion?

LEG. HALEY:

We're not at 68.

00123

P.O. TONNA:

We're not at 68 yet. Is there a motion?

LEG. CRECCA:

It fails for lack of a motion.

P.O. TONNA:

Great, fails for lack of a --

LEG. LEVY:

No, I'd like to --

P.O. TONNA:

Okay, great. Now is there a second? It fails for lack of a second.

LEG. LEVY:

Make a motion.

P.O. TONNA:

You did.

LEG. ALDEN:

Second.

P.O. TONNA:

All right, now there's a second. All in favor? Opposed?

LEG. POSTAL:

Opposed.

P.O. TONNA:

Who's in favor.

LEG. LEVY:

Hold on, hold on.

P.O. TONNA:

Legislator Binder --

LEG. LEVY:

Let me pass on this, okay.

P.O. TONNA:

No, we're not passing. Just let's get this done.

LEG. LEVY:

I'll withdraw my motion.

P.O. TONNA:

Thank you very much. Okay, on 28.

LEG. CRECCA:

Twenty-eight conflicts out.

P.O. TONNA:

Conflicts out.

00124

No. 29 - (Reduce overtime \$4.6 million to amount requested). Is there a motion?

LEG. CARPENTER:

No, this would reduce --

P.O. TONNA:

Yeah, this would reduce overtime in the Police District by another \$4.6 million.

LEG. CARACCIOLO:

On the motion.

LEG. CRECCA:

No, not by another 4.6, I don't believe. I'd ask for an explanation; Fred, does this reduce it another 4.6?

MR. POLLERT:

Yes, it would reduce it another 4.6.

LEG. CARACCIOLO:

On the motion.

MR. POLLERT:

If you wanted to reduce it less you'd have to amend it on the floor.

LEG. CARACCIOLO:

On the motion.

LEG. CRECCA:

I'm going to withdraw the bill.

P.O. TONNA:

All right, there we go. There is no motion, he withdrew it.

LEG. CARACCIOLO:

I wanted to know what the justification would be.

P.O. TONNA:

I guess there wasn't one.

LEG. CRECCA:

The justification for withdrawing it?

P.O. TONNA:

No.

LEG. CRECCA:

Oh, I'm withdrawing it.

P.O. TONNA:

No. 30 - (Reduce 2001 Police District Overtime \$2 million). Is there a

motion? On 30, is there a motion? Now this one is just to reduce \$2 million.

00125

LEG. GULDI:

Going once, going twice.

P.O. TONNA:

No motion.

LEG. LEVY:

This was already in the budget, they already used it.

P.O. TONNA:

It's additional, okay. Now, that's --

LEG. CARACCIOLO:

No. Mr. Chairman, I'd like to hear from the sponsors the justification.

P.O. TONNA:

No --

LEG. CARACCIOLO:

No. I mean, look, they're putting in resolutions, I want to know how in the world can they justify reducing this?

[RETURN OF STENOGRAPHER-LUCIA BRAATEN]

LEG. LEVY:

No, no, no.

LEG. CRECCA:

You can't if there's no --

LEG. LEVY:

These were put in in case -- in case the omnibus wasn't passed, we'd have a chance to go through these.

P.O. TONNA:

Okay. This fails for lack of a motion. 31 (Reduce 2001 Contingency Funding a total of \$1,538,317). Is there a motion? No? Fails for -- fails for --

LEG. BINDER:

Can I have an explanation?

P.O. TONNA:

Is there a motion? No. There's got to be a motion and a second, then you can get an explanation.

LEG. ALDEN:

Motion and a second. I might -- motion.

P.O. TONNA:

Do you want to do them both, Cameron? Both?

LEG. ALDEN:

Motion.

00126

LEG. BINDER:

I'll second.

P.O. TONNA:

There's a motion by Legislator Alden, Binder, second. Go ahead.

LEG. BINDER:

For an explanation.

P.O. TONNA:

All right. Now, for purposes, Legislator Binder asks for an explanation.

MR. POLLERT:

On Number 31, there's a contingency account, which has been established

for salaries for Superior Officers and Detectives, assuming a pattern bargaining contract. Some monies were taken out in the omnibus bill. Assuming that pattern bargaining would be broken, this would reduce another \$1.5 million --

LEG. ALDEN:

I withdraw my motion.

MR. POLLERT:

-- from those contingency accounts.

P.O. TONNA:

Okay. Now we're on 32 (Reduce 2001 SOA/Detectives Contingency Funding \$650,000).

LEG. FOLEY:

32.

P.O. TONNA:

Is there a motion?

LEG. D'ANDRE:

What did we do with 31?

P.O. TONNA:

We didn't do anything.

LEG. FOLEY:

Withdrawn.

P.O. TONNA:

They withdrew it. 32, no motion?

LEG. CARACCIOLO:

Profiles in Courage, Mike.

P.O. TONNA:

Okay. All right.

LEG. LEVY:

Why do you say that?

00127

P.O. TONNA:

There we go.

LEG. LEVY:

It's put in in case you don't have it.

P.O. TONNA:

Number 33 (Remove \$1 million in 2001 for salaries, flatten Police Table of Organization to reduce number of Superior Officers). Is there a motion? This is to reduce the Superior Officers even more. No motion.

34 (Reduce 2001 funding for Police supplies and equipment \$217,644).

Is there a motion? Reduce Police supplies and equipment.

35 (Reduce 2001 Retirement Funding in Police District Fund \$1.8 million). Is there a motion? This is to reduce retirement funding in the Police District. No?

LEG. CRECCA:

Can I --

P.O. TONNA:

No. You've got to make a motion.

LEG. LEVY:

What are we on?

P.O. TONNA:

36 (Reduce 2001 Town Public Safety Revenue Sharing \$2,539,877), we're on right now. Reduce Town Public Safety Revenue Sharing. Is there a

motion? Okay. 37.

LEG. TOWLE:

I would really like an explanation.

LEG. BINDER:

No. Mr. Chairman, is that -- is that town or village?

LEG. ALDEN:

Motion.

LEG. CRECCA:

Second.

LEG. ALDEN:

Hold it on 36.

P.O. TONNA:

What?

LEG. BINDER:

Is that town or the village.

00128

LEG. ALDEN:

36, motion.

LEG. CRECCA:

36, there's a motion and a second right now.

LEG. BINDER:

I'll make -- I'll make --

P.O. TONNA:

Okay. 36, there's a motion by Legislator Crecca. Is there a second?

LEG. BINDER:

I'll second the motion, sure.

P.O. TONNA:

By Legislator Binder.

LEG. LEVY:

On the motion. On the motion. These were -- these were five or six items, everything from 30 -- 31 -- 30 -- about 30 to 36 were all stated by Budget Review as being things we didn't need in the Police District Fund. From my understanding, they were already incorporated into the omnibus bill, so they're already being cut. So we're already cutting the town revenue sharing by that amount. This would cut it an additional amount. I mean, my intention of having the separate resolutions here was in case it failed.

LEG. BINDER:

I understand. I just wanted -- I would just like Budget Review to tell us how much that was cut in omnibus for town revenue sharing, that's why the motion's out there. If I could just get the amount that --

MR. POLLERT:

It was cut approximately \$1.5 million. This would bring it back to the statutory minimal amount, which is required.

LEG. BINDER:

I would ask the author if he would amend that just to complete the difference, because it was only cut 1.5 million. If you cut it another million, it would bring it back to the statute amount. What was -- what was cut--

LEG. BINDER:

So I would ask the author if he would amend that just to complete the difference, because it was -- it was only cut 1.5 million. If you cut another million, it would bring it back to the statutory amount and we

could vote on it --

LEG. LEVY:

I would do that.

LEG. BINDER:

So you'll make it just to make the --

00129

LEG. LEVY:

I'll make that motion.

LEG. BINDER:

Okay. And I'll second that.

LEG. FOLEY:

To do what?

LEG. LEVY:

To bring it down another one point --

P.O. TONNA:

Okay.

LEG. BINDER:

Just that the total would be, omnibus plus this --

LEG. LEVY:

Yes.

LEG. BINDER:

-- 2,539,877.

P.O. TONNA:

Okay.

LEG. LEVY:

Good.

P.O. TONNA:

We're on now 36, right?

LEG. ALDEN:

As amended.

P.O. TONNA:

As amended. Okay. Now, all in favor? Okay. Let's see the favor?

Crecca, Binder, Alden, Levy. Opposed? Thank you very much. Let's go on to 37 (Reduce 2000 estimated permanent salaries \$279,000, increase 2001 turnover savings \$219,000). Is there a motion? Okay.

LEG. LEVY:

Yes, motion.

P.O. TONNA:

Motion by Legislator Levy. Is there a second?

LEG. BINDER:

Yes, for an explanation.

P.O. TONNA:

Okay. Legislator Binder, for purposes of an explanation.

MR. POLLERT:

Yes. Within the Probation Department, we had found that their overtime

00130

was underbudgeted, but their permanent salary accounts were, in fact, overestimated. We had recommended that the two wash one another out. This just picks up reducing the permanent salary account and doesn't recognize that they're underbudgeted on overtime in 2000.

LEG. BINDER:

What did the omnibus do? Because you have it in --

MR. POLLERT:

It didn't do anything with Fiscal Year 2000. 2001, it did extract some turnover savings from the Probation Department.

LEG. BINDER:

And how would this affect the Probation Department if this passed?

MR. POLLERT:

It would take another 219,000 out of next year's Operating Budget for salaries.

LEG. BINDER:

And you estimate that they don't need that amount?

MR. POLLERT:

We had originally estimated they did not need that amount, but an amount was taken out in the omnibus bill, not quite \$200,000. You're in the same --

LEG. BINDER:

So this would compound the problem.

MR. POLLERT:

-- situation like the town revenue sharing, you'd have to adjust it to the net difference between the two.

LEG. BINDER:

I just -- I'll just withdraw the second on this -- on that one.

LEG. CARACCILO:

No motion.

LEG. CRECCA:

Fails for lack of a second?

LEG. FOLEY:

Fails for lack of a second. Let's go.

P.O. TONNA:

All right, great. Let's go into -- now we're at --

LEG. POSTAL:

38

LEG. FOLEY:

38.

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P.O. TONNA:

38 (Increase 2000 estimated Public Administrator fees by \$35,000). Is there a motion?

LEG. LEVY:

Motion.

P.O. TONNA:

By Legislator Levy. Is there a second?

LEG. ALDEN:

Second.

P.O. TONNA:

By Legislator Alden. All in favor? Opposed? Who's for it?

LEG. BINDER:

I'm for it.

P.O. TONNA:

Okay. We've got Binder.

LEG. LEVY:

No, it's not an --

P.O. TONNA:

Alden.

LEG. LEVY:

It's an increase in fees.

LEG. ALDEN:

Picks up the increase in fees.

LEG. LEVY:

Fees for the --

P.O. TONNA:

Right. Binder, Alden and Levy. Great.

MR. BARTON:

Three.

P.O. TONNA:

Okay. Number 39. 39, (Remove \$4 million funding for one-half of new unmarked vehicles), is there a motion?

LEG. LEVY:

Motion.

P.O. TONNA:

Motion, okay.

LEG. LEVY:

And I want to say why.

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P.O. TONNA:

By Legislator Levy.

LEG. LEVY:

I want to say why on this.

P.O. TONNA:

Well, let's get a second first before --

LEG. BINDER:

I'll second to give you an opportunity to speak.

P.O. TONNA:

Second, so go ahead. Now say why.

LEG. LEVY:

There are -- there are \$8 million in new vehicles that were proposed to be purchased. We passed a law here in Suffolk County last year, which is not being abided by. That law, if enforced, would start removing vehicles from those County employees who use their vehicles primarily for commutation purposes. Practically nothing has been done with that. If it was enforced, you wouldn't need to be buying 8 million new vehicle -- \$8 million worth of new vehicles.

LEG. FOLEY:

Mr. Chairman. Mr. Chairman. Mr. Chairman, if I may

P.O. TONNA:

Yes.

LEG. BINDER:

I'll let members speak, but I'm going to probably withdraw my motion.

But if you want to speak, I'm going to withdraw my second it, because I

--

LEG. BISHOP:

I'll second it.

P.O. TONNA:

All right. All right, fine. Let's --

LEG. HALEY:

Keep going.

LEG. BINDER:

Oh, you have a --

P.O. TONNA:

-- vote

LEG. BINDER:

No. You could speak, if you want.

P.O. TONNA:

We have a motion and a second.

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LEG. BINDER:

I won't withdraw it, if you want to speak first.

LEG. FOLEY:

No, no.

P.O. TONNA:

All right. There's a motion and a second. Let's just--

LEG. FOLEY:

There is a second?

P.O. TONNA:

Is there --

LEG. BINDER:

I will --

P.O. TONNA:

Okay.

LEG. BINDER:

I withdraw the -- I'm withdrawing my second.

LEG. FOLEY:

Okay.

P.O. TONNA:

Yes, but --

LEG. BISHOP:

And I'm seconding it.

LEG. BINDER:

Oh, okay.

P.O. TONNA:

Bishop second it.

LEG. FOLEY:

All right. On the motion, then. On the motion.

P.O. TONNA:

Go ahead.

LEG. FOLEY:

When you look at the conflicts, you look at Number 62 and 71, 62, where Legislator Fields and I are adding four Public Health Sanitarians, which is something that the Commissioner of Health has asked for, which was not included in the proposed budget, it also adds four vehicles for that -- for those four positions. They need the vehicles in order to get around the County. Then, if you look at Number 71, a resolution that I've put in, is to transfer that \$4 million to the Pay As You Go account, because, according to the Budget Review Office, we could easily have anywhere from a 14 to a \$15 million Pay As You Go 5-25-5 account, and this additional \$4 million will increase the aggregate

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amount to about 14 or 15 million. So it's a way of saving bonded indebtedness. Instead of just outright eliminating the monies, as well as the cars, number 71 would transfer the monies into the Pay As You Go account, which could be used for a variety of purposes. It could be

used to buy some cars, but it also could be used for some other capital projects where we would be avoiding sizable debt. So I would recommend to defeat this particular motion and to use the monies as set forth in the succeeding two resolutions.

P.O. TONNA:

Great.

LEG. LEVY:

Mr. Chairman.

P.O. TONNA:

Okay. So --

LEG. LEVY:

I'd like to speak.

P.O. TONNA:

You want to speak?

LEG. LEVY:

Yeah.

P.O. TONNA:

Legislator Levy.

LEG. LEVY:

I respect Legislator Foley's request. However, I would think that we're going to go to the -- if we're going to go forth and cut \$4 million worth of cars, which I think we should, I wouldn't want to spend it on other items. If we're going to make -- go to the -- bite the bullet in that regard, let's try to reduce the omnibus by that amount.

P.O. TONNA:

Thank you. Okay. All in favor? Opposed? Raise your hand if you're for it. Legislator Binder, Bishop, Alden and Levy. Thank you very much. Let's go on.

MR. BARTON:

Four.

P.O. TONNA:

Now to Number 40 (Reduce funding for Police marked sedans \$1,560,000). Are we correct? Yes, 40. Is there a motion?

LEG. LEVY:

Motion.

P.O. TONNA:

Is there a second?

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LEG. LEVY:

I'll withdraw that.

P.O. TONNA:

Great. Okay. 41 (Decrease funding for new unmarked vehicles \$734,000). Is there a motion? Okay.

LEG. LEVY:

Motion on 41.

P.O. TONNA:

Okay, great. Is there a second?

LEG. BINDER:

Second.

P.O. TONNA:

Second, Legislator Binder. All in favor? Opposed? Okay.

LEG. CRECCA:

I had asked for an explanation on this one, please.

P.O. TONNA:

Okay. Legislator Crecca would like an explanation.

LEG. LEVY:

Fred.

LEG. CRECCA:

This is on -- Fred, I'm asking for an explanation on 41, please, Budget Amendment 41.

MR. POLLERT:

That was not a Budget Review Office recommendation.

LEG. CRECCA:

It was not, you said?

MR. POLLERT:

No.

LEG. CRECCA:

You can remove my name as a cosponsor, please.

LEG. LEVY:

I'm trying to remember how we came up with -- we came up with 734,000, talking -- Jim, you and I came --

MR. SPERO:

Yeah. It wasn't -- it wasn't in our report.

LEG. GULDI:

Call the question, please.

LEG. LEVY:

All right. I'll -- can I pass over this, please? I want to review my

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notes.

LEG. FOLEY:

Sorry, but there's a lack of a second.

LEG. LEVY:

All right.

LEG. HALEY:

Not without a motion and a second.

LEG. LEVY:

All right.

LEG. HALEY:

Let's move on.

LEG. CRECCA:

I don't have a second. Binder, you're withdrawing your second?

LEG. BINDER:

No, I didn't withdraw my second.

D.P.O. LEVY:

All right. We have a motion, we have a second. In favor? Opposed.

Let's say who's in favor. I'm in favor, and Legislator Binder's in favor.

MR. BARTON:

Two.

D.P.O. LEVY:

Two. Okay. So that's 2-16.

MR. BARTON:

Two. It fails.

D.P.O. LEVY:

Okay. 42, remove \$500,000 in 2001 in building leases. It's my

resolution. I'll make a motion.

LEG. BINDER:

I'll second for an explanation.

D.P.O. LEVY:

Second by Legislator Binder for an explanation. This is my resolution, not from Budget Review. Just have been a number of leases coming forth over the last couple of years, which some people thought were excessive. We were looking for some revenue to bring down the tax rate. I thought that was one area that we could take some money from.

LEG. BINDER:

I'm withdrawing my second.

D.P.O. LEVY:

Okay. No second.

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P.O. TONNA:

Thank you very much.

LEG. FOLEY:

I'll second it.

P.O. TONNA:

Okay.

D.P.O. LEVY:

We have a second by Legislator Foley.

P.O. TONNA:

Okay. All in favor? Opposed? Who's in favor?

LEG. FIELDS:

I'm in favor.

P.O. TONNA:

Okay. In favor, Michael, Legislator from the First District, Legislator Towle from the Third, Legislator Levy from the Eighth, Legislator Foley from the Seventh, Legislator Fields, Legislator Bishop, is that -- do I hear a bid? Okay.

LEG. HALEY:

Stand up, Dave.

P.O. TONNA:

And Legislator Guldi. Thank you very much. He was standing. Okay.

MR. BARTON:

Seven.

P.O. TONNA:

Thank you. Seven. There we go. Okay. Now we're on to Number 43 (Add \$4.3 million in State/Federal Revenue for Contingent Salary Reimbursement).

LEG. FISHER:

Conflict.

P.O. TONNA:

44 (Adjust Distribution of PILOT Revenues), conflict. 45 (Increase vending machine revenue \$100,000). Legislator Levy, this is the vending machines.

LEG. LEVY:

Contrary to the Comptroller's remarks, there have been things done in this regard. There have been a series of meetings over the last year. And, in fact, Jean Dinunzio from his office shared in those meetings and we now have an RFP that's ready to go out. We're finally going to get bids on these vending machines and we should realize some money. So

we came up with a rather reasonable amount of \$100,000 in anticipated revenue as opposed to last year --

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P.O. TONNA:

This is an add.

LEG. LEVY:

-- when we had just give-aways.

LEG. GULDI:

Expected?

P.O. TONNA:

Right.

LEG. LEVY:

Well, it's estimated.

LEG. HALEY:

I have a question.

P.O. TONNA:

Right. Can I --

LEG. LEVY:

You're going to have something.

P.O. TONNA:

Great.

LEG. LEVY:

Right now it's zero.

P.O. TONNA:

Okay. This is an add to the budget, right, Legislator Levy?

LEG. CRECCA:

It's a revenue add.

LEG. HALEY:

I have a question.

LEG. BINDER:

Revenue add.

P.O. TONNA:

Yeah. Okay. Legislator Haley.

LEG. HALEY:

I have a question of Legislator Levy. Are you going to do this in Albany?

LEG. LEVY:

What is that, the vending machines?

LEG. HALEY:

Messing with the vending machines?

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LEG. LEVY:

Messing with the vending machines? I'll just have to look over my shoulder a lot while I'm driving.

P.O. TONNA:

Okay. Number -- okay. A vote on 45. All in favor? Who's in favor of this?

LEG. CRECCA:

I don't even know if it has a second. Does it have a second?

LEG. BISHOP:

No, it's too absurd.

P.O. TONNA:

Okay. Fails for lack of a second.

LEG. LEVY:

Wait a minute.

P.O. TONNA:

Okay. 46.

LEG. LEVY:

It's going to keep on going and not collect any money?

LEG. CRECCA:

Fails for lack of a second.

P.O. TONNA:

Forty -- second. 46 (Reduce Funding in Self Insurance Fund a Total of \$5,279,712 as Recommended by BRO), is there -- conflicted.

47 (Increase Revenues for Soil & Water \$14,000 for 2001), conflicted.

48 (Reduce appropriations \$7.1 million and abolish one-half of all current vacant General Fund positions). Legislator Levy?

LEG. LEVY:

48.

P.O. TONNA:

48.

LEG. LEVY:

Motion.

P.O. TONNA:

Are you for this?

LEG. GULDI:

Is there a motion?

P.O. TONNA:

Motion?

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LEG. LEVY:

Boy, I would be.

P.O. TONNA:

Is there a second? No. Fails for lack of a second.

LEG. CARACAPPA:

This is absurd.

P.O. TONNA:

49 (Reduce appropriations \$5.4 million and remove three-quarters of all new positions). Is there a motion? Legislator Levy, is there a motion?

LEG. LEVY:

Motion.

P.O. TONNA:

Is there a second?

LEG. ALDEN:

Second.

P.O. TONNA:

Second, Legislator Alden.

LEG. TOWLE:

Explanation.

LEG. LEVY:

These are not filled positions, these were positions that were placed into the budget by the County Executive, not filled at this time. But my point is, if you're going to go forward and have an increase in taxes, we should do all we can to stop the growth of government and this is one way to do it.

P.O. TONNA:

Okay, great.

LEG. TOWLE:

Question just to follow-up. Paul.

P.O. TONNA:

Sure.

LEG. TOWLE:

So it's vacant positions in the budget now --

LEG. LEVY:

Yes.

LEG. TOWLE:

-- that are being carried over as vacancies?

LEG. LEVY:

No, no. The one before were vacant positions that have been carried

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over from new vacancies. 49 are new positions that have been created with the proposed budget from the County Executive that have not been filled, so, at the moment, they're vacant. Once you fill them, they're filled positions. I say knock them out before they're filled, because, you know, this is not the time to do it.

P.O. TONNA:

Great.

LEG. TOWLE:

How many positions is that?

LEG. BISHOP:

Now, where are they. Have you studied where they're --

LEG. LEVY:

It was between 100 and 200 -- Fred, do you have the positions?

MR. POLLERT:

Yes. It's --

LEG. LEVY:

Between 100 and 200?

MR. POLLERT:

If you go to Resolution 49.1, it has a list of the titles coming out.

It's a total of 179.

P.O. TONNA:

Okay. Let's go to the videotape. Are we -- All in favor? Opposed?

Who is for this? Legislator Levy and Legislator Alden. Fine. We're up to Number 50.

MR. BARTON:

Two.

P.O. TONNA:

That was 49. Okay, Number 50. All right. You want to support that?

LEG. BISHOP:

Yep.

P.O. TONNA:

Okay. Legislator Bishop's on with that; okay?

LEG. LEVY:

It's not absurd?

LEG. BISHOP:

No.

P.O. TONNA:

There you go. 50, is there a motion?

MR. BARTON:
The vote on 49 is now three.

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P.O. TONNA:
Right. And 50 (Increase turnover savings \$2.5 million), is there a motion?

LEG. LEVY:
Hold on, hold on.

LEG. CRECCA:
I'll withdraw based on the --

P.O. TONNA:
Withdraw, okay. 51 (Reduce General Fund permanent salaries \$401,000 for reclassifying positions). Is there a motion? Legislator Levy, is there a motion? Stick with me here.

LEG. LEVY:
No.

P.O. TONNA:
Okay, withdrawn. 52 (Reduce 2001 Travel Account by 50% for \$773,945). Is there a motion?

LEG. LEVY:
Motion.

P.O. TONNA:
Motion by Legislator Levy, seconded by?

LEG. TOWLE:
Second.

P.O. TONNA:
Seconded by Legislator Towle. Personally, on this, I'd much rather have them come over with the vouchers and then we can say no to them, but, anyway.

LEG. TOWLE:
No, wait. You can say no to them. There's a difference.

P.O. TONNA:
Right. Okay.

LEG. CARACAPPA:
This was Steve's vouchers to Albany.

P.O. TONNA:
Yeah. Oh, yeah, right. Okay.

LEG. LEVY:
I withdraw the motion.

P.O. TONNA:
Which one?

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LEG. LEVY:
No, no, I'm kidding.

P.O. TONNA:
Okay. So, 52, there's a motion and a second. Who's for this? Binder, Alden, Levy. Okay.

LEG. TOWLE:
And myself.

P.O. TONNA:
And Towle.

LEG. CRECCA:
And you can join me on that, too.

P.O. TONNA:

You can join --

LEG. LEVY:

We can join him, okay.

P.O. TONNA:

Okay.

LEG. CRECCA:

Join me on that.

P.O. TONNA:

We can join him on that.

LEG. CRECCA:

Join me on that. I join you.

P.O. TONNA:

Okay.

MR. BARTON:

The vote is five.

P.O. TONNA:

They're going to have a conference about this. 53 (Reduce 2000 estimated permanent salaries \$44,000, increase 2001 turnover savings \$30,000). Is there a motion? 53, is there a motion?

LEG. LEVY:

No motion.

P.O. TONNA:

Great. 54 (Transfer Physician & Sr. Clerk Typist Back to Sheriffs Department for Medical Evaluations) is conflicted.

55 (Transfer Funding for Independent Audit Fees to County Legislature) is conflicted.

56 (Transfer \$300,000 from Pay As You Go Funding to District Attorney
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for building renovations). Is there a motion?

LEG. CRECCA:

Yeah, motion to approve.

P.O. TONNA:

Okay. Is there a second?

LEG. D'ANDRE:

Second.

P.O. TONNA:

Second by Legislator D'Andre. What does this do?

LEG. CRECCA:

What this does is that there are renovations that need to be made at -- actually, Fred, do you want to explain this or do you want me to?

MR. POLLERT:

Yes. What this does is it's going to take some funds out of the Pay As You Go account, which funds capital projects and transfer them to the building services account in the District Attorney's Office.

P.O. TONNA:

Okay.

LEG. BISHOP:

May I answer, Mr. Chairman?

P.O. TONNA:

Yes.

LEG. BISHOP:

At the Public Safety budget hearing, the -- this or a similar issue

came up and the committee discussed with BRO about a resolution to do Pay As You Go for this year, 2000.

LEG. CARACAPPA:

Right.

LEG. BISHOP:

Not to budget it in 2001.

LEG. CARACAPPA:

To deal with the hirings later.

P.O. TONNA:

Okay. So is this a public safety issue? You guys are all for this?

LEG. BISHOP:

No, no. There was -- yes.

LEG. POSTAL:

It's just timing.

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MR. POLLERT:

The County Executive is going to use all the money for the Treasurer's system, which requires additional appropriations and real property tax. Real property tax had originally put funding in for a capital project. It does not meet 5-25-5. And the equipment is going to be purchased out of Pay As You Go.

LEG. BISHOP:

How much is in Pay As You Go for this year, at this point?

MR. POLLERT:

It was adopted 10-2. I believe there was about four to \$500,000 left.

LEG. BISHOP:

Oh, okay.

P.O. TONNA:

Okay.

LEG. BISHOP:

And that's being used by the two other projects. So what this amendment is doing --

MR. POLLERT:

Is now tying up the 2001 money. It's starting to pull it out of the Pay As You Go and put it in --

LEG. BISHOP:

Okay. It doesn't -- it doesn't raise revenues to do that, it just simply --

P.O. TONNA:

It's revenue neutral?

LEG. CRECCA:

Yes.

MR. POLLERT:

Right. So what it's doing is it's taking money from Pay As You Go and moving it to the departmental account.

LEG. BISHOP:

I would recommend to my colleagues that we adopt this.

P.O. TONNA:

Okay.

LEG. CRECCA:

Yeah. I mean, it's --

P.O. TONNA:

All in favor? I'm in favor. All in favor? How about who's opposed to

this? All right. 18. Let's go. Next. 57 (Transfer \$100,000 from permanent salaries to Legislature Fees for Services Account, abolish vacant County Executive Asst. II, Secretary). Is there -- is there a motion?

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LEG. LEVY:

Motion. I want to tell you what this one's about.

P.O. TONNA:

Okay. Well, let's get a second first, if we want to subject ourselves to this.

LEG. BINDER:

Second.

LEG. LEVY:

Thank you, Allan.

P.O. TONNA:

Is there a second? Legislator Binder.

LEG. LEVY:

This one is to take \$100,000 from the Executive's line. He's disappearing. He doesn't really care. I've had a situation where a number of Legislative initiatives just have not been carried out, and I know just about everyone here has had the same experience. So if initiatives are not going to be carried out, let's transfer the money over and get it done elsewhere. So I'm transferring the money from the County Executive's line item over to Budget Review, so when we put forth Legislative initiatives to get things done, we know they'll get done. And I'll bet every one of you have a number of items that you've had in the budget that have been totally stymied and you get no reason why. So there.

Is there -- we have a motion, we have a second. In favor? Opposed?

It carries.

LEG. CARPENTER:

Wait, wait, wait.

LEG. LEVY:

Who was opposed? Who's opposed.

LEG. GULDI:

Opposed.

LEG. CARACAPPA:

Opposed.

LEG. BISHOP:

Roll call. Roll call requested.

D.P.O. LEVY:

Roll call.

(*Roll Called by Mr. Barton*)

LEG. LEVY:

Yes.

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LEG. BINDER:

Yes.

LEG. CARACCIOLO:

Pass.

LEG. GULDI:

No.

LEG. TOWLE:

Yes.
LEG. CARACAPPA:
No.
LEG. FISHER:
Yes.
LEG. HALEY:
No.
LEG. FOLEY:
Yes.
LEG. FIELDS:
Yes.
LEG. ALDEN:
No.
LEG. CARPENTER:
No.
LEG. CRECCA:
No.
LEG. D'ANDRE:
No.
LEG. BISHOP:
Yes, for the Legislature.
LEG. POSTAL:
No.
LEG. COOPER:
Yes.
LEG. TONNA:
No.
LEG. CARACCIOLO:
No.
MR. BARTON:
Eight.

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LEG. LEVY:
58, Paul.
P.O. TONNA:
Okay. 58 (Add \$40,000 for Dangerous Dog Database for SPCA, Offset
Turnover Savings). Is there a motion, Legislator Levy?
LEG. LEVY:
Yeah, motion.
P.O. TONNA:
Okay.
LEG. CARPENTER:
This is an add.
P.O. TONNA:
Is this in with the cats, the feral cats? Is this the same genre of
legislation?
LEG. LEVY:
Yeah, this is with the pit bulls.
P.O. TONNA:
All right.
LEG. LEVY:
To enforce that, with an offset.
P.O. TONNA:

I wanted to know.

LEG. HALEY:

Don't we already have a bill in? Okay.

P.O. TONNA:

Okay.

LEG. LEVY:

Yeah. It was never -- they never carried it out.

P.O. TONNA:

Okay.

LEG. LEVY:

That's one of those example where we had the money and they never carried it out, so we have to have this to enforce the pit bull law.

P.O. TONNA:

Okay. Is there -- there's a motion by Legislator Levy. Is there a second. Do I have a conflict of interest? I own a doberman. Okay.

Anyway, all in favor?

MR. BARTON:

There's no second, Mr. Chairman.

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P.O. TONNA:

Opposed?

MR. BARTON:

No second.

LEG. CRECCA:

There's no second.

LEG. CARPENTER:

No second.

LEG. FOLEY:

There's no second, Paul.

P.O. TONNA:

Did you say my wife?

LEG. CRECCA:

Presiding Officer, there's no second on this.

LEG. LEVY:

Hey, Allan.

P.O. TONNA:

Did he say my wife?

LEG. LEVY:

Allan, you're not going to second that?

LEG. BINDER:

No adds.

LEG. LEVY:

I thought you were for it.

LEG. BINDER:

No adds. No adds.

P.O. TONNA:

I'm calling her up now, that's it.

LEG. LEVY:

It's an offset.

LEG. BINDER:

I know, but no adds. I don't --

P.O. TONNA:

All right.

LEG. LEVY:
You're not going to be able to do it.

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P.O. TONNA:

Anyway --

LEG. CRECCA:

Paul. Paul, you got to say it fails for lack of a second.

P.O. TONNA:

It fails for lack of a second.

LEG. BISHOP:

Wait, I'll second SPCA.

LEG. FOLEY:

It's too late.

P.O. TONNA:

Okay.

LEG. FOLEY:

It's too late.

P.O. TONNA:

Sure, Legislator Bishop.

LEG. CARPENTER:

Too late. Too late.

LEG. LEVY:

Second it, he second it.

P.O. TONNA:

Okay. It fails for lack of a second. Let's go on.

LEG. LEVY:

It got a second, Mr. Chairman.

P.O. TONNA:

We do?

LEG. FOLEY:

No.

LEG. LEVY:

David is the second.

LEG. FOLEY:

The second came after you said it.

P.O. TONNA:

All right.

LEG. HALEY:

Yeah, do the vote.

P.O. TONNA:

Okay. All in favor? Opposed? Who's for it? Let's just say who's for

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it. Okay. This is a new coalition building. Towle, Haley, Levy,
Bishop and Binder.

LEG. CARACCIOLO:

And me.

P.O. TONNA:

This is Number 58, the Dangerous Dog Bill.

LEG. LEVY:

Caracciolo.

P.O. TONNA:

Caracciolo. There we go.

LEG. HALEY:

That's Presiding Officer Bishop to you.

P.O. TONNA:

Okay.

MR. BARTON:

Six. It fails.

P.O. TONNA:

59 (Add 2 Asst. Food Service Supervisors, 1 Accountant Trainee, 2 Nurses Aides for Adult Day Care, Remove 3 New Nurse Positions at John J. Foley SNF).

LEG. FOLEY:

Motion.

LEG. FIELDS:

Second.

P.O. TONNA:

Motion, second. What does this do?

LEG. FOLEY:

This is per the Budget Review Office recommendation. There's a need for better supervision in the food services unit. There's a need for an accountant trainee, and there's a need for two nurse aides in the adult daycare in order to be eligible for a larger number of adults in that particular program.

P.O. TONNA:

It's an add.

LEG. FOLEY:

The more adults -- no, it's not an add. The more adults that can be serviced there, there's an increase in revenues. There's an increase in revenues to the facility if they're able to have more adults. And the two nurses aides will enable the County to receive additional State aid.

00152

P.O. TONNA:

Is this revenue neutral?

MR. POLLERT:

Yes, it is.

P.O. TONNA:

Okay. All in favor? Opposed? How about opposed? Who's opposed?

Okay, Legislator Postal, Legislator Binder, Legislator Haley and

Legislator Crecca. Okay.

LEG. CARPENTER:

And Carpenter.

P.O. TONNA:

Legislator Carpenter's opposed.

P.O. TONNA:

Okay.

LEG. CRECCA:

Is that approved?

LEG. LEVY:

What's the vote?

MR. BARTON:

13-5.

P.O. TONNA:

Great.

LEG. FOLEY:

Thank you.

P.O. TONNA:

Number 60 (Separate Holiday Pay from Overtime Pay at John J. Foley SNF). Is there a motion?

LEG. FIELDS:

Motion.

P.O. TONNA:

Okay. Go ahead. Is there a second? Do we have a second for number 60? It fails for lack of a second?

LEG. FOLEY:

That doesn't need -- Number 59 doesn't need 14 votes, it's --

LEG. GULDI:

It's approved.

LEG. FOLEY:

It's approved.

00153

P.O. TONNA:

It's approved.

MR. BARTON:

It's approved.

MR. POLLERT:

This is totally neutral.

LEG. FOLEY:

It's approved. Thank you.

LEG. LEVY:

It was revenue neutral, right? That's what I'm saying. Right.

P.O. TONNA:

Number 60, is there a motion? Yes. Is there a second? Fails for lack of a second.

LEG. LEVY:

I'll give a second --

P.O. TONNA:

Okay.

LEG. LEVY:

-- for the purpose of explanation.

P.O. TONNA:

Go ahead. You got your --

MR. POLLERT:

What happens is in --

P.O. TONNA:

Legislator Fields

MR. POLLERT:

What happens in most major departments that have holiday pay, there are two separate subobjects. In the Skilled Nursing Home, they lump everything into overtime.

LEG. BINDER:

The next one.

MR. POLLERT:

So it appears that overtime --

P.O. TONNA:

Sixty.

LEG. BINDER:

We're on the next one.

MR. POLLERT:
-- is excessive.

00154

P.O. TONNA:
Sixty.

LEG. LEVY:
That is 60.

P.O. TONNA:
That is sixty.

MR. POLLERT:
Yes, I'm 60.

LEG. BINDER:
There was no second it.

P.O. TONNA:
No, there is.

LEG. CRECCA:
There is a second on it.

LEG. LEVY:
There is a second.

LEG. BINDER:
There was a second on 60?

LEG. LEVY:
I second for the purpose of discussion.

LEG. BINDER:
Oh, I thought we were --

P.O. TONNA:
Sorry, Fred. Go ahead, continue.

MR. POLLERT:
So what this would do is it would break the overtime account into two separate accounts, the amount really spent for overtime and the amount which is being spent for the holiday pay.

LEG. CRECCA:
Does BRO recommend this?

MR. POLLERT:
Yes, it's a Budget Review Office recommendation for accountability.

LEG. CRECCA:
That's good enough for me, Fred.

LEG. ALDEN:
So put him down as a no.

LEG. GULDI:
Call the question, please.

00155

P.O. TONNA:
Okay.

LEG. GULDI:
Mr. Presiding Officer.

P.O. TONNA:
Yes.

LEG. GULDI:
Please, pay attention.

P.O. TONNA:
Yes, I'm paying attention.

LEG. FOLEY:

Let's go.

P.O. TONNA:

Fine.

LEG. FIELDS:

So it's revenue neutral.

P.O. TONNA:

Fine. All in favor? Opposed? What's the call?

MR. BARTON:

18.

P.O. TONNA:

Great. Number 61 (Create 1 Forensic Scientist I in Toxicology Lab, Reduce Overtime, Supplies). Is there a motion?

LEG. FIELDS:

Motion.

P.O. TONNA:

Is there a second?

LEG. FOLEY:

Second.

P.O. TONNA:

Second. Is it revenue neutral?

MR. POLLERT:

Yes.

LEG. FOLEY:

Yes.

P.O. TONNA:

All in favor?

00156

LEG. CRECCA:

Wait. Could we -- is it requested and are --

LEG. FOLEY:

Yes. Dr. (Waily), as a matter of fact, mentioned that there's a serious backlog in this particular area of His operations and he needs the position in order to cut back on months, months-long backlog, multiple months.

P.O. TONNA:

Okay. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

Number 62 (Add 4 Public Health Sanitarian Trainee Positions in Environmental Protection and 1 Public Health, add \$ for 4 Vehicles, Offset Funding for Vehicles). Is there a motion?

LEG. FIELDS:

Motion.

LEG. CARACCILOLO:

Motion.

LEG. FOLEY:

Ginny.

P.O. TONNA:

Motion.

LEG. FOLEY:

Second the motion.

P.O. TONNA:

And a second. Okay. Is it revenue neutral?

MR. POLLERT:

Yes.

P.O. TONNA:

Okay.

LEG. LEVY:

Hold on, though. Is this -- what is -- this conflicts with 39 and 71.

Wait a minute.

LEG. FISHER:

But we voted down 39.

P.O. TONNA:

Trust me, we didn't vote on 39 in the positive.

LEG. ALDEN:

Explanation.

00157

LEG. FISHER:

It failed.

LEG. CRECCA:

Can we have an explanation on this?

P.O. TONNA:

Yes, question by Legislator Alden.

LEG. ALDEN:

Fred, this does it by reducing the number of vehicles?

MR. POLLERT:

Yes, it does.

LEG. FOLEY:

By four.

P.O. TONNA:

Okay. All --

LEG. FOLEY:

Mr. Chairman, if I may.

P.O. TONNA:

Yes.

LEG. FOLEY:

Some are asking the question about conflicts. It's only, if you will, a partial conflict, since we're only talking about four vehicles. We would reduce that amount from -- if 71 is later approved, we just reduce that by four vehicles, obviously; correct?

LEG. POSTAL:

Mr. Chairman.

LEG. FOLEY:

Fred? 71 will move --

MR. POLLERT:

Specifically, what it does is Number sixty --

LEG. FOLEY:

Two.

MR. POLLERT:

-- two adds four vehicles for the Sanitarians, which are being hired, but the offset for the Sanitarians is also coming from the vehicles.

LEG. FOLEY:

Right. So what would happen, if this is approved, through the Chair.

If this is approved and then we want to approve 71, 71 is just reduced by the amount of monies that's are used in 62; correct? We can still

approve 71, just by --

00158

MR. POLLERT:

Yes.

LEG. FOLEY:

-- just it would be a reduced number.

MR. POLLERT:

Yes. Now I understand the question. You can.

LEG. FOLEY:

So it's a partial conflict, not a total -- it's a partial.

MR. POLLERT:

That's correct.

LEG. CRECCA:

On the motion.

LEG. CARPENTER:

On the motion.

P.O. TONNA:

Okay. Legislator Carpenter, then Legislator Postal.

LEG. CARPENTER:

You have the offset of the vehicles for these positions, but that would be in 2001.

LEG. CRECCA:

Right.

LEG. CARPENTER:

What happens in 2002?

LEG. CRECCA:

That was my question. It's a recurring expense, right?

MR. POLLERT:

It would be a recurring cost.

LEG. FOLEY:

These are positions, Legislator Carpenter, that the Commissioner of Health had asked for, which were not included in the proposed budget, and it's the only positions, really, that she has -- at the Health Committee meeting had really spoken in favor of including through the amendment process. There were not other positions that she really had requested of the Legislature besides these four, and the reason that she asked for them is that this past year, with all the staff that was devoted to the West Nile crisis, they had to pull -- they had to pull Sanitarians from other responsibilities, and so they had a situation where they didn't have enough Sanitarians to inspect restaurants, to inspect delis, and do the whole host of other kinds of responsibilities that sanitarians have besides trying to grapple with the West Nile situation.

00159

LEG. CARPENTER:

Were some of the sanitarians going to be used for the pesticide notification?

LEG. FOLEY:

I'm not certain where they're going to be used, but it's really -- all that I know is that they'll be used in order to, you know, fulfill their responsibilities in going to restaurants and the like, as I just mentioned, which, frankly, they had -- they had backlog on, because a number of the current Sanitarians were transferred for other purposes.

LEG. CARPENTER:

Fred, I remember that the Health Commissioner, and I had given you a copy of the memo, had requested some positions for the pesticide notification. Was this it also?

MR. POLLERT:

No, I don't believe so. The Sanitarians were requested by the health Commissioner, because she felt that that was one of her highest priorities, both the food monitoring as well as the West Nile.

P.O. TONNA:

Okay.

LEG. POSTAL:

Mr. Chairman.

P.O. TONNA:

Yes.

LEG. POSTAL:

I had a question.

P.O. TONNA:

Yes

LEG. POSTAL:

Can, I don't know, Budget Review or the sponsor tell me that, when the Health Commissioner stated her need for the Sanitarians and their vehicles, was she willing to forego the other vehicles that would be used as offset with the understanding that they would not be forthcoming in the following year?

LEG. FOLEY:

That question wasn't asked. Maybe, Kim, is there a -- can you lend any light on the question Legislator Postal just asked? Do you want her to repeat the question?

MR. POLLERT:

No, it was never discussed with Commissioner. We came up with the offset, so it was not discussed. And where the two titles are going?

MS. BRANDEAU:

The titles are going to go for general sanitation to help enforce the smoking complaints, smoking, the County smoking law, nuisance complaints such as sewage and rodent problems. Also for food

00160

inspections and for inspecting temporary residents. There's been increases in the number of children camps and bathing facilities that they have to inspect. And my understanding is that the positions were included in the recommended budget because they needed cars, and the County Exec didn't want to add new cars.

LEG. POSTAL:

Yeah. My concern is not with adding the four Sanitarians and the vehicles for them, but with removing vehicles to offset that. I had the same reservation with the Forensic Science position. You know --

LEG. FOLEY:

On that point, Legislator Postal, the fact of the matter is, if we approve 71, where we would move \$4 million worth of monies into the Pay As You Go Account, you can access the Pay As You Go Account to purchase the vehicles that you have a concern about. Just because we offsetting

--

LEG. POSTAL:

So --

LEG. FOLEY:

Just because we're offsetting the vehicle account does not mean that there isn't other monies available to purchase the cars the Health Department needs. They can go to the Pay As You Go Account, which, at this point, in omnibus is over \$10 million, and if we approve Resolution 71, it will be \$14 million, or a little bit thereunder. So your concern about offsetting the cost of other vehicles, they can access that -- those monies in order to purchase the vehicles they need for other areas of the Health Department.

LEG. POSTAL:

Yeah. It's just -- you know, then perhaps we should take Amendment 71 out of order. You know, I just have some reservations about removing vehicles if Number 71 is not going to be approved.

LEG. FOLEY:

Well, we're not removing vehicles, it's the funding that's being removed.

LEG. POSTAL:

I know. That's what I'm saying.

LEG. FOLEY:

And then my point is you can replace that funding with funding from the Pay As You Go Account, so it's neutral. They're not -- through the Chair. It's an important point.

P.O. TONNA:

Okay.

LEG. FOLEY:

They're not losing the ability to purchase vehicles. No, they're not. They can go through the Pay As You Go Account.

00161

LEG. POSTAL:

If 71 passes.

LEG. FOLEY:

Correct.

LEG. POSTAL:

But if 71 -- that's my -- that's my point. If 71 doesn't pass --

LEG. FOLEY:

But even if it doesn't pass, there still is \$10 million in Pay As You Go.

P.O. TONNA:

Okay. Can I -- all right. Let's vote. All in favor? We're talking about right now Number 62; am I correct?

MS. JULIUS:

Right.

P.O. TONNA:

Okay. All in favor? Opposed? Who's opposed? All right. Abstain, Legislator Binder. Let's go to --

LEG. ALDEN:

Put me down as opposed.

P.O. TONNA:

As opposed, okay, Legislator Alden. 63 (Create 8 New Revenue Codes to Identify Health Center Revenues) is conflicted.

LEG. FOLEY:

Paul, you've got to say approved?

P.O. TONNA:

Approved. It's approved. He's got the number.

LEG. FOLEY:

Thank you. (Vote: 13-1-1-3; Not Present-Legs. Caracappa, Haley and Bishop)

P.O. TONNA:

Okay. Number 64 (Separate Suffolk Health Plan Expenses into Medicaid and Child Health Plus). Is there a motion?

LEG. FIELDS:

Motion.

P.O. TONNA:

By Legislator Fields.

LEG. GULDI:

63.

P.O. TONNA:

63 is conflicted, George.

00162

LEG. GULDI:

Thank you.

P.O. TONNA:

I'm trying to pay attention. 64, okay, is there a motion?

LEG. FIELDS:

Motion.

P.O. TONNA:

Okay. Is there a second?

LEG. CRECCA:

Second for the purpose of an explanation --

P.O. TONNA:

Okay.

LEG. CRECCA:

-- from of Budget Review if this is a recommended change.

P.O. TONNA:

All right, fine.

MR. POLLERT:

Yes, this is a Budget Review Office recommendation. Currently, all the revenues is flowing into -- all of the expenses are just being aggregated in one line. What this would be to --

MS. BRANDEAU:

Oh, I'm sorry. These are going to separate the expenses in the Suffolk Health Plan between Medicaid clients and Child Health Plus clients, that way there's better accountability in the program.

P.O. TONNA:

And it's revenue neutral, right? It's an accounting thing, but it's going to help us with the accounting, right?

MR. POLLERT:

Yes, it will.

P.O. TONNA:

Great.

LEG. FISHER:

Second.

P.O. TONNA:

All right. So there's a motion and a second. All in favor? How about opposed? Okay. Legislator Binder is opposed. All right, great.

(Vote: 14-1-3; Not Present-Legs. Caracappa, Haley and Bishop)

next is Number 65 (Create New Patient Care Services Fund, Transfer Contracted Health Centers and Tobacco Revenues).

00163

LEG. FOLEY:

Motion.

P.O. TONNA:

Motion by Legislator Foley.

LEG. FOLEY:

Ginny.

LEG. FIELDS:

Second.

P.O. TONNA:

Second by Legislator --

MR. BARTON:

The vote on that was 14.

P.O. TONNA:

-- Fields.

LEG. CARPENTER:

Explanation.

P.O. TONNA:

Okay, explanation.

LEG. FOLEY:

This particular resolution --

LEG. CARPENTER:

Can we hear from Budget Review?

LEG. FOLEY:

Oh, sure.

LEG. CARPENTER:

Just because it was a money thing. Thank you. Nothing personal.

LEG. GULDI:

Just because it will take half the time.

P.O. TONNA:

It also might be a shorter explanation, Fred.

LEG. CARPENTER:

Brian.

LEG. FOLEY:

Hey, if it gets the job done, that's fine with me.

LEG. CARPENTER:

I apologize.

LEG. FOLEY:

That's all right. Let's hear from Fred.

00164

MR. POLLERT:

What Number 65 was a request of Legislator Foley is to provide accountability of the tobacco funds. He wanted to see that tobacco funds were not just flowing into the General Fund to fund all sorts of different programs, but were specifically segregated to Health Department programs. So we created a separate fund, brought in the tobacco money, and we're funding a portion of health programs with the tobacco monies.

P.O. TONNA:

Right. Is it a good idea, Fred?

LEG. FISHER:

Good idea.

MR. POLLERT:

That's a Legislative initiative. What it's going to do is --

P.O. TONNA:

Fred, code word --

MR. POLLERT:

It is going to create some accounting --

P.O. TONNA:

Code word, Foley is lost? I mean, what?

MR. POLLERT:

It's going to -- it is going to create some more -- it is going to create accountability for the tobacco fund monies, it's going to create a workload problem for the Health Department.

LEG. FOLEY:

Oh, that's all right, they've got the staff.

LEG. HALEY:

Lost my vote.

P.O. TONNA:

Okay. All in favor? Opposed?

(Opposed said in unison by Legislators)

opposed, Legislator Binder, Carpenter, Alden, Crecca and Haley. Okay.

LEG. FOLEY:

How many?

MR. BARTON:

13-5.

P.O. TONNA:

Great.

00165

LEG. FOLEY:

Thank you.

P.O. TONNA:

Number 66 (Add \$50,000 for Removal of Iron in Drinking water, Offset Turnover Savings). Is there a motion? Legislator Levy, we're back to -- we're back to you..

LEG. LEVY:

Yeah. This is a motion for a pilot program to try to remove some of the high iron content of the water in Suffolk County.

P.O. TONNA:

Okay. So we're adding money to the budget.

LEG. LEVY:

No, with an offset.

P.O. TONNA:

Okay.

LEG. LEVY:

Revenue neutral.

P.O. TONNA:

How did I know that.

LEG. POSTAL:

Mr. Chairman.

LEG. FOLEY:

What's the need? What's the need? What's the need?

P.O. TONNA:

There's a motion. Is there a second?

LEG. CARACCIOLO:

Second.

P.O. TONNA:

Second by Legislator --

LEG. FOLEY:

On the motion.

P.O. TONNA:

-- Caracciolo.

LEG. FOLEY:

On the motion. On the motion.

LEG. POSTAL:

I had a question, Mr. Chairman.

P.O. TONNA:

Yes, Legislator Postal first.

00166

LEG. POSTAL:

Yeah. If I could ask the Budget Review Office, the offset is turnover savings, but in the omnibus, which we adopted, there was a certain level of turnover savings, which I felt was your recommendation for what was realistic. If we increase -- if we use this offset, are we increasing turnover savings beyond, or are we using \$50,000 of turnover savings that we used as part of the omnibus to create the tax -- the reduction in the tax increase where we ended up?

MR. POLLERT:

No. This is going to be an additional \$50,000 in turnover savings. So as you go through the resolution, we increased each of the line items for turnover savings across departments.

LEG. POSTAL:

So that it would go beyond what you felt was advisable in omnibus.

MR. POLLERT:

That's correct.

MR. POLLERT:

Okay.

LEG. CARPENTER:

Could I also -- I'm just curious.

P.O. TONNA:

Hold it a second. Just one at a time, and I think Legislator Carpenter has the floor.

LEG. CARPENTER:

Where exactly is this removal of iron in drinking water taking place?

LEG. LEVY:

To be determined. Most of it -- is most of the problem is usually on the South Shore --

LEG. HALEY:

Southwest.

LEG. LEVY:

Of Suffolk, Suffolk County.

LEG. CARPENTER:

Right. And isn't that something that the Water Authority does with their iron plant, their plants that they have?

LEG. LEVY:

But it's -- they do, but not to the extent that I think it should be done. I think they have one plant in West Islip.

LEG. CARPENTER:

So, then, are we going to take 50,000 and transfer it to the Water Authority, is that what you're saying?

00167

LEG. LEVY:

I don't mind if we do that, but I'll tell you, what's happening now is you have a tremendous problem on the South Shore of Long Island --

LEG. CARPENTER:

No, I'm aware of that.

LEG. LEVY:

-- and the Authority, in my mind -- I'm just answering your question -- is experimenting with it. They're going piece by piece, but really slow. I think they've got a plant in West Islip, in fact.

LEG. CARPENTER:

Yes.

LEG. LEVY:

And there's talk about doing another one elsewhere. I want to see the process speeded up dramatically, not wait 20 years before the next one comes about.

LEG. CARPENTER:

Is this something that they requested of us? I mean --

LEG. LEVY:

No. That's the whole point, they haven't. In fact, it took years and years of lobbying to get the Water Authority to finally build a plant over in West Islip, and I'm glad they did. It's a wonderful thing, and it treats the people -- it's doing good things for the people there. But you have pockets all over the County that have this type of a problem, and, you know, I don't see them getting to for years and years and years.

LEG. CARPENTER:

And I don't see what \$50,000 is really going to do. It just doesn't seem practical.

LEG. CRECCA: ?

Will you defer to me

LEG. CARPENTER:

Yes.

LEG. LEVY:

Well, it's spurring it.

P.O. TONNA:

Okay. Hold it a second. Just weight.

LEG. FOLEY:

Is there a second on this?

P.O. TONNA:

Legislator Carpenter are you done?

LEG. FOLEY:

Is there a second?

00168

LEG. CARPENTER:

Yes.

LEG. HALEY:

Yes.

P.O. TONNA:

Okay. Legislator Crecca, you have the floor.

LEG. CRECCA:

Actually, Legislator Haley actually called it before me, but --

P.O. TONNA:

Well, I recognized you. Unfortunately, I didn't --

LEG. CRECCA:

Okay.

P.O. TONNA:

I didn't look --

LEG. CRECCA:

I just wanted to say that the Water Authority has their own ability to pay for this, and that if we want to approach this, it should go through committee through the process, if there's a problem there and the proper way to address it. Throwing in this \$50,000 band aid isn't going to do it, if it is a real problem, and I suggest we don't get bogged down in the budget process with this.

P.O. TONNA:

Okay. All in -- oh, Legislator Haley.

LEG. HALEY:

Oh, thank you. A couple of things. First of all, Suffolk County has ratepayers which don't necessarily match all the Suffolk County taxpayers. Huntington is a perfect example. Secondly, there is -- that there is an iron problem in all of southwest -- in Suffolk County. There's been an ongoing effort with the Water Authority to mitigate the iron problem, which is -- it's not limited to just doing filtration, it's also -- includes adding other well sites where there aren't -- there isn't any iron and blending that water with the sites that might have high iron. So the Water Authority has a concerted, well thought out effort to reduce the iron in the southwest corner of Suffolk County. And I don't think we need to give them that money, and I don't think we need to give them taxpayers' money from certain areas of this County who aren't ratepayers.

LEG. FOLEY:

Okay. Let's go. Let's move it Paul.

P.O. TONNA:

Okay. All in favor? Opposed.

(Opposed said in unison by Legislators)

00169

Okay. Who's in favor? Just tell me who's in favor of this. Bishop,, Iron Mike, Guldi. GG?

LEG. LEVY:

I'd like a roll call, please.

P.O. TONNA:

Okay. And who else?

LEG. LEVY:

I want a roll call.

P.O. TONNA:

Roll call.

(*Roll Called by Mr. Barton*)

LEG. LEVY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Pass.
LEG. TOWLE:
Yes.
LEG. CARACAPPA:
No.
LEG. FISHER:
No.
LEG. HALEY:
No.
LEG. FOLEY:
No.
LEG. FIELDS:
Yes.
LEG. ALDEN:
Yes.
LEG. CARPENTER:
Pass.
LEG. CRECCA:
No.
LEG. D'ANDRE:
No.

00170

LEG. BISHOP:
Yes. Amityville needs it, Max.
LEG. POSTAL:
No.
LEG. BINDER:
No.
LEG. COOPER:
Yes.
P.O. TONNA:
Yeah, I'm on this one.
MR. BARTON:
Legislator Towle.
LEG. TOWLE:
I said yes.
LEG. ALDEN:
Change mine to a no, Henry.
LEG. GULDI:
Yes.
LEG. ALDEN:
Henry, change mine to a no.
P.O. TONNA:
I said yes, right, so you can change yours --
LEG. CARPENTER:
Yes.
P.O. TONNA:
Okay. No to clean drinking water. Okay let's go on to 67.
MR. BARTON:
Nine. It fails.
P.O. TONNA:
Okay it fails. All right. 67. 67 (Restore \$87,000 for Domestic
Violence Court, Offset Health Advertising), is there a motion?

LEG. CARACAPPA:

Conflict.

P.O. TONNA:

Conflict. All right. 68 (Add \$200,000 for Campaign Finance Board, Offset Parks Equipment). Is there a motion?

LEG. LEVY:

Yeah, motion, please.

00171

P.O. TONNA:

This is a straight add?

LEG. LEVY:

No. It's --

P.O. TONNA:

Oh, yeah, okay.

LEG. LEVY:

-- got an offset.

P.O. TONNA:

All right. Could we -- is there a second?

LEG. FOLEY:

Second.

P.O. TONNA:

Okay. Second by Foley.

LEG. FISHER:

On the motion.

P.O. TONNA:

On motion --

LEG. LEVY:

I could modify this.

P.O. TONNA:

Legislator Fisher.

LEG. FISHER:

Okay. The offset is Parks equipment. The offset is parks equipment and --

LEG. CARPENTER:

They've already had a cut in Parks equipment.

LEG. FISHER:

There's already a cut. They can't afford to have this cut. You'll disseminate the program.

LEG. LEVY:

I agree. I'm going to make a --

LEG. FISHER:

Decimate the program, rather, not disseminate.

LEG. LEVY:

I'm making a motion to amend this.

LEG. CARPENTER:

And there was an addition to the -- in the omnibus to add to the Campaign Finance Reform; correct?

00172

LEG. FISHER:

Yes.

LEG. CARPENTER:

Legislator Caracappa and I did that.

LEG. LEVY:

I'm making a motion to amend, though, if you could hear me out for a second. I'm making a motion to amend this from the \$200,000, because there was 50, I believe, 55 already in. So I'd like to make a motion to amend this down to 150, and have the offset being health insurance, which I think, Fred, you had said was the most appropriate offset.

MR. POLLERT:

Yes. The reason we had just mentioned the health insurance is that we adjusted down turnover savings, but we didn't reduce down any of the fringe benefits associated with a slower hiring.

LEG. LEVY:

Right.

P.O. TONNA:

Okay.

LEG. FISHER:

Fred, so you're saying that you would not be using any of the Parks equipment money as an offset?

MR. POLLERT:

Legislator Levy has a request, I believe, on the floor to amend the resolution.

LEG. FISHER:

Okay. To amend it, so that all of the money could -- okay.

LEG. LEVY:

Right. Just to state that the Board had asked for like a budget of \$535,000 and we weren't granting that, so we're trying to just give them something reasonable, and we thought this was it.

P.O. TONNA:

Okay. So there's a motion by Legislator Levy, a second by Legislator Foley. All in favor? Opposed? All right. Wait.

LEG. FISHER:

Wait. How --

P.O. TONNA:

As amended?

LEG. BINDER:

Roll call.

P.O. TONNA:

Roll call. I want a roll call on this.

00173

LEG. FISHER:

As amended.

LEG. FOLEY:

As amended. As amended.

LEG. LEVY:

As amended, yes.

P.O. TONNA:

Which is to give them how much?

LEG. FIELDS:

150.

(*Roll Called by Mr. Barton*)

LEG. FOLEY:

Yes. Out of health insurance.

LEG. CARACCIOLO:

Pass.

LEG. GULDI:

Yes.
LEG. TOWLE:
(Not Present).
P.O. TONNA:
Ah, what the heck.
LEG. CARACAPPA:
Pass.
LEG. FISHER:
Yes.
P.O. TONNA:
I want a full accounting of this account, though.
LEG. HALEY:
(Not Present)
LEG. FIELDS:
Yes.
LEG. ALDEN:
No.
LEG. CARPENTER:
Pass.
LEG. CRECCA:
Pass.

00174

LEG. D'ANDRE:
Yes.
LEG. BISHOP:
Yes.
LEG. POSTAL:
Yes.
LEG. BINDER:
No.
LEG. COOPER:
Yes.
LEG. TONNA:
Pass.
LEG. CARACCIOLO:
No.
LEG. TOWLE:
No.
LEG. CARACAPPA:
Abstain.
MR. BARTON:
Legislator Haley.
LEG. CARPENTER:
Abstain.
LEG. CRECCA:
Abstain.
P.O. TONNA:
I got to go and abstain. Got to stick with the boys and the girls.
MR. BARTON:
Nine, fails. (Not Present: Leg. Haley)
P.O. TONNA:
Okay. How much did Gaffney put in, by the way, to budget for this?
MR. POLLERT:

150.

P.O. TONNA:

We put already 50 in, right? He put 100 in?

LEG. CARACAPPA:

Two hundred all together.

00175

LEG. CARACCIOLO:

Mr. Chairman, on this Campaign Finance Board, there's an extensive review in the budget. I added \$10,000 to other Legislators' money to

--

P.O. TONNA:

You mean, as a group, we've added certain money and there's --

LEG. CARACCIOLO:

That's right. I believe it's 50 or 55,000. And Budget Review says that's more than a sufficient sum of money to budget this purpose next year, so nobody should feel bad.

P.O. TONNA:

Right. Okay. Budget Review, can we confirm this, that 150 was put in?

LEG. CARACAPPA:

Two hundred all together.

P.O. TONNA:

So we're at 200,000 already.

LEG. CARACCIOLO:

Thank you.

MR. SPERO:

That's correct.

P.O. TONNA:

Fine. Okay. Could I just ask you, Steve, why did we want 400,000 in?

LEG. LEVY:

No. It was requested from the Board for \$550,000, so we told them that is not reasonable, we're not going to give them that amount, so we came up with a figure that we thought was more reasonable. And they had \$150,000 already, so we said we'd give them another 150.

P.O. TONNA:

Okay. Number 69 (Add \$50,000 for MacArthur Airport Noise Study, Offset Turnover Savings). Is there a motion?

LEG. LEVY:

Yeah, motion.

LEG. FOLEY:

Second.

P.O. TONNA:

Second.

LEG. GULDI:

On the motion.

P.O. TONNA:

Okay, on the motion.

00176

LEG. GULDI:

Question. I mean, we have one of these in the Capital Program for Gabreski Airport. First of all, it costs \$150,000, not 50. Second, it qualifies for 90% federal reimbursement, if you put it into the federal program. Are we doing something different than a legitimate Section 151 Study at MacArthur Airport, or shouldn't we be doing a Section 151

Study with the federal -- with the available federal funds?

LEG. CARPENTER:

Also, as a point of information, there was a very extensive three year long point -- Part 150 Noise Study done for MacArthur Airport.

LEG. GULDI:

Yes. So there was one done.

LEG. CARPENTER:

In --

LEG. LEVY:

I have an answer. The part -- I'll wait.

LEG. CARPENTER:

Early '90's, in the early '90's.

LEG. GULDI:

In the early '90's.

LEG. LEVY:

The Part 150 Study that was done, here's the problem, it was a farce. And the way they did it is they went out arbitrarily on any one day, and depending how the wind was blowing on that day determined what the decibel level was and what area they determined was impacted. Therefore, you have some people who are getting creamed on a daily basis with flights over their head, and the Part 150 Study says that they're not impacted at all, and then you have other areas who are really not impacted all that much where the study says that they are tremendously impacted. The point here is to get around the Part 150 Study, and Joe understands what I'm talking about, representing some of that area up in Farmingville, and so does Legislator Foley, it was a horrible study. I don't want to go through the Part 150 Study, I want to get independent people as opposed to them, who I think screwed it up in the first instance.

LEG. FIELDS:

Steve, plus the use of the airport has changed greatly since the early 1990's.

LEG. LEVY:

And I would certainly support your resolution for Gabreski as well.

LEG. CARACCILOLO:

On the subject of airport noise, is it not so, from what I've read in, you know, newspaper accounts, that the current state-of-the-art aircraft have quieter engines, shorter takeoff, runways -- shorter runways in need of a takeoff and landing, and, as Legislator Guldi just indicated to me in a little private side-bar conversation, he believes

00177

the operations there actually have declined since --

LEG. LEVY:

Oh, no, that's not true.

LEG. CARACCILOLO:

In number, in number.

LEG. GULDI:

In number, they have.

LEG. CARACCILOLO:

In number. Passenger -- passenger load is up, because they're using large -- larger aircraft, but air operations are actually down.

LEG. LEVY:

Depends on what you're talking about.

LEG. GULDI:

It's on the internet, you can check.

LEG. LEVY:

First of all, Stage 3 aircraft can be quieter, because it's newer, okay, it depends. But you're also getting bigger aircraft.

LEG. CRECCA:

Excuse me.

LEG. LEVY:

So it's kind of offset, that's number one.

LEG. CRECCA:

Motion to --

P.O. TONNA:

Wait.

LEG. LEVY:

Yeah, I'll defer.

P.O. TONNA:

Legislator Crecca.

LEG. CRECCA:

Motion to defer to committee. It's apparent that this is something that really needs to be fleshed out. Thank you.

LEG. GULDI:

Second

P.O. TONNA:

You can't defer to committee. This is a budget --

LEG. LEVY:

This is a budget amended.

00178

P.O. TONNA:

We're dealing with budget.

LEG. LEVY:

This is a budget amendment.

LEG. CRECCA:

Why can't it be deferred? Motion to defer this to Budget Committee.

LEG. LEVY:

People have --

P.O. TONNA:

No, no.

LEG. CARACAPPA:

For next year.

LEG. FOLEY:

For next year.

LEG. LEVY:

Look, every --

P.O. TONNA:

Can I say something?

LEG. LEVY:

Just let me finish, please.

P.O. TONNA:

Wait, wait, wait, Steve. Just wait one second. You'll have an opportunity to speak. Legislator Crecca, you can't make those motions.

LEG. CRECCA:

Apparently not.

P.O. TONNA:

Legislator Fisher has the floor. Okay?

LEG. LEVY:

Legislator Fisher has the floor? I thought I had the floor.

P.O. TONNA:

No, you gave up the floor.

LEG. LEVY:

No. I just -- I just deferred to Legislator Crecca, who was asking a question.

P.O. TONNA:

All right, go ahead.

LEG. LEVY:

All right.

00179

P.O. TONNA:

This is our last time having to deal with it. Go ahead.

LEG. FISHER:

Levy, I just want to ask you a question.

LEG. LEVY:

I'll defer again. Go ahead.

LEG. FISHER:

Just a question, and I need to ask you about this. Would we get any federal funding?

LEG. LEVY:

I don't know. It's possible we will, but I don't know if we do now, so I don't want to put in there that we definitely are going to get it.

But the point is the federal government -- point of order. Legislator Guldi is right, that you can get a Part 150 Study from the federal government. My point is that was done already and it was a total farce. It was ridiculous, it wasn't accurate, and that's why you have all these problems now. What we're trying to do is get around that and have an independent study of the federal 150 study.

LEG. FISHER:

Do you think Legislator Guldi might know? If you get an independent study, would you qualify for any kind of federal funding or grants?

LEG. GULDI:

Well, see I'm kind of at a loss, because my --

P.O. TONNA:

Guys, I would ask, please, just to keep it down.

LEG. GULDI:

My understanding under Section 150 is that you hire your own independent study agency with the federal -- matching federal monies, so I'm confused when the Legislator suggests that, somehow, you find somebody out there who's qualified to do this, but not qualified for federal funding, and I don't understand that. So I really don't know.

P.O. TONNA:

Okay. Are we ready to vote?

LEG. LEVY:

The people who -- it was pro-development advocates who had picked the study, that's the whole point.

LEG. CRECCA:

Call the question.

LEG. FOLEY:

Mr. Chairman, very quickly. The importance of this is the following:
Not only is there an issue now in the northeast, southwest runway,
which has had -- been chronically plagued by airport noise for quite
sometime, but now with the increase in flights or the kinds of flights

00180

that are now coming out of the airport, you also have quite a few
flights on the northwest, southeast runway as well. So what you're
looking at now is the problems are not just located at certain areas,
but radiating throughout the whole airport area in a circle fashion. We
have other communities that are now being impacted who are were not
impacted before. So all the more reason why we should approve this
resolution.

P.O. TONNA:

Just get an idea. Legislator Guldi, this is in your district, right?

LEG. GULDI:

No, Legislator Levy's district.

LEG. FOLEY:

This is an Islip --

LEG. GULDI:

He wants a study in Islip.

LEG. FOLEY:

As a point of information, Mr. Chairman, this is an Islip --

P.O. TONNA:

MacArthur, okay.

LEG. FOLEY:

But this affects -- Paul, this affects hamlets in Brookhaven Town, as
well as in Islip, and Smithtown as well.

P.O. TONNA:

Okay? All in favor? How about opposed? Anybody opposed to this?

LEG. POSTAL:

I'm opposed.

P.O. TONNA:

Okay. Legislator Postal, Bishop, D'Andrae, Crecca, Binder.

LEG. TOWLE:

I'm opposed.

P.O. TONNA:

Carpenter, Alden --

LEG. TOWLE:

Opposed.

P.O. TONNA:

-- Haley, Caracciolo and --

LEG. TOWLE:

Towle.

P.O. TONNA:

Towle.

00181

LEG. TOWLE:

I'm opposed.

P.O. TONNA:

Towle is opposed? All right.

LEG. CARACAPPA:

Henry, add me as a cosponsor to that budget amendment.

P.O. TONNA:

I'm opposed. I'm opposed.

LEG. FOLEY:

I'm a cosponsor, too.

LEG. FIELDS:

It fails?

P.O. TONNA:

Yes, it fails. Okay.

LEG. BISHOP:

You have six.

LEG. CARACCIOLO:

The State could pay for it, Steve.

LEG. CARPENTER:

Yeah, you can do that there.

LEG. CRECCA:

Yeah, that's a good idea, in the Assembly.

P.O. TONNA:

We're waiting. We're waiting.

LEG. CARPENTER:

Steve, are you keeping a list of things that you're going to fund when you're in the Assembly?

MR. BARTON:

Seven.

P.O. TONNA:

Okay, 70 (Transfer responsibility for F.S. Gabreski Airport to Economic Development).

MR. BARTON:

Seven.

LEG. GULDI:

70. On 70, I'd like to make the motion.

P.O. TONNA:

I'll second.

00182

LEG. GULDI:

Okay.

P.O. TONNA:

All in favor?

LEG. BINDER:

What was it? Explanation.

LEG. GULDI:

That explanation is that 70 moves the four employees at Gabreski Airport from the Department of Public Works, where they have been for 29 years, to the Department of Economic Development, really in connection with the development of the industrial park of the -- for the nonaviation 60 acres that the FAA released from aviation restrictions last year, and it's really part of a program to begin to develop and utilize that as an economic development site and zone.

LEG. CARACCIOLO:

May I?

P.O. TONNA:

Okay.

LEG. HALEY:

Mr. Chairman, on the motion.

P.O. TONNA:

I just want you to know, this is a reversal of the general trend, which is to get out of Economic Development. So I just want you to know, you're bucking the trend, but that's okay, George.

LEG. GULDI:

It's me.

LEG. FOLEY:

That's George. That's George.

P.O. TONNA:

All right. You made a motion, I seconded it.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

On the motion.

LEG. CARACCIOLO:

Yeah. Budget Review, have you had an opportunity to take a look at this budget amendment and determine whether or not Economic Development has the personnel and expertise to carry out this responsibility?

MR. POLLERT:

No. It was a Legislative request. It was a Legislative request. We prepared the resolution. The Legislator explained, he thought that it

00183

was an Economic Development issue.

LEG. CARACCIOLO:

Yeah, but that doesn't mean Economic Development is capable based on their current staff levels, expertise, to actually carry out this function. This is, you know, a major shift in powers and responsibility --

P.O. TONNA:

You know what I think, though --

LEG. CARACCIOLO:

And given what Economic Development does now -- you know, I'd like to hear a report some day. Maybe I should come to the Economic Development Committee and hear what kind of economic development they've been responsible for in Suffolk County lately.

P.O. TONNA:

The point is I think -- I think what -- the idea of the sponsor, if I'm not mistaken, is to get it into the point where it's an economic development issue, the growth of that airport is --

LEG. GULDI:

Not the airport, but the --

P.O. TONNA:

Right. So that the sign value behind that is this is really an Economic Development issue. It's not just one of infrastructure, it's one of how do you promote it? And by putting it in that department, I guess it would fall under that purview.

LEG. CARACCIOLO:

It sounds good.

P.O. TONNA:

Right.

LEG. CARACCIOLO:

But what I'm saying is where's the beef? I haven't -- I'm not aware of

--

P.O. TONNA:

All right. You've got to give over the mike, so that --

LEG. CARACCIOLO:

Well, I'm going to give it him in a minute.

P.O. TONNA:

Yeah.

LEG. CARACCIOLO:

But --

LEG. GULDI:

It's okay?

00184

LEG. CARACCIOLO:

Legislator Cooper, if I can have his attention.

P.O. TONNA:

Well, Legislator Cooper is tallying cell phone votes right now, so --

LEG. CARACCIOLO:

Well, as Chair -- as Chair of Economic Development, Jonathan, have you recently had any reports from the Department of Economic Development as to their success rate in Suffolk County in terms of major economic development initiatives?

LEG. COOPER:

No, we have not.

LEG. CARACCIOLO:

Fred, what's the current staffing level of Economic Development?

LEG. FOLEY:

Paltry.

LEG. COOPER:

Ten?

MR. POLLERT:

Ten people.

LEG. COOPER:

The consensus is ten.

LEG. CARACCIOLO:

Ten people. Ten people. Well, I'd like to hear from the Executive Branch.

MR. SABATINO:

Just a clarification. I think you're misunderstanding. This is transferring all of the money and all of the positions that currently are within that division at Public Works. So the personnel -- the personnel and the money -- somebody just asked me the question. It's all the personnel, the money and the people are being transferred.

LEG. CARACCIOLO:

So what changes?

LEG. GULDI:

If I may.

LEG. CARACCIOLO:

What changes?

LEG. GULDI:

If I may.

LEG. CARACCIOLO:

The title?

00185

LEG. GULDI:

I'm the sponsor.

LEG. CARACCIOLO:

Go ahead.

LEG. GULDI:

I'll let you know.

LEG. CARACCIOLO:

Go ahead.

LEG. GULDI:

If you want to -- you've got to give me the mike, Mike --

LEG. CARACCIOLO:

Go ahead, go ahead.

LEG. GULDI:

-- if you want to hear the answers to the questions.

LEG. CARACCIOLO:

Go ahead.

LEG. GULDI:

If you're concerned about those. Economic Development happens to be located in offices, because of transition space, at Gabreski Airport. They've been out there this year. We're working on rebuilding your program, we're working on a plan -- a grant plan with the State with Economic Development. That's what's going on out there. They are on site. They're working on the plan. We've made substantial advances on it. DPW has had the facility for 29 years, and then -- and, frankly, their performance has been stunning. Come on out and we'll show you what they've done. You'll be stunned.

LEG. CARPENTER:

Excuse me.

LEG. CARACCIOLO:

My point.

LEG. CARPENTER:

I just have a question.

LEG. CARACCIOLO:

You just made my point, then, George. If you're taking the same people that had this stellar performance in DPW, what in the world's going to change when you give them a title change?

LEG. GULDI:

Because the people -- the personnel on site in DPW are not the ones charged with economic development, they're charged with day to day operations like changing light bulbs and cutting grass. And the people in Economic Development don't have authority of the facility. Economic Development, by giving them the authority of the facility, we can go in the direction of building the facility and bringing in some tenants to

00186

the now released industrial site. That's what the main core of activity in the immediate future, in the next several years will be, that's why it belongs in Economic Development. Let's move it.

P.O. TONNA:

Okay. Can we please have a vote? Please?

LEG. CARACCIOLO:

Go ahead.

LEG. CARACCIOLO:

I don't think anything's going to change.

P.O. TONNA:

All in favor? Opposed? Who's opposed?

LEG. HALEY:

Roll call.

P.O. TONNA:

Legislator Caracciolo.

LEG. HALEY:

Roll call.

LEG. CARACAPPA:

Caracciolo.

LEG. HALEY:

Roll call.

P.O. TONNA:

Caracciolo, Legislator Caracappa. Legislator Haley, are you against this?

LEG. BINDER:

He wanted a roll call.

P.O. TONNA:

Oh, roll call? Go ahead. Henry, go ahead, do it.

(*Roll Called by Mr. Barton*)

LEG. GULDI:

Yes.

LEG. TONNA:

Yes.

LEG. CARACCIOLO:

No.

LEG. TOWLE:

Yes.

00187

LEG. CARACAPPA:

No.

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Pass.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. D'ANDRE:

Yes.

LEG. BISHOP:

Yes.

LEG. POSTAL:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. LEVY:

Yes.

LEG. CARACAPPA:

Change my vote to a yes, Henry.

LEG. ALDEN:

Yes.

LEG. CARACAPPA:

Yes, Henry.

MR. BARTON:

17-1.

P.O. TONNA:

Okay. Now we're on 71 (Transfer \$4 million funding for one-half of all
00188

unmarked vehicles to the Pay As You Go Account for capital projects).

LEG. FOLEY:

Motion.

P.O. TONNA:

By Legislator Foley. Is there a second?

LEG. POSTAL:

Second.

P.O. TONNA:

Second by Legislator -- I think that was a Postal.

LEG. FOLEY:

Yes.

P.O. TONNA:

Okay. All in favor? Opposed?

LEG. HALEY:

Opposed.

P.O. TONNA:

Opposed, Legislator Haley. Anybody else, 71?

LEG. BINDER:

Binder. Binder.

LEG. CARACAPPA:

Opposed.

P.O. TONNA:

And Binder.

LEG. FOLEY:

It's Pay As You Go. It's a good one, George.

LEG. CRECCA:

And Crecca and Alden.

LEG. BINDER:

Crecca and Alden.

P.O. TONNA:

This is 71.

MR. BARTON:

13-5 opposed.

P.O. TONNA:

Great.

LEG. FOLEY:

Thank you.

00189

P.O. TONNA:

Number 72 (Increase Revenues for Long Island ducks Ticket Sales

\$136,361 for 2000 and \$112,068 for 2001) is --

LEG. FISHER:

Conflict.

P.O. TONNA:

-- out. Number 73 (Add \$194,054 for Family Service League, Offset Vehicles).

LEG. FISHER:

Conflict.

P.O. TONNA:

Okay.

LEG. COOPER:

I'd like to withdraw the resolution.

P.O. TONNA:

Yeah, that's a good idea, Jonathan.

LEG. COOPER:

Well, thank you.

P.O. TONNA:

Okay. 74 (Add \$100,000 for Community Program Center, Offset Permanent Salaries) is a conflict. 75 (Add \$25,000 for Viticulture Assistant Position).

LEG. LEVY:

75 was not mine, Mr. Chairman. That's a mistake.

P.O. TONNA:

Now 75 on is going to be 14-vote resolutions, because these are adds.

All right?

LEG. LEVY:

75 was not my request. That was a mistake.

P.O. TONNA:

So it's withdrawn. 76 (Add \$82,135 for 2 Asst. District Attorney II Positions).

LEG. CRECCA:

Motion to approve.

P.O. TONNA:

Motion to approve.

LEG. D'ANDRE:

Second.

00190

LEG. CRECCA:

Second.

P.O. TONNA:

Second, okay.

LEG. CRECCA:

On the motion.

P.O. TONNA:

On the motion.

LEG. CRECCA:

If I could just be heard on this. I think this is the only add-in that have in this evening. And the reason I think it's important is this is to fund the two Assistant District Attorney positions to the Domestic Violence Court. The Domestic Violence Court was recently set up in our District Court. They're going to be handling both misdemeanor and felony domestic violence cases. That part is a specialized part. And the District Attorney did come before us in the Judiciary Committee and

strongly pushing for this for the need to man that part. We have been very successful in Suffolk County with our other specialized parts. So far, this part has proven to be very effective in curbing domestic violence and really dealing with the case up front and not getting repeat cases, although it's brand new, so --

P.O. TONNA:

Can I ask you why this wasn't put in the -- your omnibus plan?

LEG. CRECCA:

Why it wasn't put in mine?

P.O. TONNA:

Why wasn't it put in Omnibus Number 1? Why didn't you just add it into your omnibus plan?

LEG. CRECCA:

I don't know. It should have been in there. It was originally in there, so --

LEG. BINDER:

Mr. Chairman.

LEG. CRECCA:

I don't recall, honestly.

P.O. TONNA:

Legislator Binder.

LEG. BINDER:

As long as we've been using turnover savings all through the night to make things revenue neutral, is it possible that this could be amended to be offset by turnover savings?

P.O. TONNA:

I think anything's --

00191

LEG. BISHOP:

Turnover savings is not just free money.

LEG. BINDER:

That's how it's been used tonight, as free money, so --

LEG. BISHOP:

Yeah. It's been voted down consistently.

LEG. BINDER:

Well, it still could be revenue neutral and people can --

P.O. TONNA:

Legislator Binder, you're going to have to talk to the -- I guess -- how does this work? The sponsor of the bill.

LEG. BINDER:

So I'm asking the sponsor if he would-- I'm asking the sponsor if he would make this revenue neutral by having an offset as turnover savings.

LEG. CRECCA:

I'd have to ask Budget Review how prudent that would be and if that's possible to do that, do an offset.

MR. POLLERT:

We can do an offset in fringe benefits, because we didn't impact that when we pumped up turnover savings \$2 1/2 million.

LEG. CRECCA:

Motion to amend --

MR. POLLERT:

But it --

LEG. CRECCA:

Go ahead. I'm sorry.

MR. POLLERT:

But it won't be done this evening, we'll have to draft it. So if you vote on the concept, you know, we'll draft it tomorrow.

P.O. TONNA:

Okay.

LEG. CRECCA:

So I would amend it to --

LEG. BINDER:

And if there's no second, I'll second it.

P.O. TONNA:

There's a second by Legislator D'Andre already.

00192

LEG. CRECCA:

There's a second by Legislator D'Andre. Amend it, so that way it's revenue neutral.

P.O. TONNA:

Okay. Roll call. All right. You know what, guys, you know what we have in front of us right now?

LEG. FOLEY:

Tell us, Paul.

P.O. TONNA:

Okay. There is a motion by Legislator Crecca and D'Andre, and then it's been amended to put in turnover savings instead of a straight add.

LEG. CARPENTER:

Fringe benefits.

LEG. CRECCA:

Fringe benefits.

P.O. TONNA:

Oh, sorry, fringe benefits. Okay. All in -- let's do a -- let's do a roll call. Roll call.

(*Roll Called by Mr. Barton*)

LEG. CRECCA:

Yes.

LEG. D'ANDRE:

Yes.

LEG. CARACCIOLO:

Pass.

LEG. GULDI:

Pass. What are we doing?

LEG. TOWLE:

Pass.

P.O. TONNA:

Guys, they wouldn't know, you were all talking at the same time.

LEG. CARACAPPA:

Pass.

LEG. FISHER:

Pass.

LEG. HALEY:

Pass.

LEG. FOLEY:

Pass.

00193

LEG. FIELDS:

Pass.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. BISHOP:

No.

LEG. POSTAL:

(Not Present).

LEG. BINDER:

Yes, absolutely.

LEG. COOPER:

Yes.

LEG. LEVY:

Yes.

LEG. TONNA:

No.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

I'm not --

P.O. TONNA:

This is just -- this is absolutely --

LEG. FISHER:

No.

P.O. TONNA:

I can't believe you got it.

LEG. HALEY:

Yes.

00194

LEG. FOLEY:

Yes.

LEG. FIELDS:

No.

LEG. POSTAL:

(Not Present)

LEG. BINDER:

List me as a cosponsor on this resolution.

MR. BARTON:

13-4, 1 not present. (Not Present: Leg. Postal)

LEG. CARACAPPA:

It fails.

P.O. TONNA:

Okay. Number 77 (Add \$500,000 for Downtown Revitalization). Legislator

Cooper.

LEG. COOPER:

Withdrawn.

P.O. TONNA:

Oh, that's a good guy.

MR. BARTON:

Oh, I'm sorry, Mr. Chairman. You said it needed 14? It only got 13.

P.O. TONNA:

No, because it was --

MR. BARTON:

Amended, okay.

P.O. TONNA:

It's an offset. Right.

MR. BARTON:

Thank you.

P.O. TONNA:

Number 77 is withdrawn.

LEG. LEVY:

78, withdrawn.

P.O. TONNA:

Number 78 (Add \$42,000 for Fire Boats for Sayville, Bayport, West Sayville).

LEG. LEVY:

Withdrawn.

00195

P.O. TONNA:

Withdrawn.

P.O. TONNA:

79? (Add \$40,000 for Tetra Tech Contract for PEP Water Modeling).

LEG. FOLEY:

Ginny.

LEG. FIELDS:

Motion to approve.

P.O. TONNA:

Motion to approve. This is an add, it needs 14. No?

MR. POLLERT:

No. I was just informed that 100% federal aid will be available on this. We just found that out.

LEG. FOLEY:

Second the motion.

MR. POLLERT:

But it's a 14-voter, because it goes above the expenditure cap and it's 100% tax neutral.

P.O. TONNA:

Okay. It's tax -- it's tax neutral.

MR. POLLERT:

Right.

P.O. TONNA:

Okay. Motion by Fields, second by Foley. All in favor? Opposed?

LEG. LEVY:

On 79?

P.O. TONNA:

Yes. Approved.

MR. BARTON:

17, 1 not present. (Not Present: Leg. Postal)

LEG. CARPENTER:

Mr. Chairman, I'm sorry.

P.O. TONNA:

Yes.

LEG. CARPENTER:

I guess I wasn't paying attention. What happened with Resolution 72?

P.O. TONNA:

72?

00196

LEG. CARPENTER:

I mean 78.

P.O. TONNA:

78? It was withdrawn by Levy.

LEG. CARPENTER:

Oh.

P.O. TONNA:

Okay. Number 80.

LEG. CARPENTER:

I can't -- I just find that incredible that Legislator Levy, who fought against boats --

P.O. TONNA:

Okay. Number 80.

LEG. CARPENTER:

-- put a resolution in.

LEG. LEVY:

And the reason is because you guys got them and our guys don't, that's why.

P.O. TONNA:

80 (Add \$54,793 for 1 Physician I for Jail Medical Unit).

LEG. FIELDS:

Motion to approve.

P.O. TONNA:

80, a motion to approve by Legislator Fields. Is there a second?

LEG. FISHER:

Second.

LEG. FOLEY:

Second the motion. Okay, seconded.

P.O. TONNA:

Okay. Is this a 14-voter, Fred? 14-voter.

MR. POLLERT:

Yes, it is.

P.O. TONNA:

All in favor? Opposed?

(Opposed said in unison by Legislators)

Opposed.

LEG. FOLEY:

Can we find an offset?

00197

P.O. TONNA:

Guys, this is the same thing. Now we're ruining the structure of our budget. All right?

LEG. FOLEY:

Is this 100%?

P.O. TONNA:

And it goes down to the thing --

LEG. FOLEY:

No. Paul, just -- Paul.

P.O. TONNA:

-- of now you're getting another add.

LEG. FOLEY:

Paul.

P.O. TONNA:

This is not the right way to go.

LEG. FOLEY:

Paul. Is this a reimbursable position?

P.O. TONNA:

No.

LEG. HALEY:

Roll call.

LEG. FISHER:

Wasn't 79 100% reimbursed?

LEG. FOLEY:

No. There's a question on the floor, Mr. Chairman. There's a question on the floor. Some of the Legislators have the understanding that it's a reimbursable position. Can we have an answer from Budget Review before we call the vote?

MR. POLLERT:

No, it would not be a reimbursable spot. However, it is on the mandated side of the budget.

LEG. FOLEY:

Which means?

MR. POLLERT:

Jail medical. It's only ten votes.

LEG. FOLEY:

It's only ten votes.

LEG. FISHER:

Wait a minute. I was talking about 79. Sorry.

00198

LEG. FOLEY:

That's okay.

P.O. TONNA:

We passed 79. We've already passed 79.

LEG. FOLEY:

We're on 80.

LEG. FISHER:

Sorry.

LEG. FOLEY:

So ten votes are required.

MR. POLLERT:

Ten votes are required.

LEG. FOLEY:

Okay.

P.O. TONNA:

Okay.

LEG. HALEY:

Roll call.
P.O. TONNA:
Roll call. All those in favor? Opposed? Who's opposed?
(Opposed said in unison by Legislators)
Okay. Who's in favor?
LEG. FOLEY:
Can we get an offset?
P.O. TONNA:
Let's go who's in favor?
LEG. FOLEY:
Can we find an offset?
LEG. HALEY:
Mr. Chairman, I asked for a roll call.
LEG. LEVY:
Question.
P.O. TONNA:
All right. Go ahead, get the roll call.
LEG. LEVY:
I've got a question.

00199

LEG. FOLEY:
There's a question.
LEG. BINDER:
Do the roll call.
LEG. LEVY:
I've got a question. We're on --
P.O. TONNA:
Go ahead.
LEG. LEVY:
We're on 80.
LEG. FOLEY:
Yes.
LEG. LEVY:
Now, I want it to be explained again why this is a 10-vote resolution.
MR. POLLERT:
Because Jail Medical Unit is on the mandated side of the budget, it's a mandated cost, and mandated costs can free float.
P.O. TONNA:
Great. Now let's go to the roll call.
LEG. BISHOP:
Now I have a question.
P.O. TONNA:
You have a question.
LEG. BISHOP:
Is this recommended in the BRO report?
MR. POLLERT:
Yes, it was.
LEG. BISHOP:
And why?
MR. POLLERT:
Because of the large amount of jail inmates that they have, and the fact that we're not able to see the inmates in a timely fashion on intake.

LEG. FOLEY:
Can we get --
LEG. BISHOP:
Would this be somebody --
LEG. FOLEY:
Get an offset.

00200

LEG. BISHOP:
-- who is hired by the County, or contracted by the County?
MR. POLLERT:
It would be hired by the County.
P.O. TONNA:
At \$54,000, a physician?
LEG. BISHOP:
If we hire a physician for \$54,000, we are liable for the physician's malpractice.
LEG. FOLEY:
It's for eight months.
MR. POLLERT:
That is correct.
LEG. FOLEY:
It's for eight months, Paul.
MR. POLLERT:
We pick up --
LEG. FOLEY:
It's for eight months.
LEG. BISHOP:
Should there be any.
MR. POLLERT:
Yes. We do pick up their medical health insurance, as well as their liability cost.
LEG. BISHOP:
So why wouldn't we contract with a physician, in which case they would be liable for their malpractice?
LEG. GULDI:
Because it would cost more --
MR. POLLERT:
Because they would recover the cost --
LEG. GULDI:
-- and we're liable for the medical care anyway.
MR. POLLERT:
When they contract with us, they would want to be indemnified, or they would charge us whatever their cost of medical malpractice is.
LEG. FOLEY:
Paul. Paul, it's for eight months. It's an eight-month position, that's why it's only 54.

00201

LEG. FIELDS:
Is there a way of getting an offset, Fred?
LEG. FOLEY:
Where can we find a quick offset for this, Fred?
P.O. TONNA:
Guys, can I ask everyone to go through the Chair?

LEG. FOLEY:

Well, we're trying to.

P.O. TONNA:

Listen to me.

LEG. FOLEY:

We're trying to, Paul.

P.O. TONNA:

I would ask that everyone go through the Chair. We don't have a thousand people talking at one time or asking questions of Fred. Legislator Foley, you had a question?

LEG. FOLEY:

Yeah. This is an eight-month position, that's why it's -- you see a rather low amount of fifty-four-seven. But with that said, is it the last eight months of the year, or is it -- it must be the last eight months of the year, no?

MR. POLLERT:

Yes, it would be the last eight months of the year.

LEG. FOLEY:

All right. Is there -- could we find an offset for this?

MR. POLLERT:

We have used up all the offsets in the fringe benefit area.

LEG. FOLEY:

Okay.

P.O. TONNA:

Okay. Can we now go to the vote? All right? Legislator Fields and Legislator Foley for an add of \$54,000. All in -- oh, roll call. Marty wanted a roll call.

(*Roll Called by Mr. Barton*)

LEG. FIELDS:

Yes.

LEG. FOLEY:

Yes.

00202

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

(Not Present).

LEG. TOWLE:

No.

LEG. CARACAPPA:

(Not Present).

LEG. FISHER:

Yes.

LEG. HALEY:

(Not Present).

LEG. ALDEN:

No.

LEG. CARPENTER:

No.

LEG. CRECCA:

No.

LEG. D'ANDRE:

Yes.

LEG. BISHOP:

Yes.

LEG. POSTAL:

(Not Present).

LEG. BINDER:

No.

LEG. COOPER:

Yes.

LEG. LEVY:

No.

LEG. TONNA:

No.

MR. BARTON:

Legislator Guldi. Mr. Guldi, your vote?

LEG. CARACCIOLO:

Jail physicians.

LEG. GULDI:

Yes.

00203

P.O. TONNA:

Okay.

MR. BARTON:

Legislator Caracappa?

LEG. CARACAPPA:

No.

P.O. TONNA:

All right.

MR. BARTON:

Legislator Haley? Legislator Postal? Eight. (Not Present: Legs. Haley and Postal)

P.O. TONNA:

Okay. Next, 81 (Add \$42,900 to Equalize Hospice Agency Funding, Remove \$39,000 for Sub Teachers in Public Health Nursing). Legislator Fields, are you making a motion?

LEG. FIELDS:

Yes.

P.O. TONNA:

Oh, that's conflicted.

LEG. FIELDS:

No.

P.O. TONNA:

Yes, it is.

LEG. FOLEY:

With Number 4.

LEG. FIELDS:

Yes.

P.O. TONNA:

It's with 4. 82 (Add \$47,157 and Create an Administrator II Position for Riverhead Health Center).

LEG. CARACCIOLO:

Motion?

P.O. TONNA:

Motion.

LEG. GULDI:
It says none. You did the wrong --
P.O. TONNA:
No. It's with 4. There's a change.

00204

LEG. FIELDS:
You have it? That was a change --
P.O. TONNA:
Trust me.

LEG. CARACCIOLO:
Motion.
P.O. TONNA:
82, motion by Legislator Caracciolo.

LEG. GULDI:
Second.

LEG. FIELDS:
Second.
P.O. TONNA:
Seconded by Legislator Fields.

LEG. BINDER:
Roll call.

P.O. TONNA:
Roll call.

LEG. CRECCA:
Explanation.

P.O. TONNA:
This is a 14-vote resolution. It's an add.

LEG. CRECCA:
Explanation, please.

LEG. CARACCIOLO:
Yes. During the Budget Committee meetings, representatives of the Advisory Committee to the Riverhead Health Center, which services the entire North and South Forks with satellite centers, made a very persuasive argument that the current administrator here in this building spends an inordinate amount of time servicing administrative needs that are just beyond her capabilities. This staff physician is definitely warranted.

P.O. TONNA:
Okay. All right. Roll -- let's just vote. All in favor? Opposed? Okay I'm opposed. Okay. Where -- let's --

LEG. BINDER:
Roll call.

P.O. TONNA:
Let's roll call it.

(*Roll Called by Mr. Barton*)

00205

LEG. CARACCIOLO:
Yes.

LEG. FIELDS:
Yes.

LEG. GULDI:
Yes.

LEG. TOWLE:

No.
LEG. CARACAPPA:
No.
LEG. FISHER:
Yes.
LEG. HALEY:
Yes.
LEG. FOLEY:
Yes.
LEG. ALDEN:
No.
LEG. CARPENTER:
Pass.
LEG. CRECCA:
Pass.
LEG. D'ANDRE:
Yes.
LEG. BISHOP:
Fred, this is straight add, which would raise taxes?
MR. POLLERT:
Uh-huh.
LEG. BISHOP:
No.
LEG. POSTAL:
(Not Present).
LEG. BINDER:
No.
LEG. COOPER:
Yep.

00206

LEG. LEVY:
No.
P.O. TONNA:
Nope.
LEG. D'ANDRE:
Change my vote to a no.
LEG. CRECCA:
And I didn't vote yet.
MR. BARTON:
Legislator Crecca.
LEG. CRECCA:
No.
LEG. CARPENTER:
Yes.
P.O. TONNA:
Okay.
MR. BARTON:
Eight. (Not Present: Leg. Postal)
P.O. TONNA:
Okay. Number 83 (Increase 2000 Estimated Expenses in Nursing Home Fund \$969,612). Is there a motion? This is a straight add of \$969,000, \$612,000? Okay, that's what I thought. Okay. Number 84 (Add \$600,000 for Child Care Enhancement). Is there a motion? Legislator Fisher?

LEG. FISHER:

Yes.

P.O. TONNA:

A motion?

LEG. FISHER:

Motion to approve.

P.O. TONNA:

A motion to approve. Is there a second?

LEG. FISHER:

Well, wait a minute. I'm going to withdraw it.

P.O. TONNA:

Thank you very much.

LEG. FISHER:

I'm going to withdraw it. I'm going to thank everyone for their support in the omnibus, so that we could at least begin the program.

00207

P.O. TONNA:

Right. And maybe we can look -- maybe we can look to the future next year and just try to see what the State can provide in other things.

Okay. Now we're going to go to the --

LEG. GULDI:

Motion to approve Number 85.

P.O. TONNA:

Wait, just wait. We're going to -- we have a whole bunch of things in front of us.

LEG. LEVY:

Legislator Fisher, I will second --

P.O. TONNA:

Okay.

LEG. LEVY:

-- your motion --

P.O. TONNA:

All right.

LEG. LEVY:

-- if you want to make it.

P.O. TONNA:

All right.

LEG. GULDI:

85 is the next numbered one.

P.O. TONNA:

All right. 85 (This resolution adds \$45,000 for the installation of sound barriers on County Road 105 and reduces health insurance \$45,000), is this the -- is this the sound wall?

LEG. GULDI:

This is a, yeah, temporary sound barrier on 105 Bridge.

LEG. CARACCILOLO:

George, trying again --

LEG. GULDI:

No.

LEG. CARACCILOLO:

-- without identifying the title?

LEG. GULDI:

Yeah. No, I'm not. I'm going to read the title.

P.O. TONNA:

Okay. There's a motion to approve. Is there a second?

00208

LEG. GULDI:

I need a second for purposes of discussion. Why don't you second --

P.O. TONNA:

No, I would much --

LEG. GULDI:

-- it for purpose of defeating it?

P.O. TONNA:

It fails for a lack of a second.

LEG. CARACCIOLO:

Thank you.

P.O. TONNA:

Okay. Number 86 (This resolution adds \$45,000 in the Youth Bureau for Little Flower Children Services, Project Adventure and reduces health insurance \$45,000). Is there a motion? Legislator Caracciolo, is there a motion? Caracciolo. Gosh darn it.

LEG. CARACCIOLO:

Yeah.

LEG. TOWLE:

Second.

P.O. TONNA:

Caracciolo. Yes, there's a motion.

LEG. TOWLE:

Second.

P.O. TONNA:

And there's a second.

LEG. CARACCIOLO:

87.

LEG. CRECCA:

I don't have 86 in front me. Never mind, I do.

P.O. TONNA:

Everyone has it in front of them.

LEG. ALDEN:

On the motion. Is this a straight add?

P.O. TONNA:

It's one --

LEG. FIELDS:

It's attached to 80 -- it's attached to 85.

00209

LEG. ALDEN:

Explanation.

P.O. TONNA:

Legislator Caracciolo, can you -- Caracciolo, right? Can we please have an explanation?

LEG. GULDI:

Do we have a second?

LEG. TOWLE:

Yeah, me.

LEG. CARPENTER:

Second.

P.O. TONNA:

There was a second already.

LEG. CARACCIOLO:

Okay. As Legislative Counsel pointed out earlier, we had a scrivener's error. This is Little Flower, right, Paul?

LEG. CRECCA:

Yes.

LEG. CARACCIOLO:

Okay. And we had to increase the appropriation to reflect an accurate amount from 40 to \$85,000, and that's what this budget amendment does.

P.O. TONNA:

Great. Okay. All in favor? Opposed? Approved.

LEG. ALDEN:

Abstain.

P.O. TONNA:

Okay, abstain, Legislator Alden.

LEG. BINDER:

No.

P.O. TONNA:

And Legislator Binder is a no.

P.O. TONNA:

Okay. Number 87.

LEG. GULDI:

Previously approved.

MR. BARTON:

16 on 86. (Not Present: Leg. Levy)

P.O. TONNA:

Oh, that was approved. Okay. Number 88 (This resolution moves
00210

\$235,000 in funds for historic improvements in Smithtown from 2000 to 2001, as the funds will not be spent in 2000.)

LEG. CRECCA:

Motion to approve.

P.O. TONNA:

Legislator Crecca, motion to approve. Is there a second?

LEG. CARPENTER:

Second.

P.O. TONNA:

Second, Legislator Carpenter.

LEG. ALDEN:

Explanation.

LEG. GULDI:

Explanation.

LEG. CRECCA:

Yeah. This is the one earlier. It's a motion. It's in the 2000 budget now. It's not going to be spent this year, it's part of the contingency monies.

LEG. GULDI:

Thank you. I remember.

LEG. CRECCA:

Thanks.

P.O. TONNA:

Okay. Thank you very much. All in favor? Opposed?

LEG. LEVY:

Opposed.

P.O. TONNA:

Opposed. All right, approved.

LEG. BINDER:

I'm opposed. I'm opposed.

P.O. TONNA:

Oh, and Legislator Binder is opposed.

MR. BARTON:

16-2.

P.O. TONNA:

Okay. Now, just before we move to the CN's, do we have any other business in front of us? On the budget.

LEG. BISHOP:

I wanted to know if -- I probably can't at this point. But there is a
00211

revenue neutral proposal that I have for the budget, which I think other Legislators have been spoken to about on behalf of the American -- in the Health Department on the tobacco money to create a budget line for --

LEG. BINDER:

American Lung Association.

LEG. BISHOP:

American Lung Association.

LEG. BINDER:

Nassau-Suffolk American Lung Association.

LEG. BISHOP:

Right. And I think the consensus is we'd like to do that. So I was wondering if --

P.O. TONNA:

Well, how do you that if we don't have a bill in front of us, if we don't -- I mean, it's good to have a feeling, but, you know, where's the paper?

LEG. BISHOP:

I was hoping that since it's a subline line of -- it's in the broad budget line of tobacco money, and I was hoping to --

P.O. TONNA:

Is this in the category of surreal legislation, or is this in the category of, you know -- I just want you to know, I watch Barney at home, you're imagining -- what do we want to do with this? Paul, he's asking. He's asking.

LEG. BISHOP:

This is in the category of something I think is noncontroversial, but I would like to just try to get accomplished in the easiest way possible.

MR. SABATINO:

It sounds like a lot of line items. You know, the concept sounds straight-forward, but it sounds like a lot of line items to prepare. So, I mean, unless we can get something done in the next 15 or 20 minutes while we're voting on the four or five CN's, I don't see how we could do it.

P.O. TONNA:

Because I think, Dave, an understanding -- because, you know, people from the Health Department have spoken to me about it, because it

really is revenue neutral, it would seem to me that the Budget Committee next year can address this issue and take it up; am I correct?

MR. SABATINO:

Well, that's correct. And then it would just be something to -- okay. I'll defer -- I'll defer to Budget Review on the number of line items, but it's --

00212

LEG. BISHOP:

As the great frustration you had with your post adoption services --

P.O. TONNA:

Yeah, but this is not --

LEG. BISHOP:

-- there's a tremendous amount of start-up time with any, you know --

P.O. TONNA:

I understand that, but I just think -- I understand that, but I think since they got to us late --

LEG. BISHOP:

All right. I maintain that it's noncontroversial. If you're opposing it based on your opposition, I'll withdraw it.

LEG. GULDI:

Withdrawn.

P.O. TONNA:

I'm not opposed to it.

LEG. BISHOP:

All right. Then let's -- then just work with me to get it done.

P.O. TONNA:

But I -- to tell you quite honestly, there's an issue. There's an issue involved. Does the County do it, or do we contract it out to the American Lung Association? That's an issue. You know, do we want to use a contract agency for that, or do we want to have that in-house.

LEG. BISHOP:

But that would come back --

LEG. HALEY:

Paul, you're opposed to it today.

P.O. TONNA:

Yeah, I'm opposed to it today.

LEG. BISHOP:

Okay. Thank you. Withdrawn. Thank you, appreciate it.

P.O. TONNA:

All right. Thank you, Legislator Haley. First time that I think actually you said something and I listened to it. Okay, anyway --

LEG. HALEY:

You're improving.

P.O. TONNA:

Yeah.

00213

P.O. TONNA:

Can we have the County Executive come up with their CN's? Brenda, are you ready?

MS. ROSENBERG:

I got it on. I'm waiting for Paul to call. It's on. Yeah, I think it's on. Is it on?

P.O. TONNA:

Brenda, are you ready?

MS. ROSENBERG:

I'm ready.

P.O. TONNA:

Go ahead.

LEG. ALDEN:

I can't hear her.

MS. ROSENBERG:

Can you hear me now? Can you hear me now?

P.O. TONNA:

Yes, I can hear you now.

MS. ROSENBERG:

Okay. I'm going to go in order of the numbers. 2059 is authorizing the Department of Public Works to transfer a surplus bus to the Village of Patchogue for its municipal bus service.

LEG. GULDI:

Why by CN?

P.O. TONNA:

Is this to lay on table?

MS. ROSENBERG:

No. This is to be voted on, and it's being introduced on --

P.O. TONNA:

All right. Do we have them in front of us?

MS. ROSENBERG:

Yes, you do.

LEG. FOLEY:

Yes.

P.O. TONNA:

Yes. Okay.

MS. ROSENBERG:

It's being introduced on behalf of Legislator Foley.

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LEG. FOLEY:

Yeah. George, the reason why we need to vote on it tonight, Ladies and Gentlemen, is that the current Village bus, the chassis is literally cracked. They had to take it off the road, and they have to rent a bus until such time that they receive this particular one.

LEG. GULDI:

Say motion to approve.

LEG. HALEY:

Say motion to approve.

LEG. FOLEY:

Motion to approve.

LEG. GULDI:

Second.

LEG. HALEY:

Second, cosponsor.

LEG. TOWLE:

Cosponsor.

LEG. FISHER:

Cosponsor, also.

LEG. TOWLE:

Cosponsor.

LEG. HALEY:

I got the second.

LEG. FOLEY:

It's going to get you a lot of votes, I'll tell you that.

LEG. HALEY:

I got the second, Henry. Cosponsor.

LEG. FOLEY:

It's amazing. It's amazing what a new administration will do.

P.O. TONNA:

It's amazing when you have bigger views of the world. All right.

LEG. CARACAPPA:

From the North Shore to the South Shore.

P.O. TONNA:

Yeah, absolutely. Okay.

LEG. GULDI:

Call the question.

P.O. TONNA:

Can you, please, tell us how many, Henry? Did we call it? All in

00215

favor? Opposed? Approved.

MR. BARTON:

18.

LEG. FOLEY:

Thank you very much, and you're welcome to use the bus any time you're in the Village.

P.O. TONNA:

The second CN.

MS. ROSENBERG:

Is 2080.

P.O. TONNA:

Right.

MS. ROSENBERG:

It's authorizing planning steps for the acquisition of Deger Property in the Town of Huntington. It's at the request of Legislator Tonna.

P.O. TONNA:

Right. Just we --

LEG. GULDI:

Planning steps only?

P.O. TONNA:

What?

MS. ROSENBERG:

Planning steps only.

LEG. GULDI:

Planning steps only.

MS. ROSENBERG:

Correct.

LEG. GULDI:

Not acquisition.

P.O. TONNA:

Yes.

MS. ROSENBERG:

That's correct.

P.O. TONNA:

And just to tell you the reason why is we were told in my community that there is immediate developmental pressure, and putting it up for sale and we just want to give an opportunity to see what -- you know, how we can get there.

00216

LEG. BINDER:

Is there the possibility of affordable housing going here?

P.O. TONNA:

I'm not sure, but if there was, I'm sure you'll research it and find out.

LEG. BINDER:

Okay. If it there is, we should all look at it. It's probably a good place to put some affordable housing.

LEG. HALEY:

Are you seconding the motion?

P.O. TONNA:

Okay. All right.

LEG. ALDEN:

This isn't similar to Shadmoor, is it?

P.O. TONNA:

I wouldn't -- don't think there's another waterfront over in Huntington in the middle of West Hills. Anyway, all in favor?

LEG. GULDI:

It's probably more money.

LEG. HALEY:

Wait a minute. Motion.

P.O. TONNA:

What? There's a motion by myself, seconded by Legislator Guldi. All in favor? Opposed? Approved.

LEG. LEVY:

Opposed.

P.O. TONNA:

Okay, opposed.

LEG. BINDER:

I'm opposed.

P.O. TONNA:

All right. And Legislator Binder's opposed.

MR. BARTON:

16.

P.O. TONNA:

Okay. The next one is --

MS. ROSENBERG:

I have 2081 and --

00217

P.O. TONNA:

Okay. Let me -- I think I'll go over these. There are in front of you two District Court Judges. The two District Court Judges, they're just to lay on the table, basically. There is Judicial School and they want -- we just want to get the process -- we need ten votes at least, right? How do we do this? Paul?

LEG. GULDI:

Motion to -- motion to refer to committee.

MR. SABATINO:

Just make a motion to refer to committee and that will be --

MS. ROSENBERG:

That's correct.

P.O. TONNA:

Okay. We're going to make -- right.

LEG. GULDI:

Motion to refer to committee 21 and --

P.O. TONNA:

We didn't want to thwart the committee process.

LEG. HALEY:

Second.

P.O. TONNA:

We think that they should go, but there is --

LEG. HALEY:

Second.

P.O. TONNA:

Okay. I made a motion --

LEG. HALEY:

Second.

LEG. GULDI:

The seats aren't even vacant yet.

P.O. TONNA:

-- on Number 2081 (Confirming the appointment of William J. Burke, III

District Court Judge for and of the Sixth District Court to fill a term

ending December 31, 2001), second by Legislator Haley. All in favor?

MS. ROSENBERG:

Judicial School will be December, so they want it to go through committee before then. It's going to go through committee.

LEG. HALEY:

Henry, there's a motion to defer to committee.

00218

LEG. FISHER:

2082 (Confirming the appointment of Georgia A. Tschember District Court Judge for and of the Fourth District Court to fill a term ending December 31, 2001), same motion?

LEG. GULDI:

Same motion, same second.

P.O. TONNA:

Okay. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

Okay. Number 2082.

LEG. FISHER:

We did it.

LEG. GULDI:

Same motion.

MS. ROSENBERG:

We just did that.

P.O. TONNA:

No. Same motion, same second, same -- okay.

LEG. FOLEY:

Same vote.

MR. BARTON:

18.

P.O. TONNA:

And then the last one, Number 2083, which is appointing a new member of the Suffolk County Off Track Betting Corporation, John J. Toomey.

LEG. TOWLE:

Motion to defer to committee.

P.O. TONNA:

Okay. A motion to defer to committee. I'll make a motion to --

LEG. BINDER:

Second.

P.O. TONNA:

-- approve.

LEG. BINDER:

I'll second the motion to refer to committee.

P.O. TONNA:

Okay. And I second -- Legislator Bishop, you're seconding my motion to
00219

approve?

LEG. BISHOP:

Motion to approve, second.

P.O. TONNA:

Right. Okay. So motion to defer to committee I think has precedent; am I correct?

LEG. BINDER:

On the motion.

P.O. TONNA:

On the motion.

LEG. BINDER:

Could County Executive's Office tell us why this is a Certificate of Necessity?

MS. ROSENBERG:

It was requested by Presiding Officer Tonna.

LEG. BINDER:

So can someone tell us why this is before us? We haven't even interviewed this gentleman, I would assume.

LEG. TOWLE:

I couldn't hear an answer, I'm sorry.

P.O. TONNA:

She said it was requested by me.

LEG. BINDER:

That it wasn't up to them.

P.O. TONNA:

The reason why I have asked for a certificate of necessity is I felt I had worked -- I've worked very hard to look at the whole issue in OTB with regard to reform to the issue of recycling or cycling out some of the Directors, and after consultation with some of my colleagues, we felt that the best thing to do was move as expeditiously as possible on this type of resolution, and I felt CN was the best way to do it.

LEG. BINDER:

Mr. Chairman, on reclaiming my time.

LEG. TOWLE:

Sorry.

LEG. BINDER:

I just heard the Chairman say that we didn't want to thwart the committees, that's why we just sent two Judges to committee. So we didn't want to thwart the committee, now we want to thwart the committee. I don't know that anyone else has looked at recycling members of OTB, or even looked at Mr. Toomey and discussed with him, talked with him, had an interview with him, seeing what his philosophy

00220

is. And then on top of it, we're talking about apparently, according to this resolution, replacing the very person who raised all the questions at OTB. So I don't know what this is in terms of a message to whistle-blowers, which we really try to encourage. I know we have whistle-blower statutes. And we -- normally, in government, we try to encourage those who find problems in agencies, we want to encourage them. I don't know exactly why --

LEG. BISHOP:

Mr. Chairman.

LEG. BINDER:

-- following on the heels of that, we're talking about removing him. Now, maybe -- maybe he should be removed, and maybe Mr. Toomey is a good replacement, maybe the Presiding Officer has done the right kind of research, as he says, about recycling. Maybe we need a recycling program not only for garbage, but for OTB members, I don't know. That might be the case. But I would think that this at least should go to committee, and the Legislature should act, as we're talking about acting with Judges, Legislature should move forward with this through the committee process. It should be -- Mr. Toomey should come before us. We should have an opportunity to ask him questions, and then we should have at least an airing of what this -- I mean, is Mr. Toomey even here?

P.O. TONNA:

No.

LEG. BINDER:

I don't think so. Okay.

P.O. TONNA:

No, I don't think so either.

LEG. BINDER:

So he's not even here. So I haven't met him, I haven't heard from him. So I would think we should at least do that.

P.O. TONNA:

Okay. Thank you very much.

LEG. BINDER:

So that's why I support the motion to defer.

P.O. TONNA:

All right. Thank you, Legislator Binder. Legislator Haley, did you want to say something?

LEG. HALEY:

No, I'll pass.

P.O. TONNA:

Okay. Legislator Bishop, did you want to say something?

00221

LEG. BISHOP:

I --

P.O. TONNA:

I think --

LEG. BISHOP:

I just want to respond to the idea that --

LEG. GULDI:

No, you don't. You don't want to say anything.

P.O. TONNA:

You probably just want me to say something here.

LEG. BISHOP:

That the Director is a whistle-blower. The director is a policy-maker, so I don't see how he can be in a position to be a whistle-blower. A whistle-blower is an employee who --

LEG. GULDI:

I'm leaving.

P.O. TONNA:

Right.

LEG. BISHOP:

You're leaving.

P.O. TONNA:

Okay.

LEG. BISHOP:

Okay.

LEG. BINDER:

Also, it could be a person who finds there are problems and actually makes them public, which is what this --

LEG. BISHOP:

Right.

LEG. BINDER:

-- gentleman happened to do.

LEG. BISHOP:

He can make them public and --

LEG. BINDER:

So it's equivalent --

LEG. BISHOP:

-- make a policy difference.

00222

LEG. BINDER:

Equivalent to a whistle-blower.

LEG. BISHOP:

It's part of the regime that apparently needed reform.

P.O. TONNA:

Poke me in the eye.

LEG. BISHOP:

This Legislator --

P.O. TONNA:

Okay.

LEG. BISHOP:

Legislature pushed for reform at OTB, this is part of that process.

LEG. BINDER:

And that will get rid of the guy who --

P.O. TONNA:

Okay. Legislator Towle.

LEG. TOWLE:

Thank you, Mr. Chairman. There's obviously been a series of bills, so if there were any urgency in replacing board members, any one of those bills could have been replaced. This is a twelfth hour, as we're voting on the budget, surprise, and I think it should go through the committee process.

P.O. TONNA:

Okay. Thank you very much.

LEG. BINDER:

Mr. Chairman, let me just -- one more comment.

P.O. TONNA:

Sure, Legislator Binder.

LEG. BINDER:

Yeah, to follow up Legislator Towle. We have former Legislator and Presiding Officer Steve Hackeling is also in committee as we speak. It's for another position, but that has not moved. I mean, we should look at them in committee. We, as a Legislature, not just the Presiding Officer, should look at the problem as a total package.

P.O. TONNA:

Thank you very much, Legislator Binder. Okay. Roll call.

LEG. CARACAPPA:

It's on the committee, to go to committee.

P.O. TONNA:

What?

00223

LEG. CARACAPPA:

To go to committee.

LEG. FISHER:

To go to committee.

P.O. TONNA:

Oh, no. Roll call on --

LEG. CARACAPPA:

It takes -- it takes precedence.

P.O. TONNA:

Yes, it takes precedence. This is a vote to defer to committee.

(*Roll Called by Mr. Barton*)

LEG. TOWLE:

Yes.

LEG. BINDER:

Yes.

P.O. TONNA:

To defer to committee.

LEG. CARACCILOLO:

To committee, no.

LEG. GULDI:

No.

LEG. CARACAPPA:

Pass.

LEG. FISHER:

No.

LEG. HALEY:

(Not Present)

LEG. FOLEY:

No.
LEG. FIELDS:
No.
LEG. ALDEN:
Oh, what the heck, no.
LEG. CARPENTER:
No.
LEG. CRECCA:
No.

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LEG. D'ANDRE:
No.
LEG. BISHOP:
No.
LEG. POSTAL:
No.
LEG. COOPER:
No.
LEG. LEVY:
Yes.
P.O. TONNA:
No.
LEG. CARACAPPA:
No.
LEG. HALEY:
No.
P.O. TONNA:
Okay. There's a motion to --
MR. BARTON:
Three.
P.O. TONNA:
There's a motion to approve and a second by Legislator Bishop.
(*Roll Called by Mr. Barton*)
LEG. TONNA:
Yes.
LEG. BISHOP:
Yes.
LEG. CARACCIOLO:
Yes.
LEG. HALEY:
Yes.
LEG. GULDI:
Yes.
LEG. TOWLE:
No.
LEG. CARACAPPA:
Pass.

00225

LEG. FISHER:
Yes.
LEG. HALEY:
Yes.
LEG. FOLEY:

Yes.
LEG. FIELDS:
Yes.
LEG. ALDEN:
Yes.
LEG. CARPENTER:
Yes.
LEG. CRECCA:
Yes.
LEG. D'ANDRE:
Yes.
LEG. POSTAL:
Yes.
LEG. BINDER:
No. We shouldn't do him while he's on vacation.
LEG. COOPER:
Yes.
LEG. LEVY:
Abstain.
LEG. CARACAPPA:
Abstain.
MR. BARTON:
14.
P.O. TONNA:
Thank you very much. Okay. No other business before us?
LEG. CRECCA:
Motion to adjourn.
P.O. TONNA:
Motion to adjourn, seconded by Legislator Crecca. Done.
[THE MEETING WAS ADJOURNED AT 6:45 P.M.]
{ } Indicates Spelled Phonetically

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