

GM080701.txt

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

THIRTEENTH DAY

AUGUST 7, 2001

MEETING HELD AT THE EVANS K. GRIFFING COUNTY CENTER
LEGISLATIVE AUDITORIUM
300 CENTER DRIVE, RIVERHEAD, NEW YORK

MINUTES TAKEN BY

LUCIA BRAATEN AND DONNA BARRETT, COURT REPORTERS

[THE MEETING WAS CALLED TO ORDER AT 5:32 P.M.]

P.O. TONNA:
Let's -- first of all, roll call. Roll call.

MR. BARTON:
Good evening, Mr. Chairman.

P.O. TONNA:
Good evening.

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:
Here.

LEG. GULDI:
(Not Present)

LEG. TOWLE:
(Not Present)

LEG. CARACAPPA:
Here.

LEG. FISHER:
(Not Present)

LEG. HALEY:
Here.

LEG. FOLEY:
Present.

LEG. LINDSAY:
Here.

LEG. FIELDS:
Here.

LEG. ALDEN:
Here.

LEG. CARACAPPA:
(Not Present)

LEG. CRECCA:
Here.

LEG. D'ANDRE:
Here.

LEG. BISHOP:
Here.

2

LEG. BINDER:
Here.

LEG. COOPER:
Here.

D.P.O. POSTAL:
Here.

P.O. TONNA:
Here. Okay.

MR. BARTON:
There are fourteen Legislators present at roll call.

P.O. TONNA:
Thank you. All rise for the Pledge of Allegiance. We're going to have Legislator Lindsay lead us in the Pledge of Allegiance.

(SALUTATION)

Thank you very much. Okay. I'd like to recognize Legislator Caracciolo for the purposes of introducing our Clergy for today. And, everyone, please stay standing. Thank you.

LEG. CARACCIOLO:
Thank you, Mr. Chairman. Good evening, Ladies and Gentlemen. It's my privilege to introduce Reverend Ando from the North Shore United Methodist Church in Wading River. Reverend Ando has been a Lay Clergy up until three years ago, beginning his career in ministry back in 1979. Three years ago he was ordained as a Minister from Drew University, and he's here tonight on behalf of his church and some of the people who volunteer in far off places like Mozambique and other parts of Africa, donate and volunteer their time to build churches and build Christ up. So it's my pleasure to introduce Reverend Ando.

Applause

REVEREND ANDO:

Thank you. Now let us bow our heads. Oh, gracious God, thank you for gathering us together this evening and to give us an opportunity to pray to you. Lord, we are so blessed by you. We have a cause to where we want to go, homes to sleep peacefully, plenty of food in our refrigerators whenever we want to eat. Based on the world standard, we are very rich. We sometimes take your blessings for granted and forget our responsibility, and the many poor people in our community and in the world. Forgive our indifference. This evening you remind us through Israel people you are the great God, mighty and awesome, who is not partial and takes no bribe, who executes justice for the orphan and the little, and who loves the strangers, providing them food and clothing. As you told the Israel people, to love the stranger, for they were strangers in the land of Egypt. You tell us to love your neighbor as yourself. In our community, there are many oppressed people, especially migrants. Lord, guide us to make legitimate laws for them with your love and justice. We pray for the world peace, especially the peace between Israel and the Palestinians.

3

As a Native American said, we pray that some day our arrow will be broken, not to something or someone, but by each of humankind to indicate peace not violence. Someday oneness with creation, rather than domination over creation, will be the goal to be respected. Someday fearlessness to love and to make a difference will be experienced by all people. Someday the people of the red, white, yellow, brown and black communities can sit in the same circle together to communicate in love and experience the presence of you in the midst. Someday can be today for you and for me. Therefore, let peace begin from us from this session that affects our community, and then Long Island, and then New York State, and then the United States, and then to the world. Oh, God, we humbly kneel down and ask your guidance and wisdom, in the name of the Lord, we pray. Amen.

P.O. TONNA:

Thank you very much.

LEG. CARACCILO:

Thank you very much. Thank you, Paul.

P.O. TONNA:

Thanks. Thank you, Reverend. Thank you very much. Okay. I'd like to -- I'd like to ask the County Clerk, Ed Romaine, to come up for the purpose of receiving a proclamation.

Some of you might not -- some of you might not know this, but Ed

Romaine is the first County Clerk in Suffolk to be named County Clerk of the Year by the New York State Association of County Clerks. It's a tough competition. He has served with 62; 62?

MR. ROMAINE:
Sixty-two County Clerks.

P.O. TONNA:
Sixty-two County Clerks. He served as County Clerk since 1989, has been reelected by the public three times since. He supported the fact efficiency and dedicated public service are recognized and valued by the public at large. And, just quickly, therefore, this Legislature wants to recognize the great job that you and your office are doing. I know that, actually, somebody used to work in your office. You know, you had to let go of some of the baggage, and he actually ran for a County Legislative seat and won. But --

MR. ROMAINE:
We needed the office.

P.O. TONNA:
That's right. I'm teasing, of course. But --

LEG. TOWLE:
Did I sign that proclamation?

P.O. TONNA:
Yes, yes. As a matter of fact, you signed in three places.

4

LEG. TOWLE:
Presiding Officer as well.

P.O. TONNA:
There you go. Yeah. You took the Presiding Officer's spot right away, but it said 2002, I think, that's why. Anyway, all I can say is congratulations, Ed, to you and to your office.

MR. ROMAINE:
Thank you.

Applause

P.O. TONNA:
Now I'm giving him a proclamation for a change. That is an odd event.

LEG. CRECCA:
I want to proclaim it Ed Romaine Day in Suffolk County."

LEG. CARPENTER:
Ed Romaine Day, yes.

LEG. HALEY:
I can't believe they're not making this Ed Romaine Day.

Photograph Was Taken

P.O. TONNA:
All right, one more. Okay, great. Do you want to say something?

LEG. CRECCA:
Before you -- Ed, before you speak, I'd like to make a motion to, seriously, to proclaim this Ed Romaine Day in Suffolk County

LEG. CARPENTER:
I would be proud to second that.

P.O. TONNA:
How about this is the Ed Romaine Hour.

LEG. TOWLE:
I'm opposed.

P.O. TONNA:
We don't want to get too pushy.

MR. ROMAINE:
Hour.

LEG. CRECCA:
All in favor?

LEG. TOWLE:
I'm opposed.

MR. ROMAINE:
I just want to thank -- thank all the Legislature, members of the Legislature, for their help and their cooperation. Regardless of party, this Legislature has come together and supported the County Clerk's Organization in Suffolk County to help make it one of the best offices in the state. I was happy to be recognized by my colleagues,

but that recognition extends to yourself and the Executive for the cooperation you've extended. You've made my office one of the best in the state, and I thank you for your support, your encouragement, and your good guidance. I have great faith in this Legislature and you've never disappointed me. Thank you so much.

Applause

P.O. TONNA:

I'd like to introduce now -- Linda, are you okay?

MS. BURKHARDT:

I'm, yeah, fine.

P.O. TONNA:

Okay. What are you doing?

MS. BURKHARDT:

Well, I'm going to call the names of the Legislators and the name of their volunteer.

P.O. TONNA:

Okay. Well, let me just recognize -- I'd like to recognize the Chairwoman of Public Safety, Legislator Angie Carpenter, for the purpose of explaining our next set of proclamations.

LEG. CARPENTER:

Thank you very much, Presiding Officer. I think what we've worked out is that Linda is going to call each of the honorees in and the Legislator will come forward and present the proclamations. But this Legislative body has declared August to be Volunteer Firefighter and EMS Worker Month in Suffolk County as a public gesture to recognize an outstanding volunteer in his or her Legislative district from throughout Suffolk County.

We all know full well the incredible job that our volunteers do for us at no pay and at great sacrifice to themselves and their families many times. So it is with a special sense of pride and honor that each of the Legislators has recognized someone from their district to say that very special thank you, but to do it in a very, very public way here before the entire Legislature.

So, Linda, if you will, start with First Legislative District, and, as we said, we will just go to the podium. And there are not going to be any speeches. We're going to try and expedite this, since it is an evening meeting.

LEG. CARACCIOLO:

Very good. I'll even save some steps, stay right here. If Chief Anderson would come in, please.

LEG. CRECCA:

We just agreed. Paul, we just agreed 18 Legislators aren't going to speak.

P.O. TONNA:

Right. Okay. What are we reminding him?

LEG. CARACCIOLO:

We're keeping our remarks brief --

P.O. TONNA:

Yes.

LEG. CARACCIOLO:

-- is what I believe the reminder is all about.

LEG. CARPENTER:

No remarks. No remarks.

P.O. TONNA:

Just to announce --

LEG. CARPENTER:

No remarks.

P.O. TONNA:

Just to --

LEG. CARACCIOLO:

No remarks, oh.

LEG. CARPENTER:

No remarks.

LEG. CARACCIOLO:

Okay, Chief.

P.O. TONNA:

All right.

LEG. CARACCIOLO:

Let me just, quickly then, on behalf of the four townships that I represent in whole or in part, including the eastern portion of the Town of Brookhaven, all of Riverhead, Southold and Shelter Island, congratulate you on this unique distinction. Fifty years of volunteer service in the fire service is quite remarkable. God bless you. Godspeed.

Applause

P.O. TONNA:

Congratulations.

MS. BURKHARDT:
Legislator Towle, Chief Rudolph Sunderman.

7

LEG. TOWLE:
If Chief Sunderman would join us. I believe Legislator Guldi is not here yet, so we'll skip right to the Third District.

P.O. TONNA:
There we go.

LEG. TOWLE:
Chief Sunderman is coming in with his children and family and fellow firefighters from the Mastic Fire Department.

P.O. TONNA:
There you go. Come right up, Chief, come on right up.

LEG. TOWLE:
I'm very pleased to present him with his proclamation. I'll come around.

P.O. TONNA:
Oh, you're going to come around? Okay. I get around.

LEG. TOWLE:
Congratulations.

CHIEF SUNDERMAN:
Thank you.

Photograph Was Taken

MS. BURKHARDT:
Thank you. Legislator Caracappa and Dennis Carmen from the Selden Fire Department.

LEG. CARACAPPA:
I'm sorry, colleagues, but I'm going to say just a few brief words about Dennis, who is joined at the podium today with his lovely wife, Dawn, Commissioner Arthur Giove, Commissioner Robert Krietzmann, and Chief Bill Xikis from the Selden Fire Department.

Some of you may remember Dennis. He was awarded a proclamation here in 1998 for pulling a person out of a burning car. His awards -- well,

GM080701.txt

he started with the Selden Fire Department at the age of 15. I know that personally because I was a junior firefighter with Dennis and it was then that I became friends with Dennis and knew about his skills as a fireman. He's received so many awards, most fire calls, most overall calls outstanding in devoted service, three lifesaving medals, three merit awards, two Firemen of the Year awards, Chiefs award for outstanding and dedicated services, and he's recognized by his peers as one of the most highly trained firefighters in Suffolk County. And, Dennis, on behalf of myself, my family and the constituents that I represent in the Selden area, I'd like to congratulate you for the years of fine service and for being my friend. You've done a great job, and thank you.

Applause

8

P.O. TONNA:

Thank you. Legislator Vivian Fisher?

MS. BURKHARDT:

And Captain Brian McAllister from the Stony Brook Fire Department. Captain Brian McAllister, Stony Brook Fire Department, for Legislator Fisher.

LEG. FISHER:

I'd like to congratulate Captain Brian McAllister, who was chosen the Firefighter of the Year in Stony Brook. And so among his peers he was chosen to be the best in Stony Brook. So I congratulate you and congratulate your family, and thank you very much for the work that you do. Thank you so much.

CAPTAIN MC ALLISTER:

Thank you very much.

Applause

MS. BURKHARDT:

Legislator Haley and Eric Svihovec from the Miller Place Fire Department.

LEG. HALEY:

I see you again.

MR. SVIHOVEC:

How are you?

LEG. HALEY:

GM080701.txt

This is the gentleman, along with another young fellow, that helped that woman and her child that drove accidentally into the Mount Sinai Harbor. And believe it, when I went down to see, only the rear of her car was just sticking out of the water. She was going down real fast and this gentleman acted real quickly. I think he epitomizes that which we hope to see in our young guys and gals when we ask each and everyone of them to volunteer for the benefit of their neighborhood and their community. So, certainly, it's with great pleasure from the people of the Sixth Legislative District, as you've heard before, to get this proclamation from all of your friends, not only in the Miller Place Fire Department, but throughout the Sixth Legislative District. Congratulations.

MR. SVIHOVEC:

Great. Thank you very much.

Applause

LEG. HALEY:

Nice to see you again, Buddy.

MS. BURKHARDT:

Legislator Lindsay, Patty Ferlauto, Community Ambulance Corps.

9

LEG. LINDSAY:

As Patty, comes up, I'd just -- this is Chief Patty, by the way. Patty is the Chief of the Sayville Community Ambulance Corps.

Applause

And just very quickly, Patty is a very busy person. She holds down two jobs, she's getting married in December. And besides that, she runs the Community Ambulance Corps with 125 volunteers, four ambulances, that does 3,400 calls a year to the five communities of Sayville, West Sayville, Oakdale, Bayport and Bohemia. And I think she just epitomizes the slogan that if you want something done right, give it to a busy person. Congratulations. Thank you very much.

Applause

MS. BURKHARDT:

Legislator Carpenter, Jack Parrett from the West Islip Fire Department.

LEG. CARPENTER:

Thank you. As Jack is coming forward, Jack Parrett has been a

GM080701.txt

volunteer with the West Islip Fire Department over 35 years. He is a retired Arson Investigator with the Police Department, and is now dedicating his volunteer time full-time. So we are very, very grateful, very, very fortunate. And he has a respect and appreciation of his peers. As you can see here today, the department is very well represented, and a community is by what you do.

MR. PARRETT:
Thank you very much.

LEG. CARPENTER:
Thank you so much.

MR. PARRETT:
Thank you.

Applause

MS. BURKHARDT:
Legislator Crecca, Gerald Smith from the Nesconset Fire Department.

LEG. CRECCA:
I'll just echo the comments. While we're recognizing so many firefighters here tonight, it's really a recognition of all the work that all our firefighters do county-wide. We picked out Gerry among the firefighters, because recently Gerry saved the life of a young boy who was having an allergic reaction to an insect bite and used what now I'm happy to say that all our -- most of our volunteer fire departments now have in effect, which is the epi pen to administer emergency treatment right at the scene. Gerry, we want to thank you, not just for that, but for your years of service in the Nesconset Fire Department, all the great work you do. Thank you.

Applause

10

MS. BURKHARDT:
Legislator Mike D'Andre, Eugene McAvoy, Saint James Fire Department.

LEG. D'ANDRE:
We have Joe Keith accepting the award for McAvoy, a real American top-notch firefighter, Lieutenant in Engine Company Number 3. And I think he's quite a man in that fire department, leading you firefighters. And I'm sorry he can't be here, but I think you'll do him justice by accepting this award from the 1.3 or 4, 5 million people of Suffolk County.

MR. KEITH:
With pleasure.

LEG. D'ANDRE:
Okay.

MR. KEITH:
Thank you.

Applause

LEG. D'ANDRE:
Thank you.

MR. KEITH:
Thank you.

MS. BURKHARDT:
Legislator Guldi and the Westhampton War Memorial Ambulance.

LEG. GULDI:
One of the things that -- when we make these presentations to a volunteer or a school, it usually creates an interesting situation because of the nature of my district. For example, the schools, I've got 22 school districts. With fire departments, I've got over 30, many -- and probably an equal number of ambulance companies, 30, 32 probably in the Second District. And I actually initially proposed saying, all right, I mean, one of these I needed -- my concept was to look for a volunteer. And I went and I talked to a volunteer, someone I knew who had put in more than 20 years of service on behalf of the ambulance company, on a daily basis, getting up from their desk and interrupting their work to take calls, on a weekly basis, doing work for the ambulance, including everything from secretarial and administrative work to work to create a tax district, so the ambulance could have a garage, to securing vehicles, to providing training for ambulance companies, providing training for adjacent ambulance companies. And you know what the volunteer that I suggested this to said? He said, "I don't deserve it. I've only got one saved life that I did." And they refused to accept it on an individual basis, and insisted that I give it to the entire association of the ambulance company that they have put more than 20 years of work in. So tonight I am presenting a proclamation to the Westhampton Beach Volunteer -- oh, boy, I need my glasses. Where did my glasses go? It's been a long day already. It's to the Westhampton War Memorial

community. On behalf of the Suffolk County Legislature, George Guldi, would like to present to you this proclamation.

Applause

MS. BURKHARDT:

Legislator David Bishop, Thomas O'Brien, West Babylon Fire Department.

LEG. BISHOP:

Thomas, why don't you come up with your company. Come on up. Ladies and Gentlemen, Thomas O'Brien is one of those strange but necessary people that we need in our society who does not mind risking his life. His day job is a New York City cop, and his hobby, his volunteer work is as a West Babylon fireman. And in that role he risked his life on February 27th of last year when he went into a raging house fire and pulled out a victim. He led the hose line through the conflagration to the person and pulled him out, and that was a heroic act, and he was burned in that -- in the course of that duty. So he is -- he is one who will risk his life, has done so for the community, and he has been selected as the 14th Legislative District's representative of heroism in the fire department. There are many who are willing to do that. You personify that bravery and that dedication and I appreciate it. Thank you.

MR. O'BRIEN:

Appreciate it. Thank you.

Applause

MS. BURKHARDT:

Legislator Postal, Tom Cronogue from the Wheatley Heights, Wyandanch Ambulance Corps.

LEG. POSTAL:

Tom Cronogue is truly an extraordinary man, not only because he has devoted so much of his life to preserving the public safety and the public health, but this is a man who not only works professionally as a Nassau County Police Officer, is an instructor at the Nassau County Police Academy, is an instructor here in Suffolk County for rescue volunteers, our EMT's our AEMT's, has saved countless lives, but he goes way beyond that. He not only has been Chief of, if not the most active volunteer ambulance Corps in the County, then one of the most active, but he also understands that true leadership is building an organization. And so he's not in it for his ego, he's in it to bring other people into the process and encourage participation. And when I told him about today, he asked me for a proclamation for a member of the Corps other than himself. So that's Tom.

And I'm just going to tell you one quick little story. He brings young people into the volunteer process. We know how difficult it is to get volunteers, he brings young people. And several years ago, I met a young woman who I discovered had been very shy and quiet when she was recruited to join the Wyandanch/Wheatley Heights Ambulance Corps. When I met her she was a senior in high school. She was

anything but. She had not only become a very outgoing, very poised, very skilled, very articulate young woman, but this had introduced her to her future career in the health profession. That wasn't the end of it. After she completed her first I think it was semester, I don't think it was her first year, but her first semester, she was from a struggling family and she had difficulty with financial aid and she was not going to be able to continue her education. Well, Tom went to bat for her and he went to Good Samaritan Hospital and he managed to get her assistance from the medical staff at Good Samaritan Hospital, which enabled her to continue her college education. He's not only an extraordinary volunteer, he is an exceptional human being. And it is my great pleasure to recognize him and his wife, Carol, and his daughter. So congratulations to you. It is my great delight to present this to you. Come on. Come on up.

Applause

MS. BURKHARDT:

Legislator Binder, Marilyn Byron from the Dix Hills Fire Department.

LEG. BINDER:

Thank you. I think it's an incredible thing that we are honoring these people who make such a difference in our community. Marilyn has not been a long-timer. Some people have been around for 20 some-odd years or more. Marilyn's been five years with the department with the Ambulance Rescue Squad. And you should know that she has a few children as she was doing this important work in her community. I think one -- I don't know the older ages, we won't say those, but I do know she has a ten year old as her youngest, and so that would make her five years in the department starting when her youngest was five. I know I have a five year old and I don't know that I could have my wife out there on an ambulance rescuing people.

MS. BYRON:

You could.

LEG. BINDER:

I could do that? No. I don't know if she could. I think it's an amazing, and amazing feat. Marilyn has also been a very big proponent of the public access, the Defibrillator Program, and was a very important part of getting a defibrillator, the first one in Little League, to the Dix Hills Little League, which is a -- could make a difference in saving a kid's life. And that is a very important thing. She's been very important to the youth of the community. She runs the Youth Program at Dix Hills Fire Department, works in a nursery, very youth oriented. And that's really what's going to make the difference, is the future of our fire department and people like

Marilyn really are the future. And I wanted to give her -- make sure that she is honored correctly as someone who's important in Dix Hills. Thank you.

MS. BYRON:
I appreciate it.

Applause

13

MS. BURKHARDT:
Presiding Officer Paul Tonna, David Mohr, Huntington Community First Aid Squad.

P.O. TONNA:
I know I'm not supposed to give speeches and I, you know, lead by example, but at the age of 15, this young man, who's getting a little older, started his experience as a Boy Scout with the Emergency Medical Services. Hi, Ladies. How are you? You should be very proud of your dad today. He's been for the past thirteen years working in the Huntington Community First Aid Squad, and the fact is is that he also spends time, a little time working full-time for the County in the Social Services Department. So I just want to say how great it is to have a guy like you watching over Huntington Community First Aid Squad, a personal friend and a great father.

MR. MOHR:
Thank you, Paul.

P.O. TONNA:
Thank you.

MR. MOHR:
Thank you.

Applause

P.O. TONNA:
Hey, you see your Aunt? You see your Aunt there? She had to vote. I wonder where you girls got your blond hair from? Thank you very much.

MS. BURKHARDT:
And for our last Legislator, Legislator Cameron Alden, William Feeley from the Brentwood Fire Department.

Applause

LEG. ALDEN:

Now this young man, really, he's only been around for a few years, more than 48 years as a volunteer. He was Chief of the Brentwood Fire Department and he's now the Chairman of the Board of the Fire Commissioners. He's got so many saves that I really can't even go into the list, as far as pulling people out of burning buildings, a mother and a child. He actually emptied the Ross Nursing Home without any loss of life, without any loss of life, and that was a key thing.

MR. FEELEY:

A hundred and thirty-nine people.

LEG. ALDEN:

A hundred and thirty-nine people. What a great job. And for us to say thank you is really just -- it's too small even, but thank you.

Applause

14

MS. BURKHARDT:

Dave, excuse me, you'd like to call the West Islip --

LEG. BISHOP:

Yeah. If the West Islip contingent could return for a moment, I just want to point something out.

P.O. TONNA:

West Islip?

MS. BURKHARDT:

West Islip Fire Department?

LEG. BISHOP:

Yeah. Are they still out there?

MS. BURKHARDT:

Yeah.

P.O. TONNA:

Did they break their boat.

LEG. BISHOP:

Can I ask for my colleagues to return?

LEG. CARPENTER:

No.

LEG. BISHOP:

No, because it's about the boat.

LEG. CARPENTER:

You're going to hear about the boat. He's making fun of the boat already. Tell him.

LEG. BISHOP:

Sit down, Mr. Presiding Officer --

LEG. CARPENTER:

Sit down and listen to this boy.

LEG. BISHOP:

-- who is opponent of the boat. Mike. If I could have my colleagues' attention for a point of personal privilege.

P.O. TONNA:

All right

LEG. BISHOP:

You will recall, I guess it was about two years ago, that one of the pieces of legislation that took an awfully long time to pass in this body was a grant to the West Islip Fire Department for a boat to service -- see?

LEG. CARPENTER:

To help finance a boat.

15

LEG. BISHOP:

Yes.

LEG. CARPENTER:

We didn't do the boat --

LEG. BISHOP:

Right, it was a partnership. Right.

LEG. CARPENTER:

It was a partnership.

LEG. BISHOP:

And we established the precedent in the Town of Babylon when we assisted the Copiague Fire Department with a similar craft. Well, recently, a community in my district, which borders West Islip, was on fire and that's Oak Island. And you can't readily get to Oak Island,

GM080701.txt

especially this part of Oak Island, with a fire truck. And so it was the West Islip fire boat that we helped finance that put out the fire, saved five homes, and potentially the entire Island. So when we make decisions to support firematics, we are assisting brave people in helping our communities. So I think that that was a lesson learned and one that we should remember. Thank you, gentlemen. I'll pass these photos around.

Applause

P.O. TONNA:
Congratulations, guys. Congratulations.

UNKNOWN SPEAKER:
I would like to thank you. I'd like to thank everybody that supported us in that endeavor. Within two weeks of putting that boat in service this fire occurred, and if it wasn't for that boat, there would have been a lot more homes lost. Thank you very much.

P.O. TONNA:
Thank you.

LEG. CARPENTER:
Thank you, gentlemen.

P.O. TONNA:
Thank you, sir. For those of us who have landlocked districts -- anyway, okay.

LEG. BISHOP:
You get a helicopter.

P.O. TONNA:
All right. I think we're -- if I'm not mistaken, Legislator Fields, you had something that you just wanted to say? Here you go.

LEG. FIELDS:
I will be bringing a proclamation to the next meeting. The fireman

16

that I wish to honor works in the evening, so could not make it, Jimmy Brown.

P.O. TONNA:
Okay.

LEG. FIELDS:
From Central Islip.

P.O. TONNA:

Thank you. Okay. Do we have a quorum? Can -- where is the -- Clerk's Office, going once, going twice. Henry. Okay. Joe Gamper. Where are you, Joe? Joe, I have you as Joe "The Corn Man". There you go.

MR. BARTON:

Yes, you have a quorum.

P.O. TONNA:

Come on. Come on up.

MR. GAMPER:

I've come before you before.

P.O. TONNA:

Okay.

MR. GAMPER:

I think you know my plight by now that I've been evicted from my spot.

P.O. TONNA:

I would ask that the door -- could somebody shut that door?

MR. GAMPER:

And I'm looking to retain that spot right now. And I want to thank Legislator Towle for putting up legislation for that. I think you'll find a photo of my stand in front of you. To give you an idea what kind of condition the operation I run, and as you'll see, it's on the straight part of the road, it's not near the curve.

I just appreciate your help. You know, the County was known for agriculture, and I see we were known for cauliflower and strawberries, and I see now we're importing stuff into the County. We see our towns dying. I see Patchogue, I see Riverhead going down. I just -- you know, I don't know if we're just going to big business. We see factory outlets and Home Depots, and we're seeing less and less of smaller businesses. If you want to retain part of the heritage of Long Island, I'd ask you, please, vote yes on this issue. I thank you very much.

LEG. D'ANDRE:

Joe.

LEG. HALEY:

I have a question.

LEG. D'ANDRE:
Joe, just a minute.

LEG. HALEY:
I have a question.

LEG. D'ANDRE:
Joe.

P.O. TONNA:
Wait.

LEG. HALEY:
I have a question.

P.O. TONNA:
Just hold it one second. Just one at a time. Legislator Haley, then Legislator D'Andre. And I want to remind every single Legislator that this is a night meeting. I have over 50 cards here. We are talking about, before we get to cast one vote --

LEG. HALEY:
My question's going to be shorter than that.

P.O. TONNA:
Okay. Before we cast one vote, we're talking about probably two o'clock in the morning.

LEG. HALEY:
Joe, do you wrap this up every night and take everything home?

MR. GAMPER:
We bring that out every morning and take it in every night.

LEG. HALEY:
Thank you.

MR. GAMPER:
There's nothing left on the road.

P.O. TONNA:
Thank you. Legislator D'Andre.

LEG. D'ANDRE:
Joe, I've had a beginning similar to this in my time. But before we get to that, you have a war record, Joe?

MR. GAMPER:
No, I don't. I'm a -- I'm a veteran, but not in a war.

LEG. D'ANDRE:
But you are a Marine veteran, are you not?

MR. GAMPER:

I am a Marine Corps veteran.

18

LEG. D'ANDRE:
How long did you spend?

MR. GAMPER:
I spent three years in the Marine Corps.

LEG. D'ANDRE:
That's a hitch. That's pretty good.

P.O. TONNA:
All right?

LEG. D'ANDRE:
On this farm stand, were you authorized -- how long have you been there, Joe?

MR. GAMPER:
I've been there ten years.

LEG. D'ANDRE:
Ten years. There should be no question that you should not stay -- that you should stay there. And you have given no problems, no troubles.

MR. GAMPER:
No.

LEG. D'ANDRE:
You just open it up and close it up every day. And I ask my colleagues to support this veteran, who's had it for ten years and there's been no complaints.

P.O. TONNA:
Question. Question, please, sir.

LEG. D'ANDRE:
And the question is are you going to be happy there, Joe?

MR. GAMPER:
Will I be happy there?

LEG. D'ANDRE:
Yeah.

MR. GAMPER:
I'll be happy there.

P.O. TONNA:
Great.

LEG. D'ANDRE:
All right. Let's make Joe happy.

P.O. TONNA:
All right. Thank you very much.

19

MR. GAMPER:
Thank you.

Applause

P.O. TONNA:
Can I just -- I'm going -- Legislator Towle, if you don't mind, and this is a little, I guess, ad hoc. How many people have filled out cards to speak on behalf of Joe "The Corn Man"? All right. If we move this legislation --

LEG. TOWLE:
If I can --

P.O. TONNA:
-- pretty soon, can we --

LEG. TOWLE:
I'll tell you what, I'm going to make a bargain. I haven't spoke to these people, but if you'd recognize me --

P.O. TONNA:
All right, why don't you do that.

LEG. TOWLE:
Joe, you want to come back up here for a second? I just want to clarify two other things for the record, just so that -- before I make this motion. Is there anybody here to speak against Joe tonight? I didn't think so. You know, just to be fair on both sides of the coin. The resolution that we're going to consider tonight, Joe, I'm going to make a motion to waive the rules and move that resolution forward now, so you don't have to sit here until two o'clock in the morning, and we'll save some time, because, hopefully, then the folks that are here to speak on that issue don't have to speak, because --

P.O. TONNA:
Then you don't have to speak.

LEG. TOWLE:
Yeah, which --

P.O. TONNA:
You got that? Okay.

LEG. TOWLE:
Nobody has a problem with that, right? I didn't think so, unless you want to stay here until two o'clock in the morning, then you're more than welcome. Joe, the resolution is going to require you to provide insurance. You have to problem with that as well, right?

MR. GAMPER:
No problem.

LEG. TOWLE:
And you have no problem providing some minimal fee, whatever the -- that's worked out between yourself and --

20

MR. GAMPER:
Not at all.

LEG. TOWLE:
-- the Department of Public Works, right.

MR. GAMPER:
Not at all.

LEG. TOWLE:
Okay. Because this would be County-owned property and you'd, obviously, have a license to operate there. I'm going to make a motion to move 1701 --

P.O. TONNA:
Second.

LEG. TOWLE:
-- which is under the Ways and Means agenda on Page 8 out of order before us for the purpose of an approval today.

P.O. TONNA:
There you go. Second.

LEG. FOLEY:

Just on the motion. On the motion, Mr. Chairman.

P.O. TONNA:

Yes, Legislator Foley.

LEG. FOLEY:

Mr. Chairman, notwithstanding the fact that there are a number of people that want to speak on this and other issues, there may be some today who are here this evening that do want to speak about this particular issue, have been working on it for quite sometime, and I would hope that we would give them the chance to speak, if they still want to speak --

P.O. TONNA:

Right, absolutely.

LEG. FOLEY:

-- as to opposed to just making this motion and then -- then they won't be able to speak on it. So I think before we vote on this, why doesn't the Presiding Officer determine --

P.O. TONNA:

Yes.

LEG. FOLEY:

-- if there's anyone in the audience who would like to speak on this issue prior to the vote.

P.O. TONNA:

Guys, if you do, you're going to have to wait your turn. You're going to have to wait your turn and we're going to go to two in the morning,

I'm telling you that right now.

LEG. FOLEY:

Mr. Chairman, with all due respect --

P.O. TONNA:

I'm not taking them out of order.

LEG. FOLEY:

Yeah.

P.O. TONNA:

There are speakers who filled out cards. I'm not taking them out of order.

LEG. FOLEY:

But I don't think four or five people who want to speak is going to cause us to be here until five in the morning.

P.O. TONNA:

I can tell you this, there are people all throughout these cards, and if we're going to make them -- if we're going to do that -- I mean, they have the right anyway, Brian.

LEG. FOLEY:

Right.

P.O. TONNA:

We vote on it now, they have the right anyway. Okay? They still have the right. I can't not -- I can't -- if we pass the resolution, they still have the right to speak.

LEG. FOLEY:

Well, that's correct. But what we've done in the -- what we've done in the past, we've always allowed people to speak prior to a vote on the resolution.

P.O. TONNA:

Then we can't -- then you're advocating that you're against taking it out of order, that's all.

LEG. BINDER:

Paul, is there anyone opposed the "The Corn Man"?

LEG. FOLEY:

I'm advocating for people who would like to speak on the issue prior to the vote.

LEG. BINDER:

Ask if anyone's opposed to "The Corn Man".

LEG. CRECCA:

They did already.

P.O. TONNA:

I asked that already; we didn't.

LEG. BINDER:

So, okay, if no one's opposed to him.

MR. BARTON:

Please, use your microphones.

P.O. TONNA:

Okay. There's a motion to take it out of order, I second it. Okay?

All in favor? Opposed?

LEG. FOLEY:

Opposed.

P.O. TONNA:

Okay. Opposed, Legislator Foley, for the purposes of allowing the public to speak. Let's clarify that. He's not opposed to the idea, I'm sure. Okay.

LEG. TOWLE:

Mr. Chairman, I'd like to make a motion to approve. And no one --

LEG. HALEY:

Second.

LEG. TOWLE:

I just don't think these people need to sit here until two o'clock in the morning for a resolution that, if I were to guess, is going to be approved 18-0.

P.O. TONNA:

Fine. Legislator Haley seconded the bill.

LEG. FOLEY:

Just on the motion, Mr. Chairman.

LEG. TOWLE:

Legislator Foley, we can go there with this if you want to, but that's up to you.

LEG. FOLEY:

The way that this would work is they wouldn't have to wait until two in the morning to speak. But what would happen is, after people who would want to speak on the issue would speak, then we'd go right to the bill in question, we wouldn't wait until two in the morning.

LEG. TOWLE:

That's not true, Legislator Foley.

P.O. TONNA:

No. I'm saying I got 60 cards here. All in favor? Opposed on the approval? It's a motion by Legislator Towle, seconded by Legislator Haley. All in favor? Opposed? Okay. It passes unanimously with whoever's here.

LEG. CARPENTER:
Congratulations.

LEG. TOWLE:
Congratulations, Joe.

MR. BARTON:
17-1. (Vote Amended to 18)

Applause

P.O. TONNA:
Henry, Bishop, Legislator Bishop was here. Okay. If you want to congratulate him, I'm sure outside where it's not as disruptive. Richard Amper. We got "The Corn Man," now we've got "The Pine Man."

MR. BARTON:
Mr. Chairman, the vote on "The Corn Man" is 17, 1 not present. (Not Present: Leg. Guldi).

P.O. TONNA:
Thank you, sir.

MS. IOANNIDIS:
Thank you, Fred, for not giving us King Kullen corn.

AUDIENCE MEMBER:
Thank you very much. Good night.

P.O. TONNA:
Good night. Ya'll come back now.

MR. AMPER:
Aw, shucks.

P.O. TONNA:
Okay. There you go. Mr. Amper, you've got three minutes. And believe it or not, waiting --

MR. AMPER:
No.

P.O. TONNA:
-- is going to just take time away from you.

MR. AMPER:
The answer is we're very concerned about the two o'clock stuff. We'll do this in a minute.

P.O. TONNA:

Okay, great.

MR. AMPER:

The Real Estate Department says that we will be out of money and that we are already over subscribed in the County's Open Space Programs. Fortunately, we have made application -- the County has made

24

application to the State Environmental Facilities Corporation, the State Revolving Fund, so that we may obtain, not a bond, but a line of credit that we can use to continue this very successful program under the Drinking Water Protection Program recently reauthorized.

P.O. TONNA:

Whoever has a cell phone or a beeper, you're not allowed in the auditorium with those things on. Okay? Thank you. Go ahead.

MR. AMPER:

Again, I think it would be valuable for this Legislature to be able to obtain a revolving credit line as high as the State Environmental Facilities Corporation will offer, so that you are free to make decisions when land opportunity -- acquisition opportunities arise.

P.O. TONNA:

Okay. Dick, I'm going to -- I'm going to stop the clock for a second. Hold it. I'm going to ask everyone in the auditorium, this is our time for the speakers to speak uninterrupted. I'd ask for silence or I'm going to clear the auditorium and start all over again. Thank you. I don't really -- I'm not really going to do that, but it sounded real, didn't it? Okay. Thank you very much. Go ahead. We're putting the clock back on and you have five seconds from your one minute. You have a minute and fifty-five seconds from your three minutes.

MR. AMPER:

Okay. I'm urging this Legislature to, please, support as broad an EFC line of credit as you can have, so that you can keep the successful Open Space Program moving. We need to do these acquisitions before the land is developed and we need to do it before it's any -- it gets anymore expensive. So I'm hoping that this Legislature will be fully supportive. I want to make it clear that the environmental community is prepared to come to any committee, to meet privately with any Legislator, to make very clear to you what these priorities are and how we need to do them right away.

The second thing that I would ask you to consider is that the -- that the County Executive has recently vetoed planning stages for an acquisition that this Legislature supported. And while we understand that it is not desirable to spend money for appraisals and other sorts

GM080701.txt

of things where there's not the chance to make an acquisition, we're not going to get a willing seller until we make a fair offer, and it would be a very, very bad precedent for you folks. You've done a great job. You don't want to take that out of your hand, that capacity to make people fair market value offers. They've frequently, regularly, usually, almost always will respond to that. If you create a precedent by truncating this process merely because a developer has said he is not interested in selling, I think you've ceased to do the important job that you do. You're not representing the public's interest in preservation, you are instead representing a developer's interest in developing, and I think that's not a role that you want to play. If you can find it in your hearts to avoid making that precedent, I think it would be very good for this program, very good for the County, very good for open space preservation. I don't know how you people do this.

25

P.O. TONNA:

We don't --

MR. AMPER:

Anyway --

P.O. TONNA:

-- if you want the honest truth .

MR. AMPER:

Any way we can help bring the will to do the right thing by this environment we'd like to do.

P.O. TONNA:

Okay. I have a question for you.

MR. AMPER:

Sure.

P.O. TONNA:

My question is, simply, I have no problem with the argument that land is getting more expensive, let's buy some now. The problem I have is that we do this, and a year from now you say, "Hey, there's no money in open space," "Hey, we need another hundred million dollars to do this, this and this," when we're spending up front and then, all of a sudden, five years down the road, you're going to say, "What?" You know, "We've depleted all our money in open space, we need another hundred million." The reason I say that is not because it's not important, but because there are a lot of priorities that the County has with regard to spending, bonding, whatever else. All I'm asking,

is there going to be all of a sudden a memory lapse? Is there all of a sudden going to be some type of, you know, situation where, you know, we forget about that we front-loaded this and saying now we need a whole new program? Thank you.

MR. AMPER:

The answer to your question is we never complained about it before, going back to 1988 with the Drinking Water Protection Program. No one has ever found fault with having borrowed against the revenue stream to get the land while it was available and less expensive, and we're not likely to do that now. In the second place, the public, the people of Suffolk County have done more. They have put more money forward than 45 of the 50 states. If there's something down the pipe that we need to do, I can -- I count on them to be able to do that and to be willing to do that. But if we don't buy the land now, that's -- we've definitely lost it. Let's not worry about whether we'll lose it five years from now, we'll definitely lose it if we do not have this money now.

P.O. TONNA:

Well, I've heard cynically somebody say this is a plan so the environmental community can now double-spend. So we get the money up front now, and so that we can get the money again for some other stuff. All I'm asking for is, on the record, just tell me that's not the games that are being played.

26

LEG. FOLEY:

Mr. Chairman, if I may.

P.O. TONNA:

Let me finish.

MR. AMPER:

No. I'd like to --

P.O. TONNA:

Let him answer the question and then --

MR. AMPER:

No, but I'd like to -- I'd like to answer the question. We know what we need to do now. If there's something we need to do later, we'll have to do it. And we are trusting that you people are doing the right thing now and will do the right thing later.

P.O. TONNA:

Okay.

MR. AMPER:

We believe in this. You people have done this job and we're very supportive of this Legislature.

Applause

We can finish this job right now.

P.O. TONNA:

Okay. Legislator Foley has a question.

LEG. FOLEY:

Yes, thank you, for a question. You mentioned earlier the fact that there are monies available through the State EFC; is that correct?

MR. AMPER:

That's correct.

LEG. FOLEY:

Now, is it not correct -- is it not also correct that if we don't apply for these monies in an expedited fashion, that there could be other municipalities in the state that we will, and that we would, therefore, give up this -- really, this opportunity to access these dollars that otherwise wouldn't be able to access?

MR. AMPER:

That is true, and we are accessing them at zero percent the first year, at a total of 2% beyond that. And the only thing that I can impress on this Legislature is you've been in the business of preserving land for thirty years and you're going to be out of it in five. What we don't do in the next five years isn't going to get done, and so we want to do everything that you need the citizens to do to be behind you to get this done, because it's going to be a source of greater pride to you in your career than anything else I believe

27

you do, when you retire from office and go about this place and see what you've done to preserve it. Other things come and go, but this will be forever, and it will be a source of enormous pride to you and to every one of your constituents.

Applause

LEG. FOLEY:

So, if we don't access these dollars, someone else will. Thank you.

P.O. TONNA:

Okay. Thank you very much. Okay. Chris Smith and Mark Miller. I guess this is going to be a duo for three minutes. Is Mark there?

MR. SMITH:

Mark had a last minute --

P.O. TONNA:

Okay. No problem, Chris. You got --

MR. SMITH:

-- meeting.

P.O. TONNA:

You got three minutes. You have two minutes and forty-five seconds.

LEG. FISHER:

Paul, has everyone been warned --

P.O. TONNA:

Excuse me?

LEG. FISHER:

Is everyone warned about speaking only for themselves?

P.O. TONNA:

Yes, yeah. Oh, you know what, that's good. I'll stop the clock for you for a second. The cards, just in general, or the Clerk's Office, have we been advising people that they can only fill out cards for themselves?

MR. BARTON:

To the best of our ability.

P.O. TONNA:

Okay. He didn't proof them? No, I'm joking. All right. Just in general, though, you know, you fill out a card, you speak, that's how it works. Thank you. Okay. Back to the clock. Two minutes and thirty seconds.

MR. SMITH:

Okay. I'd like to address amending Resolution Number 1148-2000 for construction of a building for wildlife rescue and education programs at the Marine Science Center in the Town of Southold. This project is -- involves construction of a facility that would serve as an education and rescue facility for shore birds. It would be

GM080701.txt

approximately 4,000 square feet in size, and it would be located adjacent to the existing Marine Education Building that exists at that location.

The northeast corridor represents the largest transport of oil products in the country, and should there be an oil spill, there will be potentially a catastrophic effect on our shore birds. We propose to construct a facility that would serve as an education facility, as well as put a triage component into that that would deoil birds should that unfortunate circumstance arise. So we are requesting passing the amending resolution that would allow for the use of \$250,000 towards construction and equipping of this building.

This is actually a project that I've worked with Legislator Caracciolo on. We would partner with the largest not-for-profit group in the country that involves rescuing birds that have been oiled. It's the TriState Bird Rescue and Research Center in Delaware. We did take a trip down there with the Legislator and Mark Miller, who is totally behind this project, and we feel this would be a worthwhile endeavor for the County to have this in place.

P.O. TONNA:

Okay. Thank you. Legislator Alden.

LEG. ALDEN:

Hi, Chris. Thanks for coming down. Who currently does a rescue operation, if there is an oil spill?

MR. SMITH:

Right now, for shore birds, there is a rescue agreement between TriState Bird Rescue and New York State. TriState Bird Rescue has to come up from Delaware to mobilize their efforts to rescue these birds, and there's an extremely important time consideration in terms of deoiling the birds. As soon as birds get oiled, they begin to preen and ingest the oil and they very rapidly -- the survivorship curve goes down on that. That's why TriState feels having a facility to be able to do this in our area would improve survival significantly.

LEG. ALDEN:

What's the frequency of occurrence that you've witnessed so far?

MR. SMITH:

In terms of oil spills, I know Mark could have addressed that better, but I know last year, there was a mystery spill actually on the North Shore that involved piping plovers, and TriState had to come up and deal with that situation. We don't anticipate there's going to be a great demand for oiled birds, that's why we're going to be predominantly constructing -- conducting educational programs in the facility. But should that event occur, they have to move very quickly to help save these birds. There's a number of small spills that occur quite frequently in places like New Haven, and New York City, and in the Boston areas that involve oiling of small numbers of birds. That happens actually quite frequently and our facility could address that.

LEG. ALDEN:

Thanks, Chris.

P.O. TONNA:
Okay. Thank you very much. District Attorney Jim Catterson.

D.A. CATTERSON:
Good evening.

P.O. TONNA:
Hi, Jim.

D.A. CATTERSON:
With great trepidation, I would make the following offer. If you thought it would be more propitious and acceptable for me to return a little closer to the resolution, I would do that. I hope you don't --

P.O. TONNA:
If I could predict when that would be, I would say that would be fine.

D.A. CATTERSON:
Well, this is important enough that I'll be here, but I wonder if the temperament of the body is going to be as mellow as it has been for the last little bit. There being --

P.O. TONNA:
Do we want to call the resolution out of order with regard to this?
No, right?

D.A. CATTERSON:
No.

P.O. TONNA:
So --

D.A. CATTERSON:
I wouldn't -- I wouldn't ask for that.

P.O. TONNA:
Right, I know. I was just wondering if --

D.A. CATTERSON:
Well, all right.

P.O. TONNA:
You know, we're caught up in the Joe "The Corn Man" kind of mode. I thought, you know, we could get a few things done, the AME contract, this, you know, whatever. Okay. Sorry, Jim. Go right ahead.

D.A. CATTERSON:

Maybe Catterson "The Hard Rocks Guy" today when I get finished. Thank you very much for giving me the opportunity to address you. What I bring to the table is a hard decision, but it's a decision that Suffolk County has made time and time again. We live in one of the safest counties in the country and crime is at an all time low. And thanks to your support of our Police Department, our Sheriff's Office, and the other components of the criminal justice system, we're proud to have a place like Suffolk County to live.

30

Heretofore, I have been content to work with you on piecemeal legislation dealing with the addition of additional Assistants. Our average retention rate over the last 20 years has been about 16 to 17. I should say turnover rate of people leaving the office, and you can absorb that. But within the last three years, we've come upon a very, very serious problem. In 1999, it was 16 left the office, in 2000, it was 21, and this year so far, it's 29. Twenty-nine young ADA's have left after all the training, what we have lavished upon them, to go out into the world and make their money. Now you ask why. One is a white hot legal economy out there that just beckons, and our office is so well trained that we just are a target for head hunters hiring them away at 20, 30 and 40,000 more than we are paying them.

Number two is their high rate of student loans. About 41% of the office has student loans in the -- student loans, and of that, half of them have student loans in excess of \$75,000. That's like a mortgage with no house. And so on top of that is the rent and the ordinary business expenses.

To get to be an Assistant District Attorney is a long course. They need an undergraduate degree of four years, a completion of a three-year Doctor of Law Degree at an accredited law school, all at their own expense, and thereafter, they negotiate a very difficult selection merit system. If they're appointed, they're appointed at \$38,000 a year, which is the lowest pay of any Assistant District Attorneys in the metropolitan area. In fact, our salaries are at the bottom of the "Big 8". That's the metropolitan and New York City, Westchester and Nassau County. That's the entry level. And so with the small prosecutors pool that we have to draw from, there's only so many people who want to go into public service and be prosecutors, whether it's for a short time or a long time. We're faced with a situation of someone putting in two or three applications in various offices in the metro area, and if they get an acceptance from us and one from Nassau County, you bet your boots they're going to take the money. I wouldn't blame them. If I had a family, or trying to begin a family,

I would have the same problem.

Heretofore, because the training has been so good and the attraction of public service has been so keen, we've never even required a commitment of three years. I look at it like the volunteer Army. If you don't want to be with us, then you're not going to be happy and we're probably not going to be happy. And we've had tremendous loyalty in the office.

P.O. TONNA:
Jim.

D.A. CATTERSON:
I propose at this time --

P.O. TONNA:
What do you propose?

D.A. CATTERSON:
What I propose is that the last time the salary plan for ADA's was

amended was in 1980. Like the Julian calendar, over the years, it's slipped completely out of phase. What we're proposing is a pay plan that would slot in ADA salaries in the current management grid of Suffolk County. They're called managers, that's because they're exempt. They have no bargaining powers and they don't get paid for overtime. They have all the powers I do when they walk into the courtroom to bind me and to bind the County, a tremendous responsibility. When they have competing interest of home, they need the money, and we do need the money.

I know the plan has been before you. We've been before two committees. I'm enthusiastic that is the right way to go. When they're working with police officers that are earning more than they are, quite substantially more, and with their own Detective Investigators, who are earning substantially more, it's tough on their morale. I think that they want to stay. We've just had so many people leaving and saying, "I would stay in a minute, but I just can't afford to be an Assistant District Attorney in Suffolk County." That's the crisis.

And this is a nonpartisan issue. Whether I'm the District Attorney next year, or someone else is the District Attorney next year, this problem is not going away. And we spend so much time and so much effort training young prosecutors to do the right thing and to do it well, and to be penny wise and pound foolish and not at least compensate them for what -- not what they can get in private

enterprise, but enough that they can at least to go home to their families and say, "I'm doing what I want to do, it's the right thing to do, and at least the County recognizes my worth," and that's what we have in mind.

P.O. TONNA:
Thank you.

LEG. ALDEN:
I have one question.

P.O. TONNA:
Sure. Legislator Alden, then -- Legislator Bishop do you have a question?

LEG. BISHOP:
Sure.

LEG. ALDEN:
Mr. Catterson, in Finance Committee, you had mentioned something about, as far as the way we're going to be able to afford this, that you haven't been filling some of the slots and there's been some --

D.A. CATTERSON:
We have a -- because of our cyclical hiring and the turnover that we do have ordinarily, and we hire cyclically, when they get out of law school, we hire a class, then we may not hire anybody for six months, we have met every year our turnover savings goals that the County has asked us to do out of our current income. So, one, we can match it at the present time, and number two, we were so successful this year in

our turnover savings that you were able to fund the raises for the D.I. raises, Detective Investigator raises, which were well deserved, out of our current income. So, quite frankly, I think we're right on target, we can do it, and we can do it with minimal expense to the County. I think Budget Review has looked at it. When you consider what our turnover rate had been in the last 12 years since I've been District Attorney, I'm confident that it's the right way to go and it makes a lot of sense.

LEG. ALDEN:
Now, if we have questions at 2 o'clock in the morning, should we call Mark or Ed?

D.A. CATTERSON:
No, you can call me.

LEG. ALDEN:
Oh, okay.

D.A. CATTERSON:
You can call me, and I'll be here, if you want me to be.

P.O. TONNA:
We might -- to tell you quite honestly, I mean, from the standpoint, you work very, very hard at this, and whatever, there should be representation here. When we're debating the bill, issues are going to come up and somebody should be able to have some answers.

D.A. CATTERSON:
Can you give me a time, approximate time, within two hours?

P.O. TONNA:
I'd say you could have a really nice long dinner. I hope he's treating, you know. After that, you know, then you can go for a nap and probably, you know --

LEG. ALDEN:
Breakfast.

P.O. TONNA:
Yeah. I'll get a better sense -- I'll get a better sense in a little while.

LEG. LINDSAY:
If you keep talking, it will be breakfast.

P.O. TONNA:
All right.

D.A. CATTERSON:
Mr. Tonna, if you -- if you're not going to nap, I'm not going to nap.

P.O. TONNA:
All right. Well --

LEG. BISHOP:
He's probably more vigorous than you are, Paul.

P.O. TONNA:
That's right. Legislator Bishop has a question, and then Legislator Cooper.

LEG. BISHOP:

Thank you, Mr. Chairman. Thank you, Mr. District Attorney, for coming down. As you may know, it's an election year this year.

D.A. CATTERSON:

I know, and this is not the time of the year that I should be asking for money.

LEG. BISHOP:

Well, it's not that necessarily. It's that one of the concerns -- let me first say that you've laid out a very good case, that District Attorneys in Suffolk County are underpaid as compared to --

P.O. TONNA:

Use the mike.

LEG. BISHOP:

District Attorneys in Suffolk County are underpaid as compared to equivalent District Attorneys in our neighboring counties and cities. The concern that I have is that given that it's an election year and given that this is a retroactive increase, in other words, they'll get a large lump sum check, and given that your office has vigorously prosecuted other elected officials for crossing the line in their pursuit of campaign donations from their employees, could you make a commitment at this time to this Legislature that you will cease soliciting Assistant District Attorneys for campaign contributions?

D.A. CATTERSON:

I think that's a fair statement to make. I could make that promise without --

P.O. TONNA:

Jim, if you can, speak into the mike, just --

D.A. CATTERSON:

I say that's a fair suggestion to make. If we're going to be partisan, then that's fine.

LEG. BISHOP:

I'm Minority Leader, that's my job.

D.A. CATTERSON:

I think I could do that without any problem. However, I would ask you -- I'd ask you for this commitment, that if an ADA unsolicited wants to come to something to support their candidate of choice, would you also prohibit that?

LEG. BISHOP:

Well, unsolicited, it is a free country. But if we're sending out

invitations to Assistant District Attorneys --

D.A. CATTERSON:

I have no problem with that, Mr. Bishop.

LEG. BISHOP:

And we have a long record of prosecuting others for crossing the line. I'm not saying that that necessarily crosses the line, but in terms of appearances, it may be wise to cease that activity.

D.A. CATTERSON:

You know, Mr. Bishop, the Supreme Court has abjured prosecutors that we may strike hard blows, but not foul ones. I'll take your suggestion under advisement in the light of that statement, and maybe we can reach an accord on that, that -- if everyone else will agree to --

LEG. BISHOP:

Is it the earlier statement that --

D.A. CATTERSON:

If everyone else around the circle wants to agree to the same proposition.

LEG. BISHOP:

Is it the earlier statement --

P.O. TONNA:

I promise you, I will not solicit one ADA.

LEG. BISHOP:

Yeah, I'm not going to solicit my staff.

P.O. TONNA:

Okay?

D.A. CATTERSON:

And I won't solicit one Legislative Aide.

P.O. TONNA:

Yeah, right. I don't solicit them either, but, you know.

LEG. BISHOP:

Well, you're going to lose a lot of people if you're not soliciting Tonna's staff.

P.O. TONNA:

They don't have any money to give anyway. No, I'm joking.

LEG. CARACAPPA:

Mr. Chairman, I'm going to make -- I'm going to make a --

P.O. TONNA:

Wait. Just, Legislator Bishop, are you done, your questioning? And then --

35

LEG. BISHOP:

No. I just want to -- I thought --

P.O. TONNA:

-- each of you will have an opportunity to ask a question.

LEG. BISHOP:

I thought that you had offered to make that commitment; is that true? And if so, thank you.

D.A. CATTERSON:

Thank you very much.

LEG. CARACAPPA:

Mr. Chairman.

LEG. BISHOP:

You are making the commitment not to solicit.

D.A. CATTERSON:

I making -- I'm making --

P.O. TONNA:

Just Legislator Towle first and then --

D.A. CATTERSON:

I said I'd take it under advisement.

LEG. BISHOP:

So you're not making a commitment. Okay.

LEG. COOPER:

Paul.

P.O. TONNA:

Oh, Cooper. I'm sorry. Okay. I'm staying to my -- I'm sorry. Legislator Cooper.

D.A. CATTERSON:

Yes, Mr. Cooper.

LEG. COOPER:

Jim, if these salary raises are approved, will this now bring Suffolk County in line with Suffolk -- with Nassau County and surrounding municipalities?

D.A. CATTERSON:
Yes, it will, definitely.

LEG. COOPER:
So you think that this will be sufficient to staunch the flow --

D.A. CATTERSON:
I think it's -- I think it's absolutely essential, and I think it will be sufficient unto the day. We don't ask for more than we need, we never have, I never have. My increase and my gross increase of my

36

budget year after year for ten years has been less than 4%. I intend to adhere to that. But I cannot ignore the cost to the County of the departure of so much talent at this time. It's just -- it's catastrophic.

LEG. COOPER:
But you do feel that this would enough to rectify the problem?

D.A. CATTERSON:
I feel that this will be adequate. Maybe five years from now someone else will come to you and say, "Hey, times have changed. But, at the present moment, we've gotten through twelve years. I don't think we can survive another year and guarantee to the County the competent professional prosecutorial services that this County requires and deserves, I just can't promise that.

LEG. COOPER:
Thank you.

P.O. TONNA:
Legislator Towle next. But I just -- just in line, if you don't mind, just for a second, Legislator Towle.

LEG. TOWLE:
You're the Presiding Officer, you're in.

P.O. TONNA:
How long -- how much does it cost to train an ADA?

D.A. CATTERSON:
Well, it's an ongoing process.

P.O. TONNA:
Right.

D.A. CATTERSON:
All right.

P.O. TONNA:
But, generally, if you're taking a guy who has six years experience
and then a guy who now you have to start from the, you know --

D.A. CATTERSON:
Well, first of all, we were the first continuing legal education
certified office in the State of New York.

P.O. TONNA:
Right.

D.A. CATTERSON:
We do our own in-house training after hours. I'm also the Chairman of
the New York Prosecutors Training Institute, at which time we put on
over 20 different conferences around the state. At the present time,
we have a three-week commitment from Syracuse Law School where we're
putting 1,400 ADA's and all of our incoming ADA's next week, which
will be 28 who will be undergoing a one-week course up there for

37

beginners. So it's an ongoing process that always goes on, it
doesn't end.

P.O. TONNA:
Okay. Legislator Towle.

LEG. TOWLE:
Thank you, Mr. Chairman.

P.O. TONNA:
Thank you for that indulgence, Legislator Towle.

LEG. TOWLE:
You know, I think the District Attorney obviously could have, from his
perspective alone, could have thought about this might not be a good
time, as he pointed out, to do this. And I think that speaks volumes
of the fact that his staff is clearly not being paid the appropriate
salaries. And I think the information that he's provided each and
every one of our offices, Republican and Democrats have demonstrated
the need for this bill. And, you know, I don't want to be here until
2 o'clock in the morning and I am going to make a motion --

LEG. CARACAPPA:
Second.

LEG. TOWLE:
-- to move 1702 out of order and consider it now.

LEG. CARACAPPA:
Second.

P.O. TONNA:
Okay. There's a motion and a second. I'm going to have a roll call. There's some Legislators who are not in. I'd ask all Legislators please come to the horseshoe. I would ask all Legislators to please come to the horseshoe.

LEG. CRECCA:
On the motion.

P.O. TONNA:
Yeah, on the motion.

LEG. CRECCA:
I just want to add -- and I apologize, I was in the back. I did hear what was going on. But I just want to bring a little personal perspective into this. I started out my career in the D.A.'s Office, in the Manhattan D.A.'s Office, as most of you know. And the reason I just bring --

LEG. CARACAPPA:
Recuse yourself.

LEG. CRECCA:
What's that?

LEG. CARACAPPA:
Recuse yourself.

LEG. CRECCA:
No. But I think part of what needs to be told to people here is I left that office and so many other ADA's left that office because there was a freeze on salary increases in that office. And, you know, I've -- when I served in the Judiciary Committee here for that brief period of time, one of the things we saw is we see the same thing happening -- we see the same thing happening, though, at our own D.A.'s Office here. There has been, for lack of a better way of putting it, a mass exodus from that office. I mean, I can name off

the top of my head a dozen Assistants that I know personally who have left in the last two years that I know of personally. And that's why we -- I think we do need to do this. I think that there is, you know, inherent importance in protecting our criminal justice system here and the prosecution of cases, and protecting victims, and that's why I think that it's incumbent upon everybody to support this bill.

P.O. TONNA:

Just we're still debating the motion. Because our District Attorney is here, I just -- Jim, has anybody in your office indicated that if this salary plan is enacted, that they're -- what is --

D.A. CATTERSON:

Caren Manzello, the Assistant District Attorney --

P.O. TONNA:

Well, you don't have to tell me a name, but just, you know --

D.A. CATTERSON:

Well, I don't mind, because she's --

P.O. TONNA:

There are people who have said that?

D.A. CATTERSON:

Many people. I've -- you know, she has a standing offer to come back. She did a fantastic job of a manslaughter involving the murder of a child who was slammed to death on a sidewalk. She said she just couldn't afford to stay. And she was in tears when she left, and she said, "Any time that I can afford to come back, I would love to come back, because that's what I want to do with the rest of my life, domestic violence."

P.O. TONNA:

The concern that I have in just -- in debating this and thinking this through, I'm an -- you know, I'm an ADA, all right, I'm making the 38, let's say \$45,000. I know that I need to make more. I know that private law firms, because I have so much litigation experience, and I know, you know, once you're in front of a court and you're able to make those arguments, and, you know, that necessarily makes you a commodity, but these law firms are paying them double, sometimes, the salaries; right?

D.A. CATTERSON:

Exactly.

P.O. TONNA:

So now how do you compete? We're not doubling the salary. How do you compete? How do you bridge that gap with the -- I'm sure we'll hear from Budget Review. As a matter of fact, if Budget Review is prepared to answer some financial questions, make sure that -- but how do you bridge that gap, Jim?

D.A. CATTERSON:

I don't think we can underestimate the desire to do public service. You're in public service. Every one of you here is at some sacrifice to your family and to your pocketbook, and it's the same thing with young ADA's. If we can provide them with a living wage, an opportunity, that there's some light at the end of the tunnel, that they can pay off their student loans and still enjoy the same modicum of comfort that other people do, for all the effort they've put into getting to that status, I think we're going to retain a lot of them. We've always averaged about fifteen or sixteen normally, but when it goes up to twenty-eight in seven months, I know we have a crisis, and I'm going to ask you to shoulder it with me.

P.O. TONNA:

Okay. Now we're -- just so that everyone's clear, this is just a motion to take out of order. There's a motion by Legislator Towle, seconded by Legislator Caracappa. Okay. Roll call.

(Roll Called by Mr. Barton)

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

No.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

No.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. GULDI:

No to take it out of order.

LEG. CARACCIOLO:

(Not Present)

LEG. CARACAPPA:

Motion to approve.

P.O. TONNA:

Where is Legislator Caracciolo.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes to take it out of order.

LEG. CARACAPPA:

Motion to approve.

P.O. TONNA:

Is he around?

MR. BARTON:

14-3, 1 not present. (Not Present: Leg. Caracciolo)

LEG. CARACAPPA:

Motion to approve.

P.O. TONNA:

Okay.

LEG. TOWLE:
Second.

P.O. TONNA:
There's a motion by Legislator Towle, seconded by Legislator Caracappa. On -- to approve. On the motion. Does anybody want to debate this?

41

LEG. D'ANDRE:
No. Let's go.

P.O. TONNA:
I want you to know that, on the motion, I have a problem that one Legislator is not here right now. And if he, you know -- I mean, he's here, I'm sure. I just want to filibuster for a few minutes --

LEG. ALDEN:
No. Move the question.

P.O. TONNA:
-- to give him an opportunity.

LEG. BISHOP:
Well, you can have it unanimous if you make the commitment that I offered.

LEG. TOWLE:
We can make a motion to include him after the vote.

LEG. CRECCA:
Since when does politics have a place at the horseshoe?

P.O. TONNA:
Four score and seven -- no. The -- I would ask maybe we can have him do a reconsideration, that's fine. Okay. There's a motion and a second. Roll call.

(Roll Called by Mr. Barton)

LEG. TOWLE:
Yes, and cosponsor as well.

LEG. CARACAPPA:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Abstain.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes. Cosponsor.

LEG. CARPENTER:
Yes.

42

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCILO:
(Not Present)

LEG. POSTAL:
Yes.

P.O. TONNA:

Yes.

D.A. CATTERSON:

I'm not getting a penny out of it, Paul, so you can vote for it.

P.O. TONNA:

No, it has nothing do with you, it has to do with --

LEG. CRECCA:

No. He's trying to get -- he's trying to get Caracciolo here.

P.O. TONNA:

It has to do with trying to find a Legislator so he can cast a vote.

D.A. CATTERSON:

Yeah.

P.O. TONNA:

Okay.

D.A. CATTERSON:

Where's Michael.

MR. BARTON:

16, 1 abstention, 1 not present. It's approved. (Not Present:
Leg. Caracciolo)

43

D.A. CATTERSON:

Thank you very much. Thank all of you.

P.O. TONNA:

Thank you.

D.A. CATTERSON:

On both sides of the aisle. It is not a partisan issue.

P.O. TONNA:

Oh, Legislator -- wait. Legislator Caracciolo, do you want to make a motion to reconsider, please?

LEG. CARACCIOLO:

Yes, please. I apologize.

P.O. TONNA:

Oh, I'll make a motion to reconsider.

LEG. CARACAPPA:
Second.

LEG. TOWLE:
Second.

P.O. TONNA:
Seconded by Legislator Caracappa. All in favor? Opposed? Approved.
Okay.

MR. BARTON:
Legislator Caracciolo.

LEG. CARACAPPA:
Motion to approve.

MR. BARTON:
Your vote?

P.O. TONNA:
Legislator Caracciolo?

MR. BARTON:
Your vote?

P.O. TONNA:
No. We already have that.

MR. BARTON:
Yes?

LEG. CARACCIOLO:
Yes, yes.

P.O. TONNA:
Yes. Okay.

44

MR. BARTON:
The tally is now 17 --

P.O. TONNA:
All in favor? Opposed?

MR. BARTON:
-- 1 abstention.

P.O. TONNA:

Thank you very much. Thank you very much, District Attorney. Thank you for advocating for your workers.

D.A. CATTERSON:

I want to thank all of you for treating this with the professional dignity that the subject deserves. It was nonpartisan, and I appreciate each and every one of your votes. And I even appreciate my friend David Bishop's comments. You keep us on our toes, David. Thank you very much. And thank you, sir.

P.O. TONNA:

Okay.

D.A. CATTERSON:

Thank you, all.

P.O. TONNA:

Okay, great.

Applause

Right. At 7 p.m., we go to public hearings. With that in mind, I'd ask Assemblyman Steve Englebright to come up. Okay. All right. Nice to see you, Steve. How are you?

ASSEMBLYMAN ENGLEBRIGHT:

Nice to see you, Mr. Presiding Officer. And thank you. Thank you for this opportunity.

D.P.O. POSTAL:

Can we have your attention?

ASSEMBLYMAN ENGLEBRIGHT:

Thank you for this opportunity to speak. My name is Steve Englebright. I reside -- I reside at 34 Lake Street in Setauket, and represent my community in the New York State Assembly. Prior to filling the Fourth District, Assembly District seat, I was a member of this Legislative body for ten years, as some of you remember that. During that decade, beginning with my election to the Suffolk County Legislature, I helped spearhead the Suffolk County Open Space Program, and helped achieve passage of Suffolk's Drinking Water Protection Program. At the State level, I continued my involvement with open space protection. I was, for example, co-prime sponsor of the Pine Barrens Protection Act.

I appear before you at this time regarding the County Executive's veto

of Resolution Number 603 of 2001 and 604 of 2001, resolutions put forward by Legislator Ginny Fields, calling for planning steps to be initiated regarding the possible future acquisition for park purposes of a 26.5 acre Pine Barrens property that adjoins the New York State owned Bayard Cutting Arboretum and the Connetquot River State Park Preserve.

It is important that this veto be overridden for many precedent-setting and other substantive reasons. These include that this veto was explained by the County Executive as being necessary because the owner was unwilling to sell. Never before in the history of this County has a veto been given to a Legislative resolution calling for preliminary planning steps. Never before has the Legislature been told not even to think or plan without first bowing to ask developers if it's okay to do so. This veto is outrageous, dangerous, and unethical nonsense. If allowed to stand --

Applause

If allowed to stand as policy precedent, this veto announces that from this time forward, the County must stand hat in hand seeking permission or a permission slip from land speculators before daring to think of the possible implications of overdevelopment, sprawl, and destruction of irreplaceable natural resources. In effect, the County Executive has with this veto declared a wrong-headed and indefensible new policy for Suffolk's open space initiatives. He has essentially announced that objectivity is no longer the base line for public decision making regarding planning for open space.

Equally abhorrent, the Executive has with this veto empowered speculators who have for years wanted to capture and control what is arguably the ultimate planning tool, public acquisition. In effect, this is no mere veto, it is a violation of a public trust.

Applause

This veto is a white flag of surrender and capitulation to those who would with overdevelopment further crowd our roadways, drive up property taxes, and destroy our natural resources.

D.P.O. POSTAL:

Steve. Steve, can we just get the doors closed?

ASSEMBLYMAN ENGLEBRIGHT:

Sure.

D.P.O. POSTAL:

Okay, go ahead.

ASSEMBLYMAN ENGLEBRIGHT:

Thank you. This veto is a white flag of surrender and capitulation to those who would, with overdevelopment, further crowd our roadways, drive up property taxes, and destroy our natural resources.

D.P.O. POSTAL:
Steve, I have to stop you, but there are some questions. So,

46

Legislator Fisher?

LEG. FISHER:
What else would this veto do, Steve? If you could continue your statement, that would answer my question I think.

ASSEMBLYMAN ENGLEBRIGHT:
I may be able to. If I could just finish it, I'd be happy to answer questions.

P.O. TONNA:
Well, no. She asked the question so you can continue.

D.P.O. POSTAL:
She asked the question, so you have to --

P.O. TONNA:
Otherwise it's over.

LEG. FISHER:
I asked you a question so that you could continue your question.

P.O. TONNA:
You have three minutes, that was it, but now --

ASSEMBLYMAN ENGLEBRIGHT:
Oh, I have some answers to that if --

LEG. FISHER:
Okay.

P.O. TONNA:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
There you go.

LEG. CARACAPPA:
Now you got it.

ASSEMBLYMAN ENGLEBRIGHT:

Thank you, Mr. Tonna. Never before has Western Suffolk County, which has so steadfastly supported open space acquisitions in the eastern half of our county, been so disrespected. This veto message essentially tells Western Suffolk voters that their neighborhoods, their drinking water, and their overall quality of life just isn't as important as similar resources found either further east, or controlled or owned by persons with less political influence.

Applause

Never before have any of our County's open space initiatives been openly and obviously politicized by any County Executive. This veto

47

is obviously deferential to a developer at the expense of the public. How unfortunate this turnaround is.

Suffolk's open space efforts have received widespread applause and have been viewed as a national model. Unfortunately, the new message being issued with this veto is a shabby and shameful paradigm, that land acquisition in Suffolk County, New York, is now ultimately controlled by cynical opportunists who seek to squeeze maximum profits by downzoning and overdeveloping land that is that objective planning, and the ultimate well-being --

Applause

-- and quality of drinking water of the public in Suffolk is subordinate to political influence.

The subject property appears to be a perfect -- perfect for a poster of the kind of site that Suffolk should be acquiring for the public as parkland. This parcel is adjacent to both the Suffolk County Water Authority's Oakdale office, and is an ideal candidate as a site for deep aquifer interceptor wells for public drinking water purposes. It also adjoins the first Pine Barrens property that New York protected, and which is the first park preserve ever designated anywhere in our geographically expansive state. Twenty-something years ago, the Town of Islip rejected commercial development for this parcel, and wisely rezoned it from modest residential density. The current owner has apparently entered into a contract of sale, subject to Town approval, of a dramatic downzoning. The contract vendee wants to scalp the Pine Barrens woodlands from this land and replace this rare habitat with urban style development and density, featuring 294 apartment units and 515 parking spaces. It is my understanding that sewage would be directed to the Southwest Sewer District's ocean outfall. If so, this development could cause a hydrogeologic cone of depression that could reduce the depth, volume and rate of flow of the nearby Connetquot

River. This, in turn, would damage its ecological function as a trout hatchery and its recreational and consequent regional economic value as a State park.

This ill-advised veto is a destructive precedent that will injure, not just the residents of Islip Terrace, but by extension every citizen who lives in Suffolk and trusts that their County government will act on their behalf to protect the environment and their quality of life.

Applause

I urge you to vote for the people of Suffolk by voting yes to override. Thank you.

Applause

D.P.O. POSTAL:

Legislator Fisher, do you have another question? Legislator Fisher?

LEG. FISHER:

He's my Assemblyman. We represent the same district, and when you were the Legislator of the Fifth Legislative District, you introduced a

48

resolution to acquire the Detmer Farm. Were those willing sellers?

ASSEMBLYMAN ENGLEBRIGHT:

No. In fact, if the criterion for allowing the County to think of the planning implications of open space acquisition as a planning tool, if the criterion was that we first had to go to the developer and see if it's okay with him, then we would not have had an Open Space Program, and we would not have had either the authorization for the Detmer Farm or the acquisition of most of the parcels in the Pine Barrens.

LEG. FISHER:

Including another one in our district, which is Forsythe Meadow.

ASSEMBLYMAN ENGLEBRIGHT:

Including the one that --

LEG. FISHER:

Where we had to negotiate.

ASSEMBLYMAN ENGLEBRIGHT:

-- you guided through a maze of land mines and unwilling sellers called Forsythe Meadow just a year ago, that's correct. That would not have been acquired if the threshold for allowing planning to go forward was that you had to go to the developer and see if it's okay

with him.

LEG. FISHER:

So this veto is, in fact, unprecedented.

ASSEMBLYMAN ENGLEBRIGHT:

It is absolutely unprecedented, and if allowed to stand, it marks a turning point in the history of this County in which influence pedaling basically controls the transfer of wealth for public purposes related to parkland and preservation of drinking water, and that must not be allowed to happen, and that's why I came down.

Applause

LEG. FISHER:

Thank you.

D.P.O. POSTAL:

Legislator Caracciolo.

LEG. CARACCIOLO:

Good evening, Steve.

ASSEMBLYMAN ENGLEBRIGHT:

Good evening, Mike.

LEG. CARACCIOLO:

Pleasure to see you again.

ASSEMBLYMAN ENGLEBRIGHT:

Nice to see you.

49

LEG. CARACCIOLO:

And I know you have stood shoulder to shoulder with myself in a bipartisan manner and a number of other elected officials of both major political parties when it came and comes to environmental protection. Just a few months ago, you, Legislator Theile and I stood here on the banks of the Peconic and spoke about issues similar to what we're speaking about tonight.

I just want to as you, since we have this rare occasion, to pose this question. The State, as I understand it, has adopted a new budget. I was told this afternoon right here in this very building by the Governor of this great State that, so far, no funding has been included in the new State budget for environmental protection or open space preservation. Could you fill us in on where you think that

discussion, debate and ultimately outcome will be before there's a final resolution to the State budget?

ASSEMBLYMAN ENGLEBRIGHT:

I'd be a genius if I could hold a crystal ball and look at it and tell you for sure. But you're asking me to speculate, something I don't like to do, but I will, because I think your question is one that's on the minds of many people, Mike.

We held out for -- I say "we," I mean it in a bipartisan sense. The Republican majority in the Senate and the Democratic Majority in the Assembly both held a place at the table for the Governor for many months and he chose not to come to the table and negotiate for possible amendments to the budget. And two weeks ago, the leadership of both of the houses said, "Look, maybe we'll be able to do a supplemental budget," as was done in years of yore in the Legislature, that would have passage of a budget, bare bones, early in the session and come back later in the year and do a supplemental budget. So that's a model we're hoping this Governor will allow to be resurrected. It hasn't -- there hasn't been a supplemental budget per se for the better part of a decade-and-a-half. But we're hopeful that we'll be able to do that. And clearly, the authorization for expenditures out of the Environmental Quality Bond Act and other sources that the State has, that in many cases compliment initiatives that have begun here in this County, can go forward. And I'm going to push for that. If we have a supplemental budget process, I guarantee you I will be very aggressively pushing to make sure that there is authorization. In fact, this parcel, which is adjacent to a State park, would be an ideal candidate, if we can get the planning and thought process going forward, be an ideal candidate for joint acquisition, such as we've done so many times in the Pine Barrens and in Hither Woods on the Montauk Peninsula, and many other places.

LEG. CARACCILO:

Thank you, Steve.

D.P.O. POSTAL:

Legislator Fields.

LEG. FIELDS:

Thank you very much for your wonderful words. Do you know the contract vendee, the name of the contract vendee for this property to

develop the property?

ASSEMBLYMAN ENGLEBRIGHT:

I do, and because it's such a political name, I have chosen not to

Speak the name --

LEG. FIELDS:

Okay. Well, I'm going to ask --

ASSEMBLYMAN ENGLEBRIGHT:

-- because I think it's probably well-known already, and I wanted the other part of my message to be heard.

LEG. FIELDS:

All right. I want to ask a question, then, of you, since you are up in Albany. The contract vendee is Larry Gargano, and it is my understanding that his father is Charles Gargano. Do you know of a Charles Gargano?

ASSEMBLYMAN ENGLEBRIGHT:

Yes, I do. He's the head of the Empire State Development Corporation.

LEG. FIELDS:

And what does he actually do up in --

ASSEMBLYMAN ENGLEBRIGHT:

Empire State Development Corporation, under his leadership and guidance, is disposing of State surplus properties, and is involved with such controversial dispositions as property in Kings Park that the State owns in and around the old hospital, and property in Pilgrim State, and property at the Westbury Campus, which was donated many years ago and thought to be held exclusively for University purposes. And you may recall an expose in Newsday has indicated that that is a substantial controversy. And Mr. Gargano is involved in all of those controversies that involve public interest as it relates to large land holdings of the State.

LEG. FIELDS:

Okay. Thank you very much.

ASSEMBLYMAN ENGLEBRIGHT:

Thank you.

D.P.O. POSTAL:

Thank you, Assemblyman Englebright.

ASSEMBLYMAN ENGLEBRIGHT:

Thank you all very much.

Applause

D.P.O. POSTAL:

It's now 7 o'clock and we're going to go to the public hearings for the public. Speakers during the public hearings have ten minutes to speak. After we complete the public hearings, we will return to the public portion, so that those people who have filled out cards and

haven't had an opportunity to speak will have that opportunity as soon as the public hearings are complete. Mr. Clerk, have the public hearings been advertised?

MR. BARTON:

Yes, the public hearings have been advertised and I have the affidavits of publication.

D.P.O. POSTAL:

Thank you. The first public hearing is regarding Introductory Resolution Number 1343, authorization of the rate alterations for the North Ferry Company, Incorporated, for ferry boat service between Shelter Island Heights, New York and the Village of Greenport in the Town of Southold, New York. I have no cards. Is there anyone who would like to speak on this public hearing? Hearing no one --

LEG. CARACCIOLO:

I make a motion, Madam Chair, to close the hearing.

LEG. CARACAPPA:

Second.

D.P.O. POSTAL:

Motion by Legislator Caracciolo to close, seconded by Legislator Caracappa. All in favor? Public hearing regarding Introductory Resolution 1343 is closed.

Public hearing regarding Introductory Resolution Number 1490, which is a local law to establish Healthy Bottled Water Labeling Law. And I have no cards on this public hearing. Is there anyone who would like to address the Legislature?

MS. BURKHARDT:

Excuse me, Maxine. The sponsor would like to recess that until the next meeting.

LEG. CARACAPPA:

Motion to recess.

P.O. TONNA:

Motion to recess, second by Legislator Fisher. All in favor? Any opposed? 1490 is recessed.

The next public hearing is regarding Introductory Resolution Number 1494, a charter law to promote smart growth by diversifying composition of the County Planning Commission. I have one card, Don Eversoll. Can we keep that door closed in the back, please?

MR. EVERSOLL:

Thank you very much. My name is Don Eversoll, as you indicated. I

currently -- I've been a member of the Suffolk County Planning Commission for the past ten years, and for the last seven years, have been honored to have served as Chairman. I've been asked by my colleagues to appear before you today and speak opposed to the proposed resolution.

52

First, it's a feeling of the Commission that this goes against the home rule issue that each of the towns have effected. The Commission is currently comprised of 15 members. Ten are representative of each town, one from each town, one from the villages of over 5,000 people, one from villages of under 5,000 people, and three are appointed by the County Executive at large. The decisions of the Commission are advisory, and the feeling of the Commission, the sense of Commission is, is that if we only have one representative from the five eastern towns and one representative from the five western towns, that the -- that the recommendations of the Commission will not be as defensible, vis-a-vis the towns in their land use policies.

As you know, we're only advisory, and the towns themselves are the people that change land use policies. And to the extent that we don't have a representative from that town, we will have less of an influence.

I notice that the reason for this was to promote smart growth. Last year, the Commission adopted the principles of smart growth, which we use to try to encourage redevelopment in downtown areas, a mixture of commercial and residential uses, compatible uses, and the rehab of existing structures. If you have any questions, I'd be happy to answer them.

D.P.O. POSTAL:

Any questions? Thank you, Mr. Eversoll.

MR. EVERSOLL:

Thank you.

D.P.O. POSTAL:

I have no other cards. Is there anyone else who would like to speak on Introductory Resolution 1494? Yes, please come up and give your name.

MS. PETERSEN:

Good evening. Good evening. My name is Linda Petersen. I serve as a Suffolk County Planning Commissioner at large, representing --

D.P.O. POSTAL:

Can you please speak into the mike? It's very hard to hear you.

MS. PETERSEN:

Okay. My name is Linda Petersen. I serve as a Suffolk County Planning Commissioner at large, representing Mr. Gaffney. I was placed on the Board when the previous Suffolk County Pine Barrens Commission was dismantled, and I went over as the Environmental Representative from the Pine Barrens Commission to the Suffolk County Planning Commission. I'd like to read a statement to you.

As a current member of the Suffolk County Planning Commission and a past member of the Suffolk County Pine Barrens Commission and the Brookhaven Town Planning Board, I have worked closely on land use planning and zoning at the County level. As presently constituted, the Suffolk County Planning Commission includes a diversity among the members who contribute many areas of expertise, including planning,

53

land use, ground water protection, business, real estate, legal expertise and Pine Barrens knowledge. Each representative is aware of the specific needs and concerns of their town, as are the members at large, and are able to bring this knowledge to the Commission. The meetings provide a forum for the exchange of information and ideas, and illustrate the need for a comprehensive view of planning and land use within Suffolk County. Following discussions, solutions and new ideas can be brought back to their individual townships by Commission members.

To reconstitute the Commission as proposed in Resolution Number 1494 would derail the opportunity members have to interact within the current Planning Commission and limit the opportunity to enhance the overall goal of successful sustainable development within Suffolk County. I strongly urge you to deny this resolution. Thank you for your opportunity to address this issue.

D.P.O. POSTAL:

Thank you. There's a question. Legislator Fields.

LEG. FIELDS:

Hi.

MS. PETERSEN:

Hi.

LEG. FIELDS:

It's nice to meet you. I put a bill in for the Planning Commission to have verbatim minutes. Do you know whether or not it has taken effect?

MS. PETERSEN:

I know that they're in the process of obtaining a person who's capable of doing that. We tape the last few minutes, so they're on tape, and I know the -- I guess she -- she's not a court stenographer, but the regular stenographer did take very fine minutes at the last meeting, she was quite precise, which we'll review at the next meeting. But I believe it's to take effect in October.

LEG. FIELDS:

Okay. Thank you.

MS. PETERSEN:

You're welcome.

D.P.O. POSTAL:

Thank you. Any other questions? Thank you.

MS. PETERSEN:

Thank you.

D.P.O. POSTAL:

Is there anyone else who would like to speak on public hearing on Introductory Resolution 1494? Motion to close --

54

LEG. FIELDS:

Make a to close.

D.P.O. POSTAL:

By Legislator Fields, seconded by Legislator D'Andre. All in favor?
1494 is closed.

Public hearing regarding Introductory Resolution Number 1510, which is approving renewal and extension of ferry license and fares for Tony's Freight Service, Incorporated. I have a card, Barbara M. Weltsek, Esq.

MS. WELTSEK:

Good evening. My name is Barbara Weltsek, 55 Jesse Way, Mount Sinai. I'm the attorney for the applicant. I'm here solely if there are any questions to be answered. The petition is fairly straightforward and there's no rate increase.

D.P.O. POSTAL:

Any questions?

LEG. CARACCIOLO:

Just simply --

D.P.O. POSTAL:

Legislator Caracciolo.

LEG. CARACCIOLO:

-- where is this operation and what services do they provide?

MS. WELTSEK:

They provide freight and mostly garbage removal from the barrier beaches, Fire Island to Sayville.

LEG. CARACCIOLO:

To Sayville. Okay. Thank you.

LEG. CARACAPPA:

Motion to close.

D.P.O. POSTAL:

Okay.

LEG. CARPENTER:

Second.

D.P.O. POSTAL:

Motion to close by Legislator Caracappa, seconded by Legislator Carpenter. All in favor? Public hearing on Introductory Resolution 1510 is closed.

MS. WELTSEK:

Thank you.

D.P.O. POSTAL:

I have a motion to set the date of the next public hearings for August

55

28th, 2001 at 2:30 P.M., at the William H. Rogers Legislative Building, Hauppauge, New York, for the following public hearings: Public hearing on Introductory Resolution 1725, Introductory Resolution 1790, Introductory Resolution 1792, by Legislator Fields, seconded by Legislator Lindsay. The public hearings are set.

We're going to go back to the public portion, and the next speaker is Muriel Pettignano. Is she still here? Phyllis Garbarino.

MS. GARBARINO:

GM080701.txt

Good evening, Legislators. I'm here tonight to support Resolution Number 1659, otherwise known as the AME contract. I not only represent -- here to speak for the many members that we have here tonight, but for the 7,000 members of AME. As you have heard before, they overwhelming support -- overwhelmingly supported this agreement by a 90% ratification. I believe and we all believe this is a fair and fiscally responsible contract. We presented the facts before the Finance Committee and the Legislative and Personnel Committee. You overwhelmingly unanimously supported it. I'm looking for that kind of support here tonight, so that all of our members can start receiving the pay raises that they so honestly deserve and have been waiting for. We have settled this contract in a timely manner, which makes it budgetarily more responsible for the County, better on our payroll departments, and so we've kept all of that in mind. And I do believe that this is something that could be supported by all of you and I am looking if that support tonight. Thank you.

Applause

P.O. TONNA:
Thank you very much.

LEG. CARACAPPA:
Mr. Chairman.

P.O. TONNA:
Hold it.

LEG. CARACAPPA:
Mr. Chairman, motion to take it out of order.

P.O. TONNA:
Phyllis.

MS. GARBARINO:
Yes.

P.O. TONNA:
There's a question.

LEG. CARACAPPA:
Motion to take it out of order.

P.O. TONNA:
Okay. Hold it.

LEG. FISHER:
Second.

P.O. TONNA:
One second. I'd ask all Legislators please come to the horseshoe.
There's a motion by Legislator Caracappa.

LEG. FISHER:
Second.

P.O. TONNA:
Seconded by Legislator Fisher to take out of order the -- what is
formally known as the AME contract.

MS. GARBARINO:
Contract, right.

P.O. TONNA:
16?

MS. GARBARINO:
59, 1659.

P.O. TONNA:
1659. That was a great year, by the way. Anyway, okay. I'd ask all
Legislators, please come to the horseshoe. Okay. I'd ask my staff,
please, and --

MS. BURKHARDT:
Yes.

P.O. TONNA:
Can you go round up a few Legislators? Okay. I would also ask that
if we're going to make those type of motions, that we try -- you know,
just give me a little warning, so as people leave, I just kind of like
grab them back.

LEG. FISHER:
We're just impetuous that way.

P.O. TONNA:
I know, you guys are impetuous. Oh, there you are. Okay. Lucky you
don't have to vote with --

LEG. CARACAPPA:
I've been called worse.

P.O. TONNA:
Okay, here we go. There is a motion and a second to approve the --

LEG. CARACAPPA:
Take out of order.

P.O. TONNA:
1657, take of order.

MS. GARBARINO:
1659.

P.O. TONNA:
1659.

MS. GARBARINO:
Nine.

P.O. TONNA:
There's a motion and a second. All in favor? Opposed? Where is
Legislator -- can somebody please find Legislator Foley? Thank you.

LEG. BISHOP:
And Legislator Haley.

P.O. TONNA:
And Legislator Haley

MS. GARBARINO:
And Towle.

P.O. TONNA:
Okay. All in favor? Opposed? It's in front of us.

LEG. CARACAPPA:
Motion to approve.

P.O. TONNA:
Motion to approve.

LEG. FISHER:
Second.

P.O. TONNA:
Seconded by Legislator Fisher. On the motion.

LEG. CARACAPPA:
Time out.

P.O. TONNA:
On the motion, four score and seven years ago, our -- there we go, we
have one. We're still looking for one more, who I'm sure wants to set
the record straight this time around.

LEG. FISHER:

On the motion.

P.O. TONNA:

On the motion, Legislator Fisher.

LEG. FISHER:

I have a question, because there are two issues before us this evening, and the AME contract really has an impact on the second issue, which we will be discussing later this evening, which is the budget of the Suffolk County Community College. And as I understand

58

it, as the budget now stands, the budget that they submitted would not be able to cover the contractual agreement that the College made with you. Is that your understanding, Phyllis.

MS. GARBARINO:

I just heard that tonight. But the --

LEG. FISHER:

And now you've heard it again. Look, twice in one night.

MS. GARBARINO:

Okay. The agreement that we came to the -- through the -- with the County, we verified also along with the County Budget Director, that there is money to pay all of our people. We don't negotiate a separate contract just for our members in the College. So it is up to the powers that be to set that budget in a place that can -- will take care of everybody. But there was money available, as I said, as verified by both sides of the fence, your Budget Review Office also stated the same thing. So if any problems have arisen since that time, and, as I said, we don't negotiate separately with the college.

LEG. FISHER:

Well, the resolution -- I'm sorry.

MS. GARBARINO:

We negotiate with the County Executive.

LEG. FISHER:

The resolution that I've submitted does include monies that would be able to --

MS. GARBARINO:

All right. So, hopefully --

LEG. FISHER:

-- cover that.

MS. GARBARINO:
Hopefully, you'll be able to resolve that later this evening. Thank you.

LEG. FISHER:
Okay. Is everyone here? Thank you.

LEG. CARACAPPA:
Slow roll call, Mr. Chairman.

MR. BARTON:
I think I can handle that.

LEG. CARACAPPA:
Fast roll call, Mr. Chairman.

P.O. TONNA:
Okay. Thank you. Roll call.

59

(Roll Called by Mr. Barton)

LEG. CARACAPPA:
Yes.

LEG. FISHER:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

LEG. TONNA:
Yes.

60

MR. BARTON:
18.

P.O. TONNA:
Isn't that unbelievable?

MS. GARBARINO:
Thank you.

P.O. TONNA:
Great work that you and your employees are doing.

Applause

MS. GARBARINO:
Thanks. I can't say thank you enough. This is the first time in my
Page 71

recollection that this body has unanimously agreed that the AME members certainly deserve a fair contract.

LEG. CARACAPPA:
You deserve it.

MS. GARBARINO:
Thank you again.

P.O. TONNA:
Thank you. Thank you.

MS. GARBARINO:
Thank you.

P.O. TONNA:
And I'm sure your members will thank you for your relationship.

Applause

I would like to remind Legislators, okay, I would just ask for -- now this is the second time. There's obviously a spirit to move certain things off the agenda, and it's within every Legislator's right to ask to discharge or -- I mean -- discharge -- to ask to take out of order. So if somebody is going to be somewhere, I would ask that you ask a member of my staff so that you can be retrieved quickly. All right? So -- because next time, if there is a -- I'm going to say once "All Legislators come to the horseshoe," and then we're going to cast a vote. Do you understand that? Unless it's me, of course. Thank you. All right. There we go.

LEG. TOWLE:
I was wrapping your birthday gift.

LEG. CARACAPPA:
My apologies, Mr. Chairman.

P.O. TONNA:
That's all right. Don't worry about it. Okay. I have Anthony {Abrusio}. All right?

61

MS. BURKHARDT:
Abruscato?

P.O. TONNA:
Abruscato, sorry. All right.

LEG. ALDEN:
While they're coming up, did we --

P.O. TONNA:
Excuse me. Going once, twice, sold.

LEG. ALDEN:
But while that person is coming up, did we actually --

P.O. TONNA:
They're not coming up. Let me call the next one. Grace Schroeder.
She's not coming up.

LEG. ALDEN:
Can we make this the Paul Sabatino hour in honor of his birthday?

Applause

P.O. TONNA:
Okay. Hold it one second. Just let me -- Julia Cintron? Okay, great.
All right. Since we had three in a row who are not coming up, I think
thanks to Legislator Fields, we have a dessert. I want to wish you,
Paul, a happy birthday. Do you want to say how old you are? There is
a lot of available women in the audience who are very interested in
finding out exactly how old are you?

LEG. GULDI:
Do you need a green card?

MR. SABATINO:
An energetic and -- an energetic and youthful 49 now.

P.O. TONNA:
An energetic and youthful 49, you heard it here. All right? He
hasn't missed one vitamin E pill. Okay, here we go. Now let's --
happy birthday. Do we -- we don't want to sing this, right?

LEG. CARPENTER:
Sure we do.

(Happy Birthday Was Sung)

P.O. TONNA:
Get this on the minutes. There you go.

(Applause)

If Allan Binder can propose at a Legislative meeting, we can
definitely sing a happy birthday.

LEG. BINDER:
And she said yes.

P.O. TONNA:
And she said yes. All right. That's -- there you go. All right.
Okay. Elsie Owens. Thank you, Elsie.

MS. OWENS:
Good evening. My name is Elsie Owens and I'm from the Gordon Heights community. Some of you might remember me around this horseshoe because we have been here before. We're here today to ask you tonight to -- not to grant Toussie Home Enterprises the land that he is seeking. Mr. Toussie have been in our community for the last 20 or 30 years. He had built home and brought people here on false pretenses. People have moved out it took our community to the blink. When Mr. Toussie moved out the last time, the people moved out and all of the homes that he built, almost all of them went to absentee landlords and our community become a drug infested community. Mr. Toussie's back here again in the '80's and he had built homes, which people are walking away from his default, and he's coming back again if he gets that land. And what we're asking is that you, please, do not grant Mr. Toussie anymore land to build. He have ruined too many lives in our community and in other communities. And I have a lot of people here who would want to speak. We don't all have to speak, if you can understand what I'm saying and why I'm here. And I want to thank you all for listening to me tonight and hope understand what we are -- what I am saying. Our community was just completely destroyed by this one builder and he have not given anything to the community, he have taken it away. Thank you.

Applause

LEG. CARACAPPA:
Mr. Chairman. Mr. Chairman, a question for Legal Counsel.

P.O. TONNA:
Yes.

LEG. CARACAPPA:
Do we have -- we don't have any legislation tonight relating to Toussie, do we, or is it the --

MR. SABATINO:
That bill has been tabled in committee pending further outcome of the federal investigation.

LEG. CARACAPPA:
Right.

MR. SABATINO:
So the bill you're referring to is still sitting in the Ways and Means tabled.

LEG. CARACAPPA:
Is in committee, not before us tonight.

63

MR. SABATINO:
Not before us tonight.

LEG. CARACAPPA:
Okay, great.

MS. OWENS:
So then the other speakers --

P.O. TONNA:
Can I just ask Legal Counsel, what does -- what is the bill and what is -- just so that I understand and have a perspective.

LEG. CARACAPPA:
Auction properties. I'm not Legal Counsel, but --

P.O. TONNA:
All right. And we, basically, when -- if I'm not mistaken, we had -- we had that in auction properties, we took it out, and right now what you're advocating is never give it to him.

MS. OWENS:
Please. Thank you.

P.O. TONNA:
Okay. Thank you very much.

AUDIENCE MEMBER:
At all.

P.O. TONNA:
At all

(Applause)

MS. OWENS:
And can all leave, or do you want to hear from all of the other speakers?

P.O. TONNA:
No, I've -- I think I got the message. All right?

MS. OWENS:

Well, when will we hear about what's going to outcome -- the outcome?

P.O. TONNA:

Well, it's in committee right now.

LEG. CARACAPPA:

It's not before us.

P.O. TONNA:

It is not before us right now.

64

MS. OWENS:

Okay.

P.O. TONNA:

I would suggest that it's been tabled in committee? What's the --

LEG. FOLEY:

If you want -- Mr. Chairman.

P.O. TONNA:

Yes.

LEG. FOLEY:

The Chair isn't here, Mr. Guldi.

MR. SABATINO:

Tabled in Ways and Means.

LEG. FOLEY:

He's outside for a moment. But it's in the Ways and Means. Before you leave, the Clerk's Office, Elsie, could tell you the time and the date of the next Ways and Means Committee meeting. And the -- well, the Chairman wanted to wait until the next meeting to review it in detail. So that next meeting is in two weeks time and the Clerk's Office has the exact date. And I think --

P.O. TONNA:

All I --

LEG. FOLEY:

Mr. Chairman, I think that these men and women here, as well as others from the community, do want to attend that particular committee

meeting. And I know that the Chair wants to take this up in committee before there's a final disposition to the resolution.

P.O. TONNA:

Well, maybe -- maybe he would feel a little differently, considering this outpouring of support against the bill.

LEG. FOLEY:

Right. But I also know of others who aren't here this evening --

MS. OWENS:

Right, yeah.

LEG. FOLEY:

-- that did want to attend that committee meeting in two weeks time.

MS. OWENS:

Okay.

P.O. TONNA:

Okay. Just one thing before I recognize Legislator Towle. Could somebody bring in the Chairman of Ways and Means just to speak to us, give us some direction as the Chairman of what his thought and intent is? Legislator Towle.

65

LEG. TOWLE:

Thank you, Mr. Chairman.

P.O. TONNA:

And then Legislator Fields.

LEG. TOWLE:

Is that a motion to bring the Ways and Means Chairman in or --

P.O. TONNA:

I just -- if I saw the Sheriff, I'd have him brought in and -- you know, but anyway --

LEG. TOWLE:

Cuffs. If I'm not mistaken, the bill actually is from the County Auction. I wanted to just from our Counsel, that's the properties that the County auctioned.

MR. SABATINO:

What happened was there was legislation proposed to auction off all of

the parcels that were at the last public auction.

LEG. TOWLE:
Authorizing the sale.

MR. SABATINO:
The Legislature requested that it be split into two resolutions. One resolution was adopted with about \$7 million worth of parcels that were auctioned off, minus the Toussie properties. The Toussie properties were made the subject matter of a separate resolution and that resolution is the resolution that's been tabled in committee, but deals with, yes, the auctioning off of those parcels.

LEG. TOWLE:
Yeah. What I'd like to do tonight is, if we can get a copy of that circulated, I think we need to send a very resounding message to our departments, particularly the Department of Real Estate, in light of the problems that this person has and despite his pending, you know, lawsuits, and issues, and federal case.

LEG. CARACAPPA:
Federal probes.

LEG. TOWLE:
The fact of the matter is that this community has been treated inappropriately on numerous occasions by this developer, and I am not going to support a resolution to give property to someone who has had a horrific track record with the County of Suffolk. And I don't think we need to sit here and pontificate about it for another month.

LEG. HALEY:
Why don't you discharge it?

66

LEG. TOWLE:
We can't discharge it without having the bill in front of us. But if your staff or Counsel's staff could get us a copy of the bill, at some point, I'd like to add that to the agenda tonight, so that these folks can go back to their community and say, "You know what, the County Legislature took another vote tonight, a second vote 18-0 and sent a resounding message that they don't want to see our community dumped on anymore," and that's the right kind of message to send.

(Applause)

LEG. FOLEY:

Mr. Chairman.

P.O. TONNA:
Okay. Just --

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:
I'm sorry. Just Legislator Fields has the floor. But before that, I just wanted you to know that from my perspective, nothing -- I'm not going to vote on a bill unless I take into consideration what the Chairman of that committee wants.

LEG. TOWLE:
He spoke to me personally.

P.O. TONNA:
And as soon as I can identify where he is, then, you know -- and I'm sure he'll be here any second. But just -- I'm not doing anything until then. Legislator Fields.

LEG. FIELDS:
As a member of the Ways and Means Committee, and also having been asked by the media how I felt about this, I said on the record that we did not want to see any land have any kind of agreement until the problem had been resolved. And I know that Legislator Foley was also on the record for doing so. And, Elsie, if you would like, I can keep in touch with you, as far as the Ways and Means Committee, and let you know, and you have my word that I will not vote to allow this to happen.

MS. OWENS:
Thank you very much.

LEG. FOLEY:
Mr. Chairman.

MS. OWENS:
Thank you.

LEG. FOLEY:
Mr. Chairman, a question for you.

Mr. Chairman.

P.O. TONNA:

Wait, wait. I have a list and you're on the list, but Legislator Caracciolo is next. You're after that, Legislator Foley.

LEG. CARACCIOLO:

Some years ago, Legislator Caracappa appropriately named a health center in your community after your many years of dedicated service to the community.

MS. OWENS:

And I thank you all for that.

LEG. CARACCIOLO:

And that health center has fallen on hard times in recent years.

MS. OWENS:

Yes, it is.

LEG. CARACCIOLO:

And since you are here tonight to speak on the Toussie issue, I would like to just inquire of you, what is your understanding as to what the County is doing to redress many of the problems and violations that that building currently maintains?

MS. OWENS:

We have met with the Legislators and we have met with the County, and what they are doing now is looking for another piece of property to move the health center to another location. We cannot stay in the building where it is, the conditions are too bad.

LEG. CARACCIOLO:

As far as the current conditions, are they being resolved in terms of the violations? There are a number of violations and health conditions.

MS. OWENS:

There are some violations there and we are hoping that -- we are trying to fix them so that he can stay there as long as we can. But our thing is that we do not want to stay in a building where a landlord do not want to do -- fix his property, so that the people can get the best health care in their -- in his building.

LEG. CARACCIOLO:

Have you seen any progress in terms of remediating the conditions?

MS. OWENS:

Well, I know that we are clearing up some of ours. We can't do everything there. We have conditions that cannot be done unless the building is just done over. But we are cleaning the building up, and the staff is very appropriate and working very hard. They are to make sure that the building stay -- that the clients get the best of health

care that they can get in the condition that the building is in.

LEG. CARACCIOLO:

Are you satisfied with those improvements?

MS. OWENS:

I'm not completely satisfied. I'm not going to be satisfied. Until that building is where it's going to be, where it can meet the needs of all of the people, then I will be satisfied.

LEG. CARACCIOLO:

Thank you.

MS. OWENS:

Thank you.

LEG. CARACAPPA:

Just further, Legislator Caracciolo, for your own information, I spoke with the County Attorney on Friday afternoon and he gave me an update as to what's going on with the landlord. I will discuss that with you in the back, seeing that we'd have to go into executive session. But the progress is still moving forward as opposed to backwards as it was. So instead of going into executive session, I will brief you in the back on the progress, which is all good, by the way.

MS. OWENS:

Thank you, Joe. Thank you all. Good night.

LEG. FOLEY:

Mr. Chairman, next.

Applause

P.O. TONNA:

Yes, you're next, Legislator Foley.

LEG. FOLEY:

Mr. Chairman, this is a question to you. Mr. Chairman. Mr. Chairman, it's a question to you and to --

P.O. TONNA:

Yes.

LEG. FOLEY:

To you and to Counsel.

P.O. TONNA:

The two Paul's, the older Paul and the younger Paul.

LEG. FOLEY:

It's my understanding that the bill was introduced -- the bill was introduced by the Presiding Officer at the request of the County Executive.

P.O. TONNA:

Is it the Toussie bill?

69

LEG. FOLEY:

Yes.

P.O. TONNA:

That's right.

LEG. FOLEY:

All right. That being the case, can you as the -- let's say the official sponsor of it just simply withdraw --

P.O. TONNA:

The official sponsor of it?

LEG. FOLEY:

Withdraw the bill.

P.O. TONNA:

Well, I'll tell you what, how about I --

LEG. FOLEY:

Yeah.

P.O. TONNA:

To the Paul, the older wiser Paul.

LEG. FOLEY:

Right.

P.O. TONNA:

I'll let him.

LEG. FOLEY:

Could the sponsor withdraw the bill and serve the same purpose?

MR. SABATINO:

No. It's a -- under the Charter, the County Executive is given the authority to file his or her own bills. In this case, it's his bill,

so the Presiding Officer cannot withdraw it.

LEG. FOLEY:

All right. So the County Executive could withdraw the bill; is that not correct?

MR. SABATINO:

That's correct, yes.

LEG. FOLEY:

Okay.

P.O. TONNA:

All right. But I think --

LEG. FOLEY:

But that is another -- I'm just saying, that is another option that can also be pursued, that the County Executive can withdraw the

70

resolution.

P.O. TONNA:

Right, right. Thank you, Legislator Foley. I would ask -- Legislator Guldi, I'm recognizing you, so that you can clarify, as the Chairman of Ways and Means, what your will is on this issue.

LEG. GULDI:

Yeah. As Chairman of Ways and Means, this bill has not come out of my committee, hasn't been worked over in my committee, and I'm not prepared to let it out of my committee until it is addressed there. It will be on our agenda at our next meeting, but I don't expect we'll get to it at that time. I'll explain. I'll meet the group outside, but I do not consent to it being released from my committee.

P.O. TONNA:

Okay. And I think, Ladies and Gentlemen, for those of you who are trying to understand exactly what we're talking about here is it's in committee right now. I can't recognize you, ma'am, I'm sorry.

AUDIENCE MEMBER:

That's okay, I'm listening.

P.O. TONNA:

It's in committee right now and, basically, it's going to stay in committee. It will be worked over in committee, and I don't think, if I look, I don't think there is any -- anybody who wants to see it leave committee, and we'd rather it die in committee, or whatever

else. But Legislator Guldi, who's the Chairman of the committee, wants to make sure that he has an opportunity to --

LEG. FOLEY:
To review it.

P.O. TONNA:
To review this with the other Committee Chairpeople.

LEG. FOLEY:
But there's also the other option. Please mention the fact that, also, the sponsor of the bill can withdraw the resolution.

P.O. TONNA:
Yeah, but --

LEG. TOWLE:
Mr. Chairman.

LEG. FOLEY:
Which is the County Executive.

P.O. TONNA:
But in fairness --

LEG. FOLEY:
No, no.

71

P.O. TONNA:
In fairness, the County Executive --

LEG. FOLEY:
You have to make that aware, too, that on the record, as we all can, that a sponsor of a resolution can also withdraw their sponsorship.

P.O. TONNA:
Thank you.

LEG. FOLEY:
And that would serve the same purpose as defeating the bill.

P.O. TONNA:
Ways and Means Committee, which is the committee that all of you should attend, is in two weeks time? On what date?

MR. SABATINO:

August 20th at one o'clock.

LEG. TOWLE:
Mr. Chairman.

P.O. TONNA:
August 20th at one o'clock. Legislator Towle has the floor.

LEG. TOWLE:
Thank you, Mr. Chairman. A couple of points. And, you know, there's a lot of messages that can be sent. I mean, the County Executive could withdraw the bill and that sends a message. But there is no louder message, in my opinion, than this Legislature, particularly on a unanimous vote, sending a message to this developer that "We're tired of giving you properties in which you destroy a community."

MS. OWENS:
Thank you.

MS. CUNNINGHAM:
Thank you, sir.

LEG. TOWLE:
Because that's what's happened in this community.

MS. OWENS:
Thank you.

MS. CUNNINGHAM:
Thank you.

LEG. TOWLE:
And with all due respect to Legislator Guldi as the Ways and Means Chairman, and having served in that spot myself, I don't concur with him, because the argument that we're having about this property in committee is going to be difficult for the community members to attend, because it's during the day, they're going to be unable to take -- unable to take off time from work and their families and other

obligations. Tonight is a night meeting, which has made it convenient for these people, and it's actually inconvenient, but more convenient for them to be here this evening to talk about an issue that's important to them, their community, and I think we need to send that message tonight. And I'd like to see a copy of the bill, because despite the Chairman's objections, I am going to make a motion, and, hopefully, there'll be a second, and it will be considered and debated tonight, because the community is here in force. I would make the

motion now, but I don't have the bill --

LEG. ALDEN:
Mr. Chairman.

LEG. TOWLE:
-- in front of me. So how do I make motion without having a bill in front of us?

P.O. TONNA:
Okay. Is the Clerk's Office going to make a copy of it?

MR. BARTON:
Making copies now.

P.O. TONNA:
Okay.

LEG. TOWLE:
And just to conclude my point, you know what we're talking about is taking publicly owned property and giving it to a person who has got a -- we're not talking about the federal lawsuit, because we don't know what the outcome of that's going to be and those accusations, but the fact of the matter is he clearly has done wrong repeatedly in every instance. There is no one that's going to come forward here and say that this builder has done a terrific job and made our community a better place.

MS. OWENS:
At all.

MS. CUNNINGHAM:
At all.

LEG. TOWLE:
He has raped and pillaged the community time in and time again and I'm tired of it.

Applause

AUDIENCE MEMBER:
Yes, I'm tired, too.

LEG. TOWLE:
I'm tired of hearing this guy's name.

AUDIENCE MEMBER:
I live there, I'm tired.

LEG. TOWLE:

I'm tired of people being given the short end of the stick, particularly people who are at hard times in their life looking to own their first home and this individual has shattered those dreams and those futures.

I think the bill was just handed to me, if I'm not mistaken. The bill is 1676. So I'd make a motion --

LEG. FOLEY:

We have to have a quorum.

LEG. FISHER:

We don't have a quorum.

LEG. TOWLE:

Okay. I'll hold off on the motion and ask the Clerk's Office to distribute copies of the bill.

P.O. TONNA:

I would ask all Legislators, please come to the horseshoe.

LEG. TOWLE:

And when we do have a quorum, it's going to be my intention --

P.O. TONNA:

We do have a quorum.

LEG. TOWLE:

-- with all due respect to Legislator Guldi, to make a motion to move this out tonight.

LEG. GULDI:

Can I respond?

LEG. TOWLE:

If he recognizes you.

AUDIENCE MEMBER:

Thank you. All right. Thank you, sir.

Applause

LEG. GULDI:

Mr. Chairman, I'd like to respond.

P.O. TONNA:

We have a quorum. Yes. Wait, wait, wait. I have a list, Legislator Guldi, you will be on it. Legislator --

LEG. FISHER:

Me.

P.O. TONNA:
There was Fisher, Alden, Guldi.

74

MR. BARTON:
Mr. Chairman.

LEG. FISHER:
I'd like to make it very clear --

P.O. TONNA:
First of all, do we have a motion?

LEG. FISHER:
No.

P.O. TONNA:
Then, I'm sorry, we're going to the -- is there a motion somewhere?
There has to be a motion. We can't debate a nonmotion

LEG. TOWLE:
I'll make a motion to move 1676 out of committee for consideration.

LEG. HALEY:
Second.

LEG. GULDI:
Point of order. It has to be distributed.

LEG. FISHER:
It has to be distributed.

P.O. TONNA:
Okay. I'm going to --

LEG. FOLEY:
Go to the next one.

P.O. TONNA:
Okay. The next speaker -- wait until --

LEG. FISHER:
Well, I'd like to ask a question of Elsie Owens, Mr. Chairman.

P.O. TONNA:
There's no motion. I didn't know there was no motion in front of us.

LEG. FISHER:
Mr. Chairman, I have the floor.

P.O. TONNA:
All right. Go ahead.

LEG. FISHER:
May I ask a question of Elsie Owens, please?

P.O. TONNA:
Yes, go ahead, and then Legislator Alden and -- yes. That's better.
There's no motion in front of us.

75

LEG. FISHER:
Hello, Elsie. How are you?

MS. OWENS:
Hi, how are you?

LEG. FISHER:
Elsie, what was the purpose in your coming here tonight?

MS. OWENS:
To ask the Legislators to not to vote on giving Toussie Enterprise
anymore land to build, because he have destroyed too many people in
too many communities.

LEG. FISHER:
Okay.

MS. OWENS:
That was my purpose.

Applause

LEG. FISHER:
So, Elsie, the purpose in your coming here tonight was to inform us of
how your community has reacted, has been hurt by this man --

MS. OWENS:
Yes.

LEG. FISHER:
-- and you wanted to be able to express your opinion here; is that
correct?

MS. OWENS:
We. We, yes.

LEG. FISHER:
Do you feel that we've heard your opinion and that we've been open to listening to your side of the story?

MS. OWENS:
Yes.

LEG. FISHER:
Okay.

MS. OWENS:
I think so.

LEG. FISHER:
Okay. There is a -- this resolution is in committee and it's in the process of being discussed in that committee. I don't know why the Chairman -- I don't know all of the reasons why the Chairman is not releasing it from the Committee. But I know, because of what you've said tonight and because of other issues that I know regarding this, I

76

know how I'm going to vote when it comes out of committee, if it comes out of committee.

MS. OWENS:
Vivian, if we --

LEG. FISHER:
Because, you know, it might not come out of committee.

P.O. TONNA:
Okay. Wait, wait.

MS. OWENS:
Okay. If we -- if we had --

LEG. FISHER:
Because it hasn't come out of committee. That's the process.

P.O. TONNA:
There are certain rules of this Legislator.

LEG. FISHER:
But you came here for us to hear your side --

MS. OWENS:
Yes.

LEG. FISHER:
-- and we have, and I think that everyone who is here, and I think many of us have tried to express that to you, are listening to you and we are agreeing with you; okay?

MS. OWENS:
Thank you.

LEG. FISHER:
And, as Legislator Fields said, we're also saying to you that if it were to come out of committee, if it were to come here, we would be able to vote the way you need us to vote.

MS. OWENS:
Vivian, we could have had two busloads of people come here today, but they just couldn't make it, I couldn't wait for them, and the bus was there and we left, because that problem in our community is so devastating. People have lost everything that they own.

LEG. FISHER:
Absolutely, and we understand that.

MS. OWENS:
Okay.

LEG. FISHER:
And it's a heartbreak to give people hope and then pull it right out from under them.

77

P.O. TONNA:
Okay.

LEG. FISHER:
It's a horrible thing. And we're listening to you.

MS. OWENS:
Thank you.

P.O. TONNA:
All right. Legislator Alden, you have a point of order.

MS. CUNNINGHAM:
No, you're not. No, you're not. No, you're not listening.
Page 91

MS. OWENS:
Wait, wait, wait.

P.O. TONNA:
Ma'am. Ma'am, everybody is listening to you, believe it or not. I think maybe some of the procedural things you're not getting, but people are listening to you. Anyway, just wait one second. You fill out a card and you get a turn to speak. Absolutely.

MS. CUNNINGHAM:
My card is next.

P.O. TONNA:
Okay, Ruth. Just wait a second.

MS. CUNNINGHAM:
Thank you.

P.O. TONNA:
Legislator Alden has a point of order.

LEG. ALDEN:
On the point of order, if we are going to consider that resolution tonight, we're going to need an executive session. There are legal implications that absolutely have to go into and it's going to be quite lengthy.

P.O. TONNA:
Okay. Our next speaker -- Fred, do you have a question of Elsie?

LEG. TOWLE:
Yes, I do, actually. Elsie, just a question.

LEG. GULDI:
How did he get ahead of me on the list?

P.O. TONNA:
Oh, I forgot. I'm sorry. Wait, wait, I'm sorry. Fred, it' my mistake. George, do have a question of Elsie?

LEG. TOWLE:
Go ahead.

P.O. TONNA:

Sorry, George.

LEG. GULDI:

Elsie, this is in Ways and Means even before you came here tonight. At the last meeting of Ways and Means, we had a hurried agenda, there were time constraints, and I would not let the bill be considered without a full airing of all of the concerns that you've raised here, as well as a whole other level of concerns that we have, which is why Legislator Alden, my Vice Chair, is talking about the necessity for a long session to talk about the legal complications that this could create. What I'm going to ask you to do is let -- you know us, you know me. You know me a lot of years now. Let me do my work, let me do it in my committee, and I guarantee you, personally guarantee you --

MS. OWENS:

All right.

LEG. GULDI:

-- that you will be satisfied with the result if you let it go through the proper Legislative process.

P.O. TONNA:

All right.

MS. OWENS:

And how long is that --

LEG. GULDI:

And I'd like to meet with you and your group privately to discuss my concerns.

P.O. TONNA:

Okay. I just -- to tell you quite honestly, the way that this works is that questions are supposed to be asked. I've allowed some liberty with different people. If there is a motion, then we can debate a motion and have a discussion. But right now, do you have a motion to make?

LEG. TOWLE:

I'm going to ask the speaker a question.

P.O. TONNA:

Okay.

LEG. TOWLE:

Which you had recognized me first. Actually, I deferred to Legislator Guldi, because, obviously, your notes were --

P.O. TONNA:

Yes, go ahead. You have a question to ask, that's fine.

LEG. TOWLE:

-- inappropriate there or mixed up. Elsie, obviously, the choices you're dealt with tonight -- and, clearly, I don't think anybody is going to argue with you tonight that you're representing the community. We all know how involved you are. The options are we can leave it in committee and kill the bill there or possibly bring it out to the Legislature for it to be killed. The other option is the County Executive could withdraw it, which is unlikely to happen, because Mr. Toussie was the winning bidder on 35 parcels. That's what we're talking about, 35 parcels, somebody with a track record like this that was capable of winning 35 parcels, probably in excess of close to a half a million dollars in purchases, the bulk of which, in quickly looking at these numbers, are in your community again. Or the Legislature can send a message tonight, if this bill was brought out, in, hopefully, a unanimous vote, supporting the community. If you had a choice of those options, representing the community, which option would you prefer?

MS. OWENS:

I want to make sure that the Legislators are supporting that this resolution that's going through.

LEG. TOWLE:

I kind of thought so. That's why I'm going to make a motion to move 1676 out of order.

P.O. TONNA:

I'd ask all Legislators, please come to the horseshoe. There's a motion by Legislator Towle, seconded by Legislator Caracappa. On the motion, I'd -- on the motion, I'd like to recognize myself.

LEG. ALDEN:

Point of order.

P.O. TONNA:

Wait. Point of order, yes, Legislator Alden.

LEG. ALDEN:

We have to go into a -- into executive session right now before we even vote on that.

P.O. TONNA:

Okay. I just would like to --

LEG. GULDI:

Hold on. We don't --

P.O. TONNA:

Well, no. You have to have a motion to go into executive session. But just for a second, before we do this, we have a committee process.

LEG. GULDI:
Right.

P.O. TONNA:
Okay? The community has come out very clearly against a bill that is

80

in committee. The truth of the matter is this is a bill -- if people wanted to speak, it should have been in committee. They have every right to speak on this issue today, or whatever else. There is no sympathy for this person who is, I guess by bidding, has -- you know, is up for redeeming these properties. But all I can say is that if we allow this process to take place, we are, one, circumventing the committee process, which is not a good thing. And you know my rule, my rule is one time around, the Committee Chairman has the right to say, "Hey, let's keep it in committee." Secondly, we have a Committee Chairman who says we have to do our due diligence here. There are a lot of questions that, if anything, would do more to benefit your cause by exposing this bill for what it is. And third, we have a very clear indication that if we vote on this today, not only do we have to go into executive session, but there has been some concern with regard to opening us up to lawsuits, rather than being patient and killing this bill in the proper manner, which it should be in committee. The committee process is there so that things don't get to the Legislature if we're not interested in those bills. Okay? That's why -- this is triage. I have confidence in the Chairman of the Ways and Means Committee and I respect the Chairman of the Ways and Means Committee to do his due diligence.

LEG. HALEY:
Roll call.

P.O. TONNA:
And I would ask that we, you know, move in that direction.

LEG. HALEY:
Roll call.

LEG. TOWLE:
On that motion.

P.O. TONNA:
Yes.

LEG. TOWLE:
Thank you. First of all, the bill was laid on the table on June 26th of 2001. Second of all, this individual could not possibly get

anymore bad coverage than he's gotten.

P.O. TONNA:
Sure he could.

LEG. TOWLE:
Than he's gotten, in my opinion, this is my opinion, I differ with your opinion, by just going through Legislator Guldi's committee, in which, by the way, he won't show up to. All right? And while we tinker around going through our processes, this community once again suffers, and the County was prepared to hand over 35 lots to a guy who has raped and pillaged a community and that's ridiculous.

Applause

81

P.O. TONNA:
But, Fred, you know for a fact that putting -- leaving this thing in committee is not doing anything to this community. It stays there and is dead. There is nothing that is happening --

LEG. TOWLE:
That is true, Mr. Chairman.

P.O. TONNA:
-- to affect that community.

LEG. TOWLE:
That is true, Mr. Chairman.

P.O. TONNA:
Until --

LEG. TOWLE:
But voting on this resolution tonight, hopefully having a unanimous County Legislature opposing the nonsense of developers like this will send a resounding message that "Don't come to the County, to do your dirty business, because we're not going to partake in that nonsense."

Applause

P.O. TONNA:
Okay.

LEG. TOWLE:
And you want to know something, we could only hope that a moron such

as this, who has got as many problems as he has, to sue the County of Suffolk. I'd welcome that lawsuit.

Applause

P.O. TONNA:

Well, we're getting there. Anyway, we sure are getting there. Okay. I would ask that --

LEG. GULDI:

Which is --

P.O. TONNA:

There's a motion and a second. Legislator Guldi, on the motion?

LEG. GULDI:

Yes, I'd like to be heard. With all due respect to my learned colleague --

LEG. TOWLE:

Esteemed.

LEG. GULDI:

My esteemed "Legislator Brinkman" here, the problem is that I wish the question were as simple as you postulate it to be. But Legislator Alden is absolutely right, you can't and you shouldn't consider this

82

for a vote up or down until you look at all of the potential unintended consequences. And, unfortunately, since it's not on our agenda, we don't have the Real Estate Division here, we don't have the auction terms that these were bid on here, we don't have the County Attorneys here, we don't have even the resources to do the executive session to talk about what the consequences of what my colleague wants to do is.

Now I suggest that -- I'm not suggesting that we approve this, I'm not suggesting that I disagree with anything I've heard anyone say about the problems. In fact, everything I've heard is an oversimplification of the problems, because there's a systemic problem when the County becomes a party to this kind of thing going on, and we need to fix our systems to make sure that not only this doesn't happen, but it doesn't happen ever again, not on a single parcel, not to a single individual, and not anywhere, but we're not ready to do that tonight.

I urge my colleagues let the committee do its work. There's no way that the bill ever comes out of committee and gets approved without coming through this body, so there is no reason to discharge it

tonight, other than --

LEG. TOWLE:
To send a message.

LEG. CARACAPPA:
To save the community.

LEG. GULDI:
Well, I would -- like my colleague says, other than to send a message.
But I'd like to make sure that when we send a message, we don't end up
having to send a check.

P.O. TONNA:
All right. Thank you.

LEG. HALEY:
That's what you're going to have to do.

P.O. TONNA:
Just is there --

LEG. HALEY:
That's what you're going to have to do.

P.O. TONNA:
Legislator -- okay. Let's --

LEG. HALEY:
Haley.

P.O. TONNA:
Before a roll call, just the history of this, we --

LEG. HALEY:
Legislator --

83

P.O. TONNA:
Oh, you want to speak? You're on the list?

LEG. HALEY:
Yeah.

P.O. TONNA:
Okay. Sorry, Legislator Haley.

LEG. HALEY:

George, you're right, we have to do something about the system. That's what I was thinking about earlier to prevent something like this, but, unfortunately, this is based on the old system. And a decision today to vote on this is simply saying, "Mr. Toussie, we don't want to give it to you even based on the old system. Perhaps you might even have a right to it, but you know what, we're not going to give it to you, and if you want it, you're going to have to sue us for it." That's what the decision is; correct?

LEG. GULDI:

No. No, I disagree. I don't think that's what the decision is. It's not that simple.

LEG. HALEY:

That was a rhetorical question. I didn't yield the floor to you. Thank you, Mr. Chairman.

P.O. TONNA:

Thank you. Okay. I'd like to have a roll call on the vote.

LEG. TOWLE:

Call everybody back in the room.

MS. OWENS:

Could I just say something?

P.O. TONNA:

I'd ask all Legislators, please come to the horseshoe. I'm sorry, Elsie, you can't. All right? We're in the middle of a vote right now for it.

LEG. ALDEN:

Motion for executive session. Does that take precedence?

LEG. GULDI:

Yeah, it does.

P.O. TONNA:

I don't know.

LEG. FOLEY:

Let's have the vote first.

LEG. ALDEN:

No, you can't. There's a legal implication here. We have to go into

-- motion. Motion for executive session.

P.O. TONNA:
Is there a second?

LEG. TOWLE:
Mr. Chairman.

LEG. GULDI:
I'll second the motion.

LEG. CRECCA:
Second.

P.O. TONNA:
Okay.

LEG. TOWLE:
On the motion for executive session.

P.O. TONNA:
Okay, on -- there's a -- I would ask, unlike other places in the auditorium in Hauppauge, where you don't hear the echo as bad, I just -- it's very, very hard to pay attention to everyone when everyone else is speaking at the same time. There is a motion by Legislator Alden and a second by Legislator Crecca to go into executive session. Legislator Towle, on the motion.

LEG. TOWLE:
On the motion. I'm not sure whether this will pass out of committee or not, but I would obviously support your motion for executive session should the bill be before us. I'm not going to support it beforehand, because moving it out of committee is not debating the bill at this point, we've already done that. We're about to take a vote. I'd be happy to support your motion if the bill gets out, but I'm not going to support it beforehand, Legislator Alden.

P.O. TONNA:
This is a motion just to discharge the bill. Okay?

LEG. CRECCA:
Motion to go into executive session, so that we can make --

P.O. TONNA:
All right.

LEG. CARACAPPA:
That makes sense, Cameron.

LEG. CRECCA:
There's a motion to go into executive session, though, as I think some Legislators, before they make that decision -- I respect what you're say, Legislator Towle, but --

LEG. TOWLE:
But it may not get out, so if it doesn't get out, then we're debating

for nothing.

LEG. GULDI:

With respect -- with respect to --

P.O. TONNA:

Wait. I recognize -- right now I have recognized Legislator Crecca. Let him finish his thoughts, and then Legislator Guldi will be recognized.

LEG. CRECCA:

I just think that some Legislators would like to have the benefit of legal counsel and some of the implications of a vote on this before making a decision whether to discharge it or not, that's all.

LEG. TOWLE:

My I respond to that?

P.O. TONNA:

Legislator Guldi, you have the floor.

LEG. GULDI:

Yeah. While I wholly support the executive session motion and second, Legislator Crecca's concern that we could always -- if it were to discharge and then we have an executive session, we could always recommit it to committee once we have the executive session and everyone understands why the Chairman doesn't want it to come out in the first place.

LEG. CRECCA:

Would you -- you would support --

LEG. TOWLE:

Legislator Crecca, I wanted to respond to your question before he jumped in, but if the Chairman recognizes me, I will respond to it.

LEG. CRECCA:

I would ask that --

LEG. BISHOP:

Mr. Chairman.

LEG. CRECCA:

I would ask -- Mr. Chairman. Mr. Chairman, I would --

LEG. ALDEN:

I withdraw.

P.O. TONNA:

Okay. I have a withdrawal of the motion by Legislator Alden. This is a motion just to --

LEG. TOWLE:

Discharge.

86

P.O. TONNA:

Discharge.

LEG. TOWLE:

And add it to our agenda this evening.

P.O. TONNA:

And add it to the agenda for the evening.

LEG. CRECCA:

Roll call.

LEG. BISHOP:

Mr. Chairman.

P.O. TONNA:

Roll call.

LEG. BISHOP:

Mr. Chairman, on the motion.

P.O. TONNA:

Yes, yes.

LEG. BISHOP:

Legislator Fields. I would ask that wise colleagues will cool heads consider carefully before voting to discharge this.

P.O. TONNA:

Absolutely.

LEG. BISHOP:

There have been ample discussion on why we may not want to do that.

P.O. TONNA:

Right. Thank you. Okay. There's a motion and a second. Roll call.

MR. BARTON:
On the motion to discharge.

(Roll Called by Mr. Barton)

LEG. TOWLE:
Yes.

LEG. CARACAPPA:
Yes.

LEG. COOPER:
No.

LEG. BINDER:
(Not Present)

P.O. TONNA:
Legislator Binder, where are you? Okay. Go ahead.

87

LEG. BISHOP:
No.

LEG. D'ANDRE:
No.

LEG. CRECCA:
No.

LEG. BINDER:
No.

LEG. CARPENTER:
Abstain.

LEG. CRECCA:
Actually, change my vote to an abstain, Henry.

MR. BARTON:
Yes, sir.

LEG. ALDEN:
Abstain.

LEG. FIELDS:

No.

LEG. LINDSAY:
No.

LEG. FOLEY:
No.

LEG. HALEY:
Yes.

LEG. FISHER:
No.

LEG. GULDI:
No.

LEG. CARACCILO:
No.

LEG. POSTAL:
No.

P.O. TONNA:
No.

LEG. BINDER:
No.

88

MR. BARTON:
Three.

P.O. TONNA:
Okay. Thank you very much. Okay. Next speaker, Ruth Cunningham.
Although I can tell you honestly that most of this stuff should be
addressed in committee. Ruth.

LEG. FOLEY:
They may not be --

P.O. TONNA:
That's okay. That's why they have -- they filled out a card, they
have an opportunity to speak. Ruth Cunningham, are you going to
speak?

MS. CUNNINGHAM:
I think --

P.O. TONNA:
Wait. Ruth, you're going to have to come up and be recognized.

MS. CUNNINGHAM:
I think we just want to let you know the nightmare that we're living with in Gordon Heights. Prior -- Mr. Toussie has right now at least 15 to 20 open foundations that's left in our neighborhood. That's not to mention all the foreclosure properties that have taken place because of the various acts that was carried out, not to mention all the new homes that he has built because of his situation now legally that are boarded and uninhabited. So I would advise you, if you haven't been through Gordon Heights, to take the right and to take the time to come and see what it is that we're asking you to do.

P.O. TONNA:
Ruth, are you aware of the fact that a basic pro forma resolution, which means this is something that's generally passed, was stopped and rewritten to take all of these properties out because of the Legislature? We were the ones who took it out of the resolution. As a matter of fact, I had a very nice conversation with our Legal Counsel to make sure that we could legally do it. That's what we've done because we're concerned of the things that you have.

MS. CUNNINGHAM:
And we appreciate that, but --

P.O. TONNA:
Right. So --

MS. CUNNINGHAM:
But you --

P.O. TONNA:
All I can say is it needs its due diligence of analysis in committee. That's where it should be. And I would suggest, if anybody needs to know when committee is, and to talk to the Chairman of that committee. I think that's where you're going -- your voice is going to be heard

primarily. All right? And then from there, wherever.

MS. CUNNINGHAM:
But I just think that this body should be aware. Unless you live with what we live with where your home value in your community where you live is now worth whatever the market value is, but because we're

constantly fighting an uphill battle, that my home is not worth what my neighbor's homes are worth. And we're -- frankly, we're tired of people just coming in our community and running over us.

P.O. TONNA:

Well, that's why -- that's why we made sure that we took that action in this -- with regard to this legislation.

MS. CUNNINGHAM:

And thank you.

P.O. TONNA:

Thank you.

LEG. FIELDS:

Miss Cunningham, just --

P.O. TONNA:

One more comment, quick.

LEG. FIELDS:

Just so you know, I think that some of -- most of the members on the Ways and Means Committee understand what you're going through and we agree with you.

MS. CUNNINGHAM:

Thank you.

P.O. TONNA:

Thank you.

LEG. FIELDS:

I would like to make a motion to override Veto Number 6.

P.O. TONNA:

You have to make a motion -- oh, no. Do you need to take it out of order? No.

MR. SABATINO:

Take it out of order.

P.O. TONNA:

You have to make a motion to take it out order.

LEG. FIELDS:

I make a motion to take it out of order --

LEG. CARACAPPA:

I'll second that.

LEG. FIELDS:

-- and override Resolution Number 603 (Authorizing planning steps for land acquisition under Water Quality Protection Component of the 1/4% Drinking Water Protection Program (Connetquot Avenue Property, Town of Islip, Suffolk County Tax Map No. 0500-299.00-01.00-010.000), and 604 (Authorizing planning steps for the acquisition of land under Pay-As-You-Go 1/4% Taxpayer Protection Program (Land on Connetquot Avenue in Islip Terrace, Town of Islip).

P.O. TONNA:

Okay. There's a motion to take out of --

LEG. CARACAPPA:

Out of order first.

P.O. TONNA:

First. One resolution at a time.

LEG. CARACAPPA:

Just take out of order.

P.O. TONNA:

Yes, to take it out of order, which one?

LEG. FIELDS:

603 and 604.

P.O. TONNA:

No. You have to do one at a time.

LEG. FIELDS:

Okay. 603.

P.O. TONNA:

Okay. There's a motion to take Resolution Number 603 out of order, seconded by Legislator Postal. Roll call.

MR. BARTON:

On the motion to take out of order 603. Legislator Fields.

P.O. TONNA:

Yeah. This is not an -- this is not an affirmative vote for or against the override, it's just to take it out of order.

MR. BARTON:

Mr. Chairman, it would help us this evening if Legislators, with all due respect, other than Mr. Guldi, use their microphones. And if you have any further resolutions to come out of the -- to be discharged, we can't make copies instantaneously, so if you're thinking of it, please let us know now.

P.O. TONNA:
All right.

91

MR. BARTON:
Okay.

P.O. TONNA:
And I'd ask all Legislators, please come to the horseshoe.

(Roll Called by Mr. Barton)

LEG. FIELDS:
Yes.

LEG. POSTAL:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

MR. BARTON:
Legislator D'Andre. We're in the public portion. This is to take it out of order.

LEG. D'ANDRE:
No.

LEG. CRECCA:
(Not Present)

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
(Not Present)

92

LEG. GULDI:
(Not Present)

LEG. CARACCILO:
Yes.

P.O. TONNA:
Yes.

LEG. CRECCA:
(Not Present)

MR. BARTON:
Legislator Towle. Legislator Guldi.

LEG. FISHER:
Crecca's back.

LEG. BINDER:
Change my vote to a yes.

LEG. CRECCA:
Yes, take it out of order.

LEG. BINDER:
Henry. Henry, change my vote to a yes.

MR. BARTON:
Yes. Thank you, sir.

P.O. TONNA:

All right. Thank you.

MR. BARTON:
14 --

P.O. TONNA:
Great. Okay.

MR. BARTON:
-- 2, 2 not present. (Not Present: Legs. Guldi and Towle

P.O. TONNA:
Is there a motion now to approve or override? Yeah. Are you making a motion, Legislator Fields?

LEG. FIELDS:
Motion to override 603.

LEG. FOLEY:
Second.

P.O. TONNA:
Okay. Motion by Legislator Fields, seconded by Legislator Foley. All right. Roll call.

93

(Roll Called by Mr. Barton)

LEG. FIELDS:
Yes.

LEG. FOLEY:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
No.

LEG. CRECCA:

No.

LEG. CARPENTER:
No.

LEG. ALDEN:
No.

LEG. LINDSAY:
Yes.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
(Not Present)

LEG. GULDI:
The vote's to override?

MR. BARTON:
Override, yes.

LEG. GULDI:
Yes to override.

LEG. CARACCIOLO:
Yes.

94

LEG. POSTAL:
Yes.

P.O. TONNA:
No.

LEG. TOWLE:
(Not Present)

MR. BARTON:
Nine. (Not Present: Leg. Towle)

P.O. TONNA:
Okay. Thank you. Do you have another motion, Legislator Fields?

LEG. FIELDS:
I make a motion to override 604.

P.O. TONNA:
There's a motion to take it out of order.

LEG. FIELDS:
Take it out of order and override. Can I do that?

P.O. TONNA:
No, no.

LEG. FIELDS:
No. Take it out of order.

P.O. TONNA:
To take it out of order. Okay. There's a motion to take it out of order, 604, and seconded by Legislator Postal. Roll call. No, no. Just all in favor? Opposed? Fine. It's out of -- it's right before us now. Do you have a motion, Legislator -- wait.

MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
Thank you.

LEG. FIELDS:
Motion to override.

P.O. TONNA:
Seconded by Legislator Postal. Roll call.

LEG. HALEY:
Which one is this?

LEG. FIELDS:
604.

P.O. TONNA:
604.

LEG. FIELDS:
May I?

MR. BARTON:
Legislator Fields.

P.O. TONNA:
On the motion, Legislator Fields.

LEG. FIELDS:
Although I feel that, obviously, we are not going to override the veto, I will be laying on the table two new resolutions to do the same thing. And I would like to see my colleagues not participate in bad politics as they have been.

LEG. FOLEY:
Mr. Chairman.

Applause

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:
All right. Legislator Foley.

LEG. FOLEY:
If we can, just on the motion, there may be people in the audience who want to speak on the issue. If, in fact, there's a repeat of the last vote where there's not enough votes to override the veto, those of you who still want to speak on the issue, I would ask you to stay to speak so that your comments are part of public record, and they will be there for future reference as well. So however the vote may go down in the next several minutes, I would hope that some of you would stay to place on the record your thoughts and your concerns about this very ill considered and unprecedented veto of a planning steps resolution.

LEG. BISHOP:
Mr. Chairman.

P.O. TONNA:
Yes, Legislator Bishop.

LEG. BISHOP:
Thank you, Mr. Chairman. I think the silence of those who would vote against this override probably says more than if they dared to make a speech, because it's indefensible. It's indefensible not to conduct --

P.O. TONNA:
Wait.

LEG. FOLEY:
Order, please.

P.O. TONNA:
Hold it one second, Legislator Bishop.

LEG. BISHOP:
I'll yield -- I yield to any colleague who wants to make a case in favor of sustaining this veto.

P.O. TONNA:
Wait, wait. Just wait. I would ask that everyone please stay quiet so that we can listen to Legislator Bishop castigate us.

LEG. BISHOP:
Well, no. Legislator Crecca has something to say. If you want to defend this veto, go right ahead, but I think it's indefensible. The County Executive's own Planning Director came to committee, to the Environment Committee, and said this is a good purchase. He should know. He was in planning and development for the Town of Islip before he came to Suffolk County, so he knows the property well.

You heard about the -- from the community how passionately and strongly they feel that this land should be preserved. When do we --

Applause

When in the past have we ever ignored a community like that? I can't recall it. A horrible precedent. We heard from Assemblyman Englebright about the environmental consequences, not the least of which would be an impact on the Connetquot River, one of the treasures of Suffolk County.

It's indefensible not to even make an effort, and that's all that Legislator Fields is asking. Let's go out and make a fair effort to try to acquire the property.

Applause

The Open Space Program, the Greenways Program, we have a resolution later on tonight regarding the Oak Beach Inn. When we started that process we had an unwilling seller. The history of these programs is one that when we go out and make an effort, oftentimes we succeed, not always. Of course, there are unwilling sellers, but unwilling sellers are -- willing sellers, rather, are made, not born. So we should pursue this and it's indefensible not to.

Applause

P.O. TONNA:
Okay. Roll call.

MR. BARTON:
Legislator Fields.

97

LEG. FISHER:
Mr. Chairman, I had asked to be recognized.

P.O. TONNA:
Sorry. Sorry, Legislator Fisher.

LEG. FISHER:
Thank you for recognizing me, Mr. Chairman. I believe that as we look at this resolution, as we look at this proposal, we must consider that this is a situation where the people from the community have spoken.

A comment was made to me recently that this was a waste of money. It is not a waste of money. It is money that we are placing in order to proceed with planning steps. It's money that we're using to tell the community "We are on your side and we are working with you to acquire this very precious piece of property."

Applause

When we established our criteria on the Greenways Committee, when we decided on prioritization criteria, one of the criteria was that it be adjacent to an existing parkland. This parcel is adjacent to an existing parkland, it's adjacent to several. It's a very important piece of property.

There are still many approvals that have to be given by the Town of Islip for this projects to go forward. If the community is bolstered by our vote tonight, then that community can have an impact on the way Islip treats these proposals. We must be there shoulder to shoulder with this community saying that the environment means something to us. This is truly not a waste of money.

Applause

We would be penny wise and dollar foolish. We have spent a great deal of money in the past to protect our environment. The State has used taxpayer money to protect the Connetquot State Park. We are endangering the trout fishing in the Connetquot State Park if we allow

this development to go forward. So we will not only lose this property, but we will lose a great deal of the value of the Connetquot State Park. We cannot afford not to invest the money on these planning steps. Please vote to override this veto.

Applause

P.O. TONNA:
Thank you. Legislator Fields.

LEG. FIELDS:

By my colleagues' desire to vote no to override, what they're doing is contradicting any of the votes that have been passed for legislation to move forward on planning steps on other properties in this County, the Knoll, OBI, Forsythe Meadow, West Hills. I probably could ask our --

98

LEG. FISHER:
Detmer --

LEG. FIELDS:
-- birthday man to give us probably --

LEG. HALEY:
You didn't mention The Wedge.

LEG. FIELDS:

The Wedge, Forsythe Meadow. I mean, there are probably at least a dozen properties that, if we were able to, we could go back in the history of the Legislature and find that they did not have willing sellers and, yet, no County Executive in the history of the Legislature has ever chosen to put the cart before the horse, to be premature, and to stop something dead in its tracks.

The only way that you have a willing seller is if you have an offer. How on earth can you have an offer if someone stops you from having the ability to put those numbers together, to do the appraisal, to do the title search, to do the survey and come up with an evaluation of the property? This is a simple, very simple resolution to ask for this Legislature to direct someone to do the planning steps to evaluate a piece of property, it is not asking that we go out and spend whatever amount of money we feel like spending for some property. This is only going to be done if the desire of the seller, after all of this evaluation is made, decides that he wants to sell. It's not a condemnation, and there's no problem with passing this kind

of a resolution. So I would urge again that my colleagues not exercise this wrong decision and contradict themselves and others who have done so in the past.

Applause

P.O. TONNA:
Roll call.

(Roll Called by Mr. Barton)

LEG. FIELDS:
Yes.

LEG. POSTAL:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes to override.

LEG. D'ANDRE:
No.

99

LEG. CRECCA:
No.

LEG. CARPENTER:
No.

LEG. ALDEN:
Nope.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes to override.

LEG. HALEY:
(Not Present)

LEG. CARACCIOLO:
He just left the room.

LEG. FISHER:
Absolutely, yes.

LEG. HALEY:
No, Henry.

MR. BARTON:
Thank you, Mr. Haley.

LEG. CARACAPPA:
No.

LEG. TOWLE:
(Not Present)

LEG. GULDI:
Pass.

LEG. CARACCIOLO:
Yes.

LEG. TONNA:
No.

LEG. GULDI:
Yes.

MR. BARTON:
Nine.

P.O. TONNA:
Okay. Let's go back to the public portion.

100

LEG. FIELDS:
I have every ambition to reintroduce this legislation again to the
Legislature.

LEG. FOLEY:
Henry, list me as a cosponsor.

Applause

P.O. TONNA:
John Kennedy. John Kennedy. Okay. Dorothy James. John Callies.

MR. CALLIES:
Yes.

P.O. TONNA:
John, you have three minutes.

AUDIENCE MEMBER:
Let him get to the podium first.

P.O. TONNA:
When he has his three minutes, he'll get to the podium. Relax.

MR. CALLIES:
I appreciate this opportunity of being able to speak before you. I'm a senior citizen. I served 30 years in the Marine Corps, and to have this nonsense, whereas McGowan, Trunzo and Gaffney veto this is ridiculous. Now I live in the neighborhood. We value the land. And to add a senior citizen home where they're going to put up -- allow five hundred cars to be parked there, and to have this supposedly senior citizen home, have men and children under -- children 19 years and older to be part of this is not ethical. This whole thing is not ethical the way they performed it. And just think with the sewers what they're doing. They're going to give them an opportunity to put sewers into the property and let it connect with the Suffolk County Sewer District.

I live one block east of Southern State Parkway, I don't have sewers. Now how come this new property they're going to allow to have the sewers that will ruin the Connetquot River? Is this why I spent 30 years in the Marine Corps to protect us from stuff like this and have the nonsense go with deep pockets in this business, supposedly Legislature?

Applause

Anybody want to ask me a question?

D.P.O. POSTAL:
Thank you. Thank you, Mr. Callies.

LEG. BISHOP:
Yes, I want to ask a question. What's the --

D.P.O. POSTAL:
Callies, Mr. Callies.

LEG. BISHOP:
Mr. Callies, I'm over here. Will you be coming back to lobby this Legislature and to speak to this Legislature when the resolution comes before us to hook the sewers up? There'll be a resolution asking this Legislature to allow the developer to hook into the Southwest Sewer District. That resolution will require ten votes. Will you be here to speak to us at that time?

MR. CALLIES:
I didn't know that. I would like to, because I feel that we -- I've been in this Suffolk County for 37 years. I put -- I raised four children in the County, I got ten grandchildren. To allow this nonsense to happen and for people like this Mr. Michael {Dulone} and so forth refuse to override the veto, I will let people know.

LEG. BISHOP:
Well, I want you to know this, that if the nine votes that were there today in favor of overriding the veto are there to prevent the sewers from being hooked in, then we will win.

MR. CALLIES:
Thank you.

LEG. BISHOP:
So I want you to keep at it.

Applause

LEG. FIELDS:
May I ask my colleague --

D.P.O. POSTAL:
Legislator Fields.

LEG. FIELDS:
-- Legislator D'Andre, if he would like to address this veteran?

LEG. CARACAPPA:
That's not fair.

LEG. D'ANDRE:
World War II is over, we're not going to start World War III.

D.P.O. POSTAL:
All right. Let's move to Legislator Foley.

LEG. FOLEY:
Sir.

MR. CALLIES:
You don't even look like a decent young man.

Applause

102

LEG. FOLEY:
Sir. I'll wait.

D.P.O. POSTAL:
Mr. Callies. Mr. Callies.

MR. CALLIES:
Are you part of -- are you part of the political group --

D.P.O. POSTAL:
Mr. Callies.

MR. CALLIES:
-- with deep pockets?

LEG. BISHOP:
Mr. Callies, he is a decent man, he's a very good man.

D.P.O. POSTAL:
Okay. Let's move to the next speaker. She might have left. Betty Francis. Is Betty Francis still here? Joyce Cunningham? Rudolph Schwartz? Jessie Cunningham? Bonita Bennett? Ellen Schuler-Mauk.

Applause

MS. SCHULER-MAUK:
Good evening. As many of the Legislators know, I'm the President of the Faculty Association of Suffolk Community College, and I represent 423 full-time faculty members, 1100 adjuncts and the 20,000 students that we teach. I'm here to address the proposed 2001/2002 College budget that you have on your agenda tonight. I have two words for the budget that you have before you; willfully inadequate. Unlike in the past, where the College budget anticipated additional learning opportunities for the people of Suffolk, unlike in the past when the College budget could focus on the economic development issues of our Suffolk County businesses, unlike in the past where the College budget could accommodate the demands of changing technology and demographics, this year the recommended College budget can do none of these things.

Last year, when I came before the Legislature, we talked about the importance of opening a new 250,000 square foot multipurpose building on the Western Campus to all sectors of Suffolk County. A building that would provide additional classroom space for Suffolk students, it

would house the Suffolk County Police Academy, create the much needed exhibition space for Suffolk County businesses and industry and make available the first eight-lane indoor track for local high school track and field events. Last year we also talked about the need to staff this building was 14 addition personnel. Last year we also talked about the college's over reliance on part-time faculty and the necessity of adding more full-time faculty lines. Last year the Legislature asserted the importance of all of these issues and made accommodations for them in a budget that was increased by only 4% over the previous year.

Unfortunately, this year we cannot talk about new staffing or the new

103

directions that the college can move to service the people of Suffolk County. In fact, the budget before you includes 64 vacancies, of which 20 are faculty vacancies who provide direct services to the students in the classrooms and in the academic laboratories. In addition to the part time salary lines -- in addition, the part time salary lines for the new academic year are \$659,000 less then they were in 1999. This means that there will be fewer courses that the college is able to offer. To give you an example of the impact of a pared down academic schedule, I want to give you some comparisons between the course offerings of our neighboring community college, Nassau Community College and Suffolk Community College this summer where we've also experienced a severely pared down schedule. This summer, Nassau Community College, with one campus, offered 72 English course sections. Suffolk Community College, with three campuses, ran 38 sections. Nassau offered 44 sections of Economics. Suffolk offered 14 sections of Economics.

D.P.O. POSTAL:

Ellen, your time is up, but there are some questions for you. First, Legislator Fisher and then Legislator Lindsay.

LEG. FISHER:

Ellen, would you be able to tell us which other departments and courses were impacted?

MS. SCHULER-MAUK:

You mean --

LEG. FISHER:

Which means keep going.

MS. SCHULER-MAUK:

Okay. Thank you. Nassau Community College offered 31 Sociology -- sections of Sociology courses, Suffolk offered 21. And Vivian, you'll

GM080701.txt

like this one, Nassau offered 21 in Spanish, Suffolk offered 14. I could go on, but I think you get the idea. For every course not available in Suffolk that a student has to go to Nassau to take, the County loses three fold. It loses tuition, it loses state aid and it has to pay the Nassau County charge back rate form that student, which is higher than the Suffolk rate. There is further consideration for this pared back schedule of sections. Right now, the Suffolk County economy is strong and surprisingly, the college's enrollment is also strong. However, as most of you know, when the economy turns down, the college's enrollment goes up. If the college is required to constantly pare back its academic schedule to address budgetary shortages, where will all the laid-off workers in Suffolk County who need to retrain and upgrade their skills go when the economy in Suffolk finally slows down?

We are aware tonight that the Legislative agenda contains resolutions that you voted on that deal with salary and benefit adjustments for the County Civil Service Workers. I think you have yet to vote on the management salaries. You voted on increases in the DA's salaries. And many of you have indicated that these were fair and long overdue adjustments. And the County's operating budget made provisions for these adjustments. Unfortunately, the proposed College budget makes

104

no provision for negotiated wage increases for the Faculty Association contract that expires in 24 days. When FA settles its contract negotiations, which are in progress now, where will the money come from? From additional cuts in student services? Fewer courses? Curtailed hours in computing labs, the library? Further cuts in personnel? Unfilled positions or from areas -- other areas in the County's budget outside the community college? The responsible and fair way to address the issue is by making provisions for it in the budget tonight.

I also think it's appropriate to talk about the commitment Suffolk County made in 1959 when it petitioned the State to have a community college. The agreement at that time that still remains today is that the funding of any state community college would be viewed as a partnership between the students, the County sponsor and the state with each partner paying one-third of the operating costs of the college. In the proposed budget before you, neither the State nor the County are living up to this partnership. In the proposed 2001/2002 budget, student tuition will be increased by \$100 bringing tuition to \$2430 per year. And the student share of the operating budget will be 34%, an increase over last year. Unfortunately, neither the State nor the County's share approaches their 33 1/3% commitment. And both shares show a decrease from the contribution rate from last year.

GM080701.txt

While we can't address the lack of state support in this form, and I want you to know that the Faculty Association and our parent union in Albany, NYSED, have been lobbying very strenuously to make sure that the State begins living up to its commitment, we can argue that the County's share should be more than 29.3%.

APPLAUSE

Finally, according to the County Executive's analysis on the budget recommendations for the community College budget, the proposed cost to the average household for the community college for 2001/2002 will be \$7.20 year. If you divide that amount into the numbers of days in the year, the average household in Suffolk County will pay merely 2 cents per day to support Suffolk Community College. Surely, the students, the faculty and the people of Suffolk County who depend on the opportunities that Suffolk Community College has to offer their futures, deserve more than 2 cents worth. Thank you.

APPLAUSE

D.P.O. POSTAL:
Legislator Fisher, did you have another question?

LEG. FISHER:
Yes. A real one. Thank you, Ellen. Thank you for the statistics on the course sections, that's very informative. As you know from having attended the Education Committee Meeting, we in the Education Committee have been very concerned and distressed by the budget that was presented to us at Suffolk Community College. We were very dismayed that they did not ask for more money, and the resolutions that we in the Legislature have prepared, have all increased -- all reflect an increase in the budget because we care about education in

105

Suffolk County.

APPLAUSE

MS. SCHULER-MAUK:
We thank you for that. We appreciate the concern and the responsibility that the Legislature has taken in addressing our needs.

LEG. FISHER:
Thank you, Ellen, but my question is this; on July 25th, there was a public hearing that was held in Hauppauge. And I would like you to know who attended. Me. I'm the only one who attended, and I thought that there would be a hue and cry from people who are on the faculty, people who are -- who care about education, people from the college

itself. There was no one there with whom I could conduct a dialogue regarding this budget. I'm preparing a resolution so that in future years there will be a requirement that people from the college attend the public hearing. There was no one from the college administration, there was no one from the faculty, there were no students. There was zero. I was the only one there. No trustees, no one. The Clerk was there, the stenographer was there and I was there. That's -- I'm saying this because it's a very important issue, that we have a dialog when we're working on the budget rather than Legislators scurrying to get resolutions in with a two-day turn around. Okay. So my question is, why isn't, as a president of the Faculty Association, why isn't the faculty, the community at the college, more proactive in getting the budget that we all want presented before we reach this crucial junction?

MS. SCHULER-MAUK:

Are you asking why we weren't present at the 25th?

LEG. FISHER:

Yes.

MS. SCHULER-MAUK:

Vivian, I have to tell you, you know, as the Chairperson of the Education Committee, each Chairperson handles dealing with the budget differently. I have to tell you in years past, I've been at the public hearings that the college has on the budget and not even the Chairperson was there. You know, basically the Faculty Association and college officials were there. So I guess we, in effect, you know, we've learned through many years that the real dialogue takes place at the Education Committee Meeting, and, you know, had we known that you were there ready to, you know, have some dialogue with us, of course, we would have been there. But as I said, you know, in the past, you know, we've been there, and we've talked among ourselves.

LEG. FISHER:

And this is what happens, I suppose, because the Chair isn't someone who's a seasoned administrator in that position. This is the first year that I'm the Chair of that committee. My anticipation was that this was going to be a true public dialog. And so I was very disappointed. If I were the Chair next year, if I were to be the Chair next year, I would certainly make it a point to invite all of the parties involved because we need this to be a dialogue.

APPLAUSE

MS. SCHULER-MAUK:

And we would be happy to attend.

D.P.O. POSTAL:
Legislator Lindsay.

LEG. LINDSAY:
Ellen, it's really a technical point, but in your presentation, you talked about the new field house, when was that opened?

MS. SCHULER-MAUK:
That was opened September of 2000.

LEG. LINDSAY:
Okay. Did that take additional staffing?

MS. SCHULER-MAUK:
Fourteen additional personnel.

LEG. LINDSAY:
And, of course, it cost more money to run that thing. Was that added to the base that the 4% budget was figured on?

MS. SCHULER-MAUK:
No, it was not. The cost of opening the new building plus the new personnel -- the new personnel cost about \$518,000 additional, was all absorbed within the 4% increase.

LEG. LINDSAY:
So it would probably take 4% just to run that building alone.

MS. SCHULER-MAUK:
Yes. Yes. The 21 new faculty lines was \$1.5 million cost and a 4% increase on last year's budget was 1.2 million.

LEG. FISHER:
And that's the cost of running the building, 1.2 million.

MS. SCHULER-MAUK:
Yes.

D.P.O. POSTAL:
Legislator Foley followed by Legislator Fields.

LEG. FOLEY:
Thank you Madam Chair. Ellen, thanks for your remarks about this, as you call it, willfully inadequate proposed budget. And at that time that we will be voting on the budget later, I'll have some -- I'll have many more comments to make. But let me -- we're supposed to pose a question. So let me pose a question to you that I think we would all like to here the response to. You mentioned earlier that there were a number of pared down courses at the college, and it's my understanding that it's really an unprecedented amount. Are you

concerned that at the same time that both the Board of Trustees -- or say the majority of the Board, it certainly wasn't the whole Board -- but are you concerned that the majority of the trustees plus the management of the college decided to pare down on these courseloads -- the courses rather, and at the same time they're asking for an unprecedented increase of about 35% on the advertising line? Now, is that a concern that you would have where there are monies, scant dollars that are going to almost have a million dollar advertizing budget as opposed to filling faculty positions, which to my way of thinking is the best advertisement you can have for a college?

MS. SCHULER-MAUK:

You know, Brian, the reason for a strong advertising and marketing budget is to attract additional students. And --

LEG. FOLEY:

Wouldn't you agree that if you had a better ratio of full-time faculty to students, that that would even be a better way to advertise how good this particular college it is?

MS. SCHULER-MAUK:

I think --

LEG. FOLEY:

But in this days of scant dollars where 4% is about as much as we can get at this time or someone's going to try to get some more, if you have to make the choice, and I think there's a choice here that needs to be made.

MS. SCHULER-MAUK:

You know, representing the faculty obviously -- I think my answer is obvious. That, you know, I definitely think that we need more full-time faculty. Again, last year when we came to you, we talked about, you know, having 21 new faculty positions added last year, and that it would be added by an additional 14 new lines this year and 14 next year. We're not even having that discussion now because the budget proposal is so tight. We absolutely need more full-time faculty lines. And, you know, obviously that's -- you know, that's where my concern comes in, but we also need to attract new students. Thank you.

LEG. FOLEY:

Thank you.

D.P.O. POSTAL:

Legislator Foley, any other questions? Legislator Fields followed by Legislator Caracciolo.

LEG. FIELDS:

Hi, Ellen. The big new building, has it generated revenue enough that

it looks like it's going to be a positive amount of money that we're going to be getting from that?

MS. SCHULER-MAUK:

I think, you know, Fred could probably tell you what they anticipate to be the additional revenue that they believe that they'll get this

108

year from the big new building. I think it's over a million dollars. So I think that the revenue is beginning to come in, and it will eventually, you know, be able to supplement the College budget. But I don't think we're at a point where the revenue coming in will totally support the building. I think it's also unrealistic to think after being up and running for only one year, that it's going to be totally self-sustaining. Is it bringing in additional revenue? Absolutely. Is it bringing in enough extra revenue? No. Not at this point.

LEG. FIELDS:

Is it doing better than they thought it was going to be doing, do you know?

MS. SCHULER-MAUK:

I don't know if it's doing better than they thought, but it is bringing additional revenue.

MR. POLLERT:

When the building was originally constructed, it was anticipated that it would result in a large increase in enrollment. That, in fact, was not the case. It's going to take a period of time for the enrollment to ramp up. It was also anticipated that the building would be a net revenue generator, that likewise has not occurred. It is -- continues to be a net cost to the community college to operate the building and probably will be for the foreseeable future as well.

LEG. FIELDS:

Ellen, do you know why the state share has paid less -- or the state has paid less on their share?

MS. SCHULER-MAUK:

Politics. You know, they --

LEG. FIELDS:

That seems to be the message for tonight.

MS. SCHULER-MAUK:

It's not for a lack of advocates of Public Higher Education asking. We asked this year for an increase of \$150 per FTE, we asked for additional full-time faculty lines. We have one house that is willing

to fully support it, another house that's -- wants to give us some support, but as you know from the newspapers, the Legislature has come up with a bare bones budget, and the best that I know from my sources in Albany is that they may address giving additional money to the community colleges in a supplemental budget after the Jewish holidays.

LEG. FIELDS:

It is your experience that when the economy flattens out or decreases, that you have an increased enrollment in community colleges?

MS. SCHULER-MAUK:

Absolutely.

LEG. FIELDS:

So if that's the way that we're going at the moment or at least that's what it seems to look like, will you have the ability to address all

109

the students that we may see enrolling in the college on the budget that has been allowed?

MS. SCHULER-MAUK:

I don't think so. I don't think so because we're dealing with a limited amount of money, which even Budget Review said is \$659,000 less than it was last year in terms of, you know, funding adjunct salaries, and those are the salaries that provide the additional courses. So we have an increase in enrollment, we have to provide additional courses, and you have to pay the salaries to the faculty who teach those. So within the budget constraints, we would be very, very tight. And I don't think that we could address it, you know, a large enrollment over and above what's been projected.

LEG. FIELDS:

Okay. Thank you.

D.P.O. POSTAL:

Legislator Caracciolo followed by Legislator D'Andre.

LEG. CARACCIOLO:

I have some questions for you, Ellen. Let me start by picking up where Legislator Fields left off with Budget Review. Fred, you mentioned that the new facility on the Western Campus that you expect to be a net cost rise to the County. Could you elaborate?

MR. POLLERT:

The square footage of the new building is approximately that of the H. Lee Dennison Tower. When the building was constructed, we had assumed that the heat, light and power would be approximately that to operate

the new building. In addition to that, there was a variety of support staff, which would be required. The community college when they had justified the project to the County, we had believed, seriously underestimated the cost of operations of the building, both with respect to the heat, light and power and the maintenance, as well support staff which was required. In addition to that, they had anticipated that they would be able to reduce the costs of students that were attending Nassau Community College. We likewise felt that those cost estimates were inflated because there are very few classrooms in the new Health Wellness Building. The results are that the building at this point in time is not yet at break even. The cost of the building is being subsidized to a large part by charge backs to the County for the space that's occupied by the police academy. So for the short and the long term, because of the cost of the building, we don't anticipate that the building is going to achieve break even in at least the next three years.

LEG. CARACCILO:

Are the charge backs to the other agencies using the facility fair and equitable?

MR. POLLERT:

The charge back to the County is. I am a not sure about the other agencies, but we were involved in the conversations with respect to the charge back to the general fund for the use of the police academy.

110

LEG. CARACCILO:

I would suggest to the members of the Education Committee that they look into that matter so that a year from now we're not addressing similar issues. Ellen, with respect to a number of budget amendments that have been offered up by members of the Legislature to meet the shortfall in the proposed new College budget and what is needed at least from your perspective, which of those, and I see there are six -- one subsequently amended I think, 2 A. -- which of those if you had an opportunity to look at them, do you and your association support?

MS. SCHULER-MAUK:

You know, it's difficult for a lay person to understand, you know, all -- all the budget changes that are put in the various bills. What I would like to say is that obviously we support more money being added to the College budget then less money. And we hope that the, you know, that the Legislature can come to a consensus to provide us with an adequate amount of money. I mean, obviously, we believe that there should be monies provided for the Faculty Association contract negotiations. We believe that the Legislature should honor the Budget Review's recommendations on adding additional money for health care

costs for next year. We believe that there needs to be additional money for adjunct overload costs. And we believe that there should be additional money to cover the AME contract that was just passed.

LEG. CARACCIOLO:

Fred -- Fred, can you respond to the same question.

MR. POLLERT:

There are a variety of resolutions for the Legislature, specifically the first two resolutions; Resolution Number 1 and Resolution Number 2A would increase the County contribution to the community college. The first resolution in the amount of \$1.7 million, and Resolution 2 A in the amount of \$1.3 million. The subsequent resolutions Number 3, 4, 5, 6, do not increase the County's contribution to the community college. Resolutions Number 1 and 2 specifically increase the contribution to the community college because in large part they assume that the anticipated state aid of \$125 is speculative at this point in time and fund the projected increase in state aid with an increase in the County contribution and not from the community college's reserve fund, which was proposed by the County Executive.

LEG. CARACCIOLO:

Have you identified that there is a shortfall in this budget presentation?

MR. POLLERT:

There are a variety of items which we had identified within the County Executive's recommended budget, which would lead to appropriation shortfalls, specifically \$300,000 in health insurance charge backs for 2001/2002, a projected shortfall in the salary account for undistributed salaries for the AME employees, shortfalls in the bank fees as well as in the computer software licenses.

D.P.O. POSTAL:

Excuse me, Mr. Pollert. Mike, can I ask you to hold questions like that for when we're actually discussing the budget amendments and

address questions to Ellen? Because other Legislators, I'm sure, will have questions.

[RETURN OF COURT STENOGRAPHER-LUCIA BRAATEN]

LEG. CARACCIOLO:

I just think for the record you need some context and information, so that the information comes to together in terms of overly making decisions.

D.P.O. POSTAL:

Yeah. And I do understand, but we're still -- I think we have kind of forgotten, because we've gotten immersed in the budget, that we're still in the public portion and --

LEG. CARACCIOLO:

Well, I think it's clear, based on comments made by Ellen, that some of the shortfalls have been clearly identified by her association, as well as our Budget Office. And there was a reference earlier today, this evening, that I believe it was made by the President of AME, Phyllis Garbarino, that it's her understanding, in conversation with the Budget Director, that there is -- there are sufficient funds to pay for the now approved AME salary increase for College employees. Ellen can't respond to that question, but I'd like to know from Fred --

D.P.O. POSTAL:

Well, then --

LEG. CARACCIOLO:

-- of whether or not he agrees, and if he doesn't, we can get Ken Weiss in here --

D.P.O. POSTAL:

Fred.

LEG. CARACCIOLO:

-- and address that issue.

D.P.O. POSTAL:

Yeah. But I think that's an issue that we should address at the time that we're addressing the budget amendments. And the point that I'm making is that Ellen is speaking during the public portion and --

LEG. CARACCIOLO:

Well, then maybe a motion after Ellen leaves the podium to take this matter up, so --

D.P.O. POSTAL:

Well, you know that -- I don't know that that's appropriate. We have many people who have been here since 4:30 this afternoon.

LEG. CARACCIOLO:

Well, it seemed to be appropriate earlier for the AME contract, for the D.A.'s contract.

Applause

So, I mean, once you start down that slippery slope --

D.P.O. POSTAL:

You know, this --

LEG. CARACCIOLO:

-- you know, there's no stopping.

D.P.O. POSTAL:

And I certainly -- I understand where you're coming from. I think this is an extremely complex issue. I think that at this time, regardless of a motion that you may make later, and you certainly have a perfect right to make a motion, but I would suggest that at this point, we have a speaker who's been speaking during the public portion, we have now the opportunity to question her. I know that Legislator D'Andre has asked to have the opportunity to ask a question. If you have a question for her, that's fine. But I think the other questions are more appropriate --

LEG. CARACCIOLO:

I'll hold those in abeyance.

D.P.O. POSTAL:

-- for a later time.

LEG. CARACCIOLO:

Specifically, Ellen, since we've now identified there are six budget amendments, and you have provided us with testimony or comments that you would support the one that restores the most significant amount of funding that is presently short in this presentation, am I to assume that that would be Budget Amendment Number 1?

MS. SCHULER-MAUK:

Legislator Caracciolo, in order for any of these amendments to pass, we're going to need a bipartisan support of the Legislature. And I think that I would be supportive of the budget amendment that provides the most amount of money with the appropriate bipartisan support, so that the College can address the issues that it needs to address, not only for, you know, the next couple of months, but that it can, you know, address them so that we don't come back next year and say, "Guess what, we have a structural deficit and we're back in it again."

LEG. CARACCIOLO:

But that's the essence of what we're talking about is structural deficit, and if you don't adequately address it to the tune of what I believe you've identified of some two point -- is it one or three million?

MS. SCHULER-MAUK:

Two-three.

LEG. CARACCIOLO:

Two-three. And we have resolutions before us that go from 1.3 million, or approximately a million dollars less, to something

113

that's a half a million dollars less. How do we address it later in the year? How does it affect your members? Do we wind up, you know, providing your members with a salary increase, but we have fewer members? I mean, I want to address these --

D.P.O. POSTAL:
Mike, Mike, Mike.

LEG. CARACCIOLO:
-- questions tonight so that the record's complete.

D.P.O. POSTAL:
You asked Ellen a very --

LEG. FISHER:
Madam Chair.

D.P.O. POSTAL:
Excuse me.

LEG. FISHER:
There are issues involved --

D.P.O. POSTAL:
Yeah.

LEG. FISHER:
-- in the resolution that are other than just --

D.P.O. POSTAL:
Yeah, and --

LEG. FISHER:
-- the bottom line number.

LEG. CARACCIOLO:
I've read the resolution. I'm --

D.P.O. POSTAL:
Excuse me.

LEG. FISHER:
And they're not covered by just the bottom line.

LEG. CARACCIOLO:
I'm familiar with yours and --

D.P.O. POSTAL:
Legislator Fisher, Legislator Caracciolo.

LEG. CARACCIOLO:
And Legislator Tonna's.

D.P.O. POSTAL:
Legislator Caracciolo --

114

LEG. CARACCIOLO:
And the distinctions therein.

D.P.O. POSTAL:
-- asked a question. I think you got an answer from Ellen.

LEG. CARACCIOLO:
Well, I don't know that we'll have a consensus then.

D.P.O. POSTAL:
Well -- but that's not for her to answer. I mean, she doesn't have a crystal ball. She answered your question. I think we have to move on. I think that these issues are more appropriate to a later discussion. And I'm going to recognize Legislator D'Andre.

LEG. CARACCIOLO:
Thank you.

D.P.O. POSTAL:
You had a question for Ellen Schuler-Mauk?

LEG. CARACCIOLO:
It's always interesting around this horseshoe that when you get to the crux of a matter, we don't want to address the issue.

D.P.O. POSTAL:
I'm sorry.

LEG. CARACCIOLO:
Go ahead, Mike.

D.P.O. POSTAL:
I'm recognizing Legislator D'Andre. Did you have a question for Ellen Schuler-Mauk?

LEG. D'ANDRE:

The lovely Ellen? Ellen, coming from a business background, I believe --

D.P.O. POSTAL:
Microphone.

LEG. FOLEY:
Use your mike, Mike.

LEG. D'ANDRE:
Coming from a business background, I believe that -- I kind of suspect that the advertisement to the College is not adequate, and that's a very important component as professors, curriculum and everything else. And I think that that should be looked at by some professionals, and I think you have a professional young man there that handles advertising, and I think you should match up the adequacy of the advertising budget. And if you are the best college, we've got to get the word out. Word of mouth may not be enough.

115

MS. SCHULER-MAUK:
I couldn't agree with you more --

LEG. D'ANDRE:
Okay.

MS. SCHULER-MAUK:
-- that the word has to come out.

LEG. D'ANDRE:
Okay. Because I know when I sent my advertising out, my business went that way. But, anyway, the other thing is look at the transportation to the colleges.

D.P.O. POSTAL:
Mike, a question.

LEG. D'ANDRE:
Do you have adequate transportation to and fro from the College linking the big towns, or what have you?

MS. SCHULER-MAUK:
You know, I don't have any -- I can't make an educated comment on it. My anecdotal evidence is that --

LEG. D'ANDRE:

Jimmy. Jimmy, the speaker is speaking. Would you mind moving over a little bit? Thank you. She's lovely to look at, you know.

D.P.O. POSTAL:
Go ahead, Ellen.

MS. SCHULER-MAUK:
I'm thinking of a song, "Lovely to look at, delightful to see."

LEG. D'ANDRE:
Hey, hey, hey, very good.

MS. SCHULER-MAUK:
But, you know, anecdotally, obviously, you know, there is not good public transportation in Suffolk County. Students definitely have to rely on their own transportation, and I think that that's one of the reasons why we do have students that go to our neighboring community college, because for them, it's easier to get to there than depend on public transportation in getting to Suffolk.

LEG. D'ANDRE:
Well, are you -- are you recommending we improve or look into transportation?

MS. SCHULER-MAUK:
You know, I think that it's something that is worth for the County to do, not only for the Community Colleges, but for other County services. But right now, by and large, most of our students do not depend on public transportation.

116

LEG. D'ANDRE:
But we want to increase the students, so we've got to look at every angle. And if that is a better way of improving transportation or advertising to get the word out, we must try it. Thank you, Ellen.

MS. SCHULER-MAUK:
Okay. Thank you.

D.P.O. POSTAL:
Legislator Carpenter.

LEG. CARPENTER:
Thank you. Ellen, thank you for being here and for providing such an insightful commentary on the whole process. I'm sure this is rhetorical, but are you planning on being here for the duration? Because I think as we go through the process, there probably will be

more specific questions and I think it would be helpful to have you here.

MS. SCHULER-MAUK:
Yes. I have my bedding --

LEG. CARPENTER:
Okay.

MS. SCHULER-MAUK:
-- back at the --

LEG. CARPENTER:
You brought your jammies.

MS. SCHULER-MAUK:
That's right.

LEG. CARPENTER:
Thank you.

LEG. HALEY:
Madam Chair.

D.P.O. POSTAL:
Legislator Fields, and then Legislator Haley.

LEG. FIELDS:
Ellen, if the bill isn't going to come before us now, and I probably think it shouldn't, because we do have many members of the public who still would like to speak, might we ask that you remain to answer any questions that come up?

MS. SCHULER-MAUK:
I'm here for the duration.

LEG. FIELDS:
Great. Thank you.

117

MS. SCHULER-MAUK:
Thank you.

D.P.O. POSTAL:
Legislator Haley.

LEG. HALEY:

It's quite simple, a question. What do you think is the biggest and best asset we have in Suffolk County?

LEG. CARACAPPA:

Marty Haley.

D.P.O. POSTAL:

Marty Haley.

LEG. CRECCA:

Besides Marty Haley.

LEG. HALEY:

Besides me.

LEG. CARPENTER:

All together now.

LEG. CRECCA:

The Suffolk.

LEG. CARPENTER:

All together now.

LEG. GULDI:

Did you say asset?

LEG. CRECCA:

Asset, or just ass.

MS. SCHULER-MAUK:

Obviously, the crown jewel, Suffolk Community College.

LEG. HALEY:

The Suffolk Community College. I think it's the best?

Applause

LEG. HALEY:

I honestly do believe it's our best asset, and I think it's the best deal for our kids, the best thing we have going for us, and I don't think we can do enough for the College. Thank you.

Applause

MS. SCHULER-MAUK:

Thank you.

D.P.O. POSTAL:
Legislator Fisher.

LEG. FISHER:

Ellen, I'm not going to ask you to choose which resolution you prefer, because, as we've said before, it's very complex. But there are questions within the resolutions that I would like you to comment on. There are elements and distinctions between them. For example, in Resolution Number 1, there is an increase of \$121,930 in the supplies and fees. Okay. That's not represented in the -- in Resolution No. 2. The Resolution No. 2, that increase is 23,800, because I wanted to reinstate the STAR Program, which is the staff development program for distance learning that had been cut out of the recommended budget, the County Exec's budget. Longevity, \$9,500. Can you tell me how that would impact?

MS. SCHULER-MAUK:

My understanding -- my understanding from the Budget Review report is that the money in there for longevity is that that's the additional money that the College will need to deal with the longevity increases that are in the AME contract that you just approved. They have an --

LEG. FISHER:

So that doesn't impact the Faculty Association.

MS. SCHULER-MAUK:

My understanding was that was for AME.

LEG. FISHER:

AME.

MS. SCHULER-MAUK:

Yeah.

LEG. FISHER:

Okay. Other charges that made that a larger resolution were telephone and telegraph, \$81,266, that was another difference. So what I was trying to express before to Legislator Caracciolo is that when we speak of the different resolutions, there are many elements within those resolutions that we need to look at.

It was my understanding that in the undistributed salaries, there was \$91,306 that we needed to put back into the budget in order to cover the AME contract. Was that your understanding when you spoke to BRO?

MS. SCHULER-MAUK:

My understanding was that -- from BRO was that the \$91,000 that was needed to fund the AME contract was not included in the budget.

LEG. FISHER:

Right.

MS. SCHULER-MAUK:

It was not part of the undistributed salary portion.

119

LEG. FISHER:

It's part of the second resolution.

MS. SCHULER-MAUK:

I mean, it would have to be --

LEG. FISHER:

I've included --

MS. SCHULER-MAUK:

It would have to be added.

LEG. FISHER:

Yes. I've added that on in the second resolution, Resolution No. 2. Okay. I'm just -- as I said, I'm asking you these questions because there are very many differences, and it's not just a question of the bottom line. And that's what, Legislator Caracciolo, I had -- he's not here. This is what I was trying to express earlier, that looking at the bottom line number is -- we have to designate where that money will be going and not just adding a number to the budget.

MS. SCHULER-MAUK:

No. I understand that. And as I say, for a layperson, it's very difficult when we start looking at what's being added and what's being subtracted from, you know, a recommended budget. What I can say in terms of the needs of the College as we faculty and, you know, by extension students have experienced is that we had a very pared down academic schedule, many, many sections were cut. I don't know what the percentage is, but I do know that we're dealing with many fewer sections than many faculty feel is necessary to provide options for our students. And, again, more of an intuitive feeling is that while perhaps we're having more sections that are a hundred percent full, we also think by closing down options, we're losing students who only could take a course at a certain time, but it's not available, so they're not -- they're not at the College and they're not part of our student enrollment.

I do know from a faculty perspective that instructional supplies and equipment were curtailed this year and that they were both -- toward the end of the semester, departments were watching how much paper they were using, how much chalk they were using, very basic essential supplies. I do know in terms of the equipment that the equipment, you

know, budget was put on hold until they saw how, you know, the other expenses were met. We've been dealing with austerity for the last year, and what we're trying to address, or, you know, what I'm talking about is that, you know, to put the College through year after year of austerity --

LEG. FISHER:
It's unconscionable.

MS. SCHULER-MAUK:
You know, it --

LEG. FISHER:
It's not necessary.

120

MS. SCHULER-MAUK:
It puts us into a time frame where we can't think ahead, we can't talk about new programs. I mean, even in terms of dealing with new faculty and filling faculty vacancies, as you know, coming from the educational field, that when you begin to recruit faculty, you do so in usually September or October, because people who are in jobs currently usually make a commitment for an entire year, so you put out your advertisement in September, you begin kind of getting the resumes in in December, you begin doing your interviewing either in January or February, you begin making commitments in March or April. And so people know by that time that they will have a commitment for the following academic year. Because there's been so much uncertainty at the College because of the budget, the College first put out announcements to fill faculty vacancies June 5th. Now we're dealing with people either who have not found a job already, or who may be in a very peculiar situation. I don't think that we're going to be able to find -- you know, to have a good pool to make the best selection from. And that's the kind of mentality that we're dealing with when you don't have an adequate budget, it affects every piece of it. You're not going to find anything in the budget that talks about \$120,000 for putting out an advertisement for faculty vacancies. I mean, this is just the minds set that we deal with, and that's -- you know, that's my concern, and that's why I say, you know, we need money to address these issues. These are realities that we feel and that we're experiencing.

LEG. FISHER:
Thank you, Ellen.

D.P.O. POSTAL:
Legislator Carpenter, and then Legislator Guldi.

LEG. CARPENTER:

Ellen, you've been very specific about those various areas that you feel need to be addressed. The Presiding Officer has sponsored a resolution that a number of us have cosponsored. Do you feel that the line items that have been addressed in this resolution meets those concerns that you've expressed?

MS. SCHULER-MAUK:

I think that -- I think that that resolution meets those concerns. Obviously, I have a couple of other wishes that I'd like you to address as well. But, I mean, I think that it does address the issues that -- some of the issues that we've put forward that need to be -- that absolutely need to be addressed. As I said to Legislator Fisher, though, trying to -- trying to balance, you know, what's being taken out of here, what's being added here is very difficult, and, you know, with someone who's not familiar with the -- with all the technicalities of the budgeting process, you know, to weigh the differences is very difficult. I know that the Presiding Officer's resolution, you know, attempted to address the concerns that we -- that we raised, and I know that we were also told that not everyone gets everything that they wish for. I understand that.

I know that Legislator Fisher, you know, was at the Education

121

Committee and she heard the concerns that we raised there. She's trying to address it in a different way. I can't -- you know, I can't sort out the money. It looks as if there is a difference of \$400,000 between the two resolutions. But when you start dealing with the specific items, it comes out to be a little bit less, so it makes it very difficult for me -- you know, you're asking me to make --

LEG. CARPENTER:

No.

MS. SCHULER-MAUK:

-- a choice between --

LEG. CARPENTER:

That would be unfair, you know.

MS. SCHULER-MAUK:

Yeah.

LEG. CARPENTER:

And I certainly wouldn't ask you to decide between them. But it certainly seems that the two resolutions are pretty close, and I think

that it probably would be in everyone's best interest if we were to work together and come up with a consensus, come up with a compromise, and come up with something that we can all maybe not be thrilled with, but can live with.

LEG. FISHER:
Legislator Carpenter.

LEG. CARPENTER:
And not to --

Applause

LEG. CARPENTER:
Thank you.

LEG. FISHER:
Legislator Carpenter.

LEG. CARPENTER:
Could I finish?

LEG. FISHER:
Could you yield for just --

LEG. CARPENTER:
No. Let me just finish.

LEG. FISHER:
Okay, sure.

LEG. CARPENTER:
And I think it is very important that when we're deciding how we're going to achieve at that consensus and that compromise, that we not

122

take major steps backwards, because in the Budget Reviews' Report, they stated that over the last five years, the County contribution has been increased forty-nine percent. And when you look at that, it seems like, wow, that was a big increase. But as I pointed out in the committee, and I think it's something that we all need to remember, we had some really bad times where in seven out of eight years, the County contribution was absolutely flat. We did not increase it one penny over the previous year for seven out of eight years.

P.O. TONNA:
Question.

LEG. CARPENTER:

And I think that -- would you agree that it would be important that we keep that in mind, so we don't start slipping backwards, and finally come up with an amount of money to give the College to let them do the job that we all want them to do for the people that we all represent here in Suffolk County?

MS. SCHULER-MAUK:

You know, I absolutely --

Applause

MS. SCHULER-MAUK:

I absolutely agree with you. And as I said in my statement, that I think ideally we're looking for, you know, a partnership where all of the parties can provide their one-third support of the Operating Budget. And, you know, when we go and lobby in Albany and we tell the State Legislators that they're not carrying their fair share, basically, they say, "Well, neither is your county. When the County starts doing it, we'll start doing it." And it becomes this, you know, chicken and egg kind of situation that --

LEG. CARPENTER:

Well, I think if the State had increased their share to a like percentage as the County had, we'd all be in better shape.

MS. SCHULER-MAUK:

I agree with you.

D.P.O. POSTAL:

Legislator Guldi.

P.O. TONNA:

Questions.

D.P.O. POSTAL:

And I know that Legislator Fisher wanted to ask if you would yield to her.

LEG. FISHER:

Just a quick question.

LEG. GULDI:

I'll yield for a moment for a question.

LEG. FISHER:

Okay. You were at the Education Committee. And are you aware that when we drafted these, they -- I know it seems as if you've been put on the spot to choose one, but we did not draft them in a competitive nature, we had one days turn-around to present to Budget Review, and so we worked independently of one another and we will be working together collaboratively --

MS. SCHULER-MAUK:
No.

LEG. FISHER:
-- during tonight's session.

MS. SCHULER-MAUK:
Vivian, absolutely, we do understand that.

Applause

And, Vivian, just to, you know, because --

P.O. TONNA:
Do we have any questions being asked, I mean, really, questions? We have a point where we'll debate this bill. We need questions. That's why we have 60 cards left. All right. I'm exaggerating, fifty-seven. Come on. George, question, please.

LEG. GULDI:
May I ask a question?

P.O. TONNA:
Yes.

LEG. GULDI:
Thank you. Point of clarification. And, please, feel free to yield to Budget Review if my question is too technical or of a budgetary nature. Is the Community College budget, or to what extent is the Community College budget different from other County departments in which department heads have discretion to move funds from budget line to budget line for up to 10%?

MS. SCHULER-MAUK:
I can't answer that.

LEG. GULDI:
Fred, you want to clarify the difference between the County -- Community College budget department head discretion for moving lines and other departments?

MR. POLLERT:
Yeah. County departments do not have the discretion to transfer 10%. What they do is the County Executive has a capability of doing a 10% transfer within the department. The departments require permission of the County Executive to do any budget transfers within their departmental budget. The Type C Community College provides discretion

to the Community College to do transfers without Executive review and approval up to a certain dollar amount. They can do total transfers of 10%, I believe, with the County Executive's concurrence.

LEG. GULDI:

That amount -- what's the dollar amount and what's the -- 10% of -- 10% of the College budget, or 10% of a line item in the budget?

MR. POLLERT:

It's 10% of the total operating budget.

LEG. GULDI:

Which is -- which is what?

MR. POLLERT:

Roughly \$113 million.

LEG. GULDI:

Okay. So they could move up to \$10 million with the County Executive's concurrence from --

MR. POLLERT:

That's my understanding.

LEG. GULDI:

Is that -- Counsel. Does Counsel concur with that?

MR. SABATINO:

I think we better pull it out, because it's been awhile. I think it's 3% -- I think it's 3% on their own, and I thought it was 5%, but let's just double check before we commit to that.

LEG. GULDI:

All right. But -- all right. But there is a substantial amount of latitude within the budget, once it's approved, for the College by itself and to a greater extent with the County Executive's concurrence to move money from line item to line item within the budget in order to accommodate their needs.

MR. POLLERT:

That is correct. So if there is a shortfall in one line item, they do have the capability of transferring surpluses in other line items to make up the difference.

LEG. GULDI:

Okay. To the extent that we've attempted to clarify differences, are there -- what are the line items that are -- are there line items that are not in Resolution 1 that exist in Resolution 2A that create

classes or categories of permissible expenditures, or could those expenditures be made under different line items?

MR. POLLERT:

It would require the Community College to do transfers internally of the budget. So one item which specifically comes out in Resolution No. 2A, there are funds which are provided for an increase in distributed salaries, which would go to the AME contract. That's not

125

included in Resolution Number 1.

LEG. GULDI:

But they could do that.

MR. POLLERT:

But they could do that with a transfer.

LEG. GULDI:

Is there anything they couldn't do was my question.

MR. POLLERT:

Not that I'm aware of.

LEG. GULDI:

Okay. So then it becomes a question of, since there is -- or the differences between the bills are not significant within that latitude that we've just described.

MR. POLLERT:

The major difference between the two bills, if the Community --

LEG. GULDI:

Is the amount of money.

MR. POLLERT:

Yes, would be the amount of the County contribution.

LEG. GULDI:

Okay. Let's focus, then, on another issue, and that is last year we had a great deal --

P.O. TONNA:

Ask a question.

LEG. GULDI:

I intended to until I was interrupted.

LEG. HALEY:

It should be of the speaker.

LEG. GULDI:

Yes, and I'm going to ask the speaker. Thank you. The question is last year we had a lot of discussion about the advertising budget and specifically the College catalog. There was a substantial cut. And I want to ask you if you know how and who produced and distributed the College catalog out of last year's advertising budget?

MS. SCHULER-MAUK:

I don't know. I mean, that's -- you know, that's not something --

LEG. GULDI:

I'll wait for -- I'll hold that question for someone who does. I think -- I suspect -- there better be somebody in the back of the room who knows the answer to that one.

126

LEG. GULDI:

I have no other questions for the speaker. Thank you.

(Legislator Haley Applauded)

P.O. TONNA:

I have one question. Is there a philosophy professor in this audience? Not one of the faculty members is a philosophy professor?

LEG. CARPENTER:

They cut that section.

LEG. GULDI:

They cut that out of the budget.

Applause

LEG. BISHOP:

Paul. Paul.

P.O. TONNA:

I'm going to make a motion.

LEG. BISHOP:

Paul, the Philosophy Department, they're all fatalists.

P.O. TONNA:

Yeah, that's right, "This is not going to happen, I can't show up."

Anyway, it depends on the -- just quickly, I'm going to make a motion to take out of order Resolution Number 1. Trust me on this. Is there a second?

LEG. CARPENTER:
Second.

P.O. TONNA:
Second. Okay. This is just to take out of order, okay, just to take out of order. Roll call. We're going to have a Resolution Number -- I think it's Number 1, right?

LEG. ALDEN:
Could Ellen sit down?

LEG. FOLEY:
Yeah.

P.O. TONNA:
Okay. I'll take the whole College budget out of order.

LEG. ALDEN:
Could Ellen sit down?

P.O. TONNA:
Wait. Yes. Thank you.

127

LEG. FOLEY:
By fairness, we should take all the amendments out of order.

Applause

LEG. FISHER:
I'll second the motion.

P.O. TONNA:
Yes. I'd like to take out of order -- I'm sorry -- Item Number 9 on the agenda, consideration of the 2001, 2002 Suffolk County Community College budget amendments.

LEG. GULDI:
Second.

LEG. CARPENTER:
Second.

P.O. TONNA:

Okay? By the way, that was -- okay. Seconded by?

LEG. CARPENTER:

Second.

P.O. TONNA:

By Legislator -- oh, Carpenter already made that second. Okay. Roll call. Just to take it out of order.

(Roll Called by Mr. Barton)

LEG. TONNA:

Yes.

LEG. CARPENTER:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yep.

LEG. ALDEN:

Yes.

128

LEG. FIELDS:

No. I think that the public --

P.O. TONNA:

No, no, just a vote.

LEG. FIELDS:

-- should have an opportunity.

P.O. TONNA:
You can't. You can't. I'm sorry.

LEG. FIELDS:
No.

P.O. TONNA:
I'm sorry.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
No.

MR. BARTON:
16-2.

P.O. TONNA:
Okay, great. I am now going to call a 15-minute recess, okay, and we should be back in 15 minutes. Thank you.

[THE MEETING WAS RECESSED AT 9:08 P.M. AND RESUMED AT 10:10 P.M.]

P.O. TONNA:
Okay.

LEG. CRECCA:
Call the roll.

P.O. TONNA:
All right. We have right now --

LEG. CRECCA:
Call the roll.

P.O. TONNA:
No, we're not calling a roll, because we don't have a --

LEG. CRECCA:
There's a motion on the floor.

P.O. TONNA:
I don't think there is. There was -- there was a recess after --

LEG. CRECCA:
Motion to take it -- oh.

P.O. TONNA:
No. There's a motion by myself and a second by --

LEG. CARACAPPA:
Legislator Carpenter.

LEG. CARPENTER:
Legislator Carpenter.

P.O. TONNA:
Legislator Carpenter, okay, for motion number one. Okay?

LEG. CARACAPPA:
Roll call.

LEG. HALEY:
Can you close the doors, please.

LEG. CARPENTER:
On the motion.

P.O. TONNA:
Yes. Can you please shut the doors. You can stay in.

LEG. CRECCA:
Is this to take it out of order?

P.O. TONNA:
Sal, we don't want to, you know -- yeah.

LEG. CRECCA:
This is on the motion, right, to approve?

130

P.O. TONNA:

Yeah, this is on the motion to approve.

LEG. ALDEN:

No. It's out of order already.

LEG. CRECCA:

Right.

LEG. ALDEN:

This is to approve.

LEG. CRECCA:

This is a motion to approve.

P.O. TONNA:

From the motion to approve, and I'd let Legislator Carpenter speak about the bill, we feel that there's a need for an increase, we feel that there is a need to put some money within the budget for the possibility of a labor agreement with the Community College Faculty Association. We feel that we wanted to make sure that there was money to run the College and to move ahead, and that's the bill that we have in front of us right now. Okay. So there's a motion and a second. Roll call.

LEG. GULDI:

On the motion.

P.O. TONNA:

Oh, sure.

LEG. FISHER:

On the motion.

P.O. TONNA:

George, and Vivian. George first, Vivian, and then anybody else.

LEG. GULDI:

Okay. The question -- the line of questions that I was starting with the last speaker was -- were more appropriate to be addressed to the administration, and I need to get the answers to those questions.

P.O. TONNA:

Sure. They're here to answer any questions that you have, George.

LEG. GULDI:

Fine. So can I ask someone from the College to talk, come forward?
And the first area that I need to discuss is the advertising
and promotion --

P.O. TONNA:

Okay.

LEG. GULDI:

-- budget area.

131

P.O. TONNA:

Do you have somebody? Sal, I'll let you be the person who figures who
you want to speak.

LEG. FISHER:

Eric is here.

P.O. TONNA:

Eric, come on up. All right. And, George, maybe you can address the
questions to Eric Ricioppo. George, Eric Ricioppo, who is going to
speak on behalf of the advertising.

LEG. GULDI:

Okay. Taking it from the top, the -- what was the original requested
budget amount for advertising for this year?

MR. RICIOPPO:

I think it was a million-twenty-three.

LEG. GULDI:

I thought it was 960.

MR. RICIOPPO:

No. It was a million-twenty-three. It was cut down to --

LEG. GULDI:

Make sure that mike's on, please.

MR. RICIOPPO:

Our original request was a million-twenty-three, and County Exec then
reduced that by 100,000.

LEG. GULDI:

Okay, to 923.

MR. RICIOPPO:
Twenty-three, right.

LEG. GULDI:
Okay. I was looking for -- can you give me a breakdown of the basic components of the -- and the million-seven cuts that further, right, or does the million-seven leave that intact in Amendment 1.

LEG. CARACAPPA:
Amendment 1 leaves it intact.

LEG. GULDI:
Leaves it intact, okay. Give me a breakdown of the basic elements of cost of that -- of that 930, 923.

MR. RICIOPPO:
If you give me a second, I'll look through my files and give the exact numbers. You want each category?

LEG. GULDI:
If you could give it to us in category by type, that would be useful,

132

because there's re a couple of specific questions that will follow from that.

MR. RICIOPPO:
Sure. You want to go line by line, George?

LEG. GULDI:
No. No, I didn't. I didn't ask for line by line, I asked for broad categories.

MR. RICIOPPO:
Recruitment materials?

LEG. GULDI:
Amount.

MR. RICIOPPO:
Fifty-two-two. Direct mail, 11,000. College catalog and course schedules, 405,600. Suffolk Life and Newsday, 80,000. Hauppauge Reporter, sixteen-twenty. Noticia, 3,000.

LEG. GULDI:
Right. Well, do you have those grouped, the advertising?

MR. RICIOPPO:
No. These are --

LEG. GULDI:
You don't have them collectively as newspaper --

MR. RICIOPPO:
Subsections of printout? No. These are within print advertising.

LEG. GULDI:
Well, 405 is, obviously, your biggest item.

MR. RICIOPPO:
Correct. That's for the College catalog, which we print every two years, as well as the course schedules that we mail now to every household.

LEG. GULDI:
Okay. What's the breakdown between catalog and course schedules?

MR. RICIOPPO:
Catalogue will probably run us about \$75,000, 75 to 80,000.

LEG. GULDI:
And the mail expense for that? You mail that .

MR. RICIOPPO:
We mail that now, we did. We just started mailing that directly to the homes. We haven't gotten the exact figures back. We used existing figures that we had, so it's approximately 330,000.

133

LEG. GULDI:
330,000 to mail the \$75,000 catalog.

MR. RICIOPPO:
No, that doesn't get mailed, that gets distributed when a student calls and requests a catalog.

LEG. GULDI:
Okay. That doesn't --

MR. RICIOPPO:
Sometimes it gets mailed.

LEG. GULDI:

Yes, but it doesn't get -- it is not the subject of a bulk mailing, a bulk distribution?

MR. RICIOPPO:
No, it's not.

LEG. GULDI:
Okay.

MR. RICIOPPO:
That's the -- it's separate.

LEG. GULDI:
Where and how is that catalog produced? Are we printing it ourselves?

MR. RICIOPPO:
No. That's a -- the cover is a four color cover, and then the external, because of the quantities and all and the type of paper that's used and the type of press that's required, that's a bid job. Everything we do is bid.

LEG. GULDI:
Okay. Where is that bid -- who did that catalog the last time that it was produced?

MR. RICIOPPO:
The last time I believe it was a company in Pennsylvania called {Bartash}.

LEG. GULDI:
What was the name of the company?

MR. RICIOPPO:
I believe it was {Bartash}, I'm not sure. {Bartash} wins a lot of our bids.

LEG. GULDI:
So it's not even produced in Suffolk County.

MR. RICIOPPO:
No. We have great --

LEG. GULDI:
It's produced out of the County.

MR. RICIOPPO:

We have great difficulties in having our printing jobs awarded to Suffolk County firms.

LEG. GULDI:
Why?

MR. RICIOPPO:
Great difficulties.

LEG. GULDI:
Why?

MR. RICIOPPO:
A firm will bid for -- we put it in on specifications, especially in our printed materials that are high quality, that we want the jobs bid so that a representative from the College could travel to see the job and back while it's on press within a days time. But the jobs that are awarded are awarded to the lowest bidder, and most of the time -- the majority of times they're not even Suffolk County businesses, nor are they Long Island businesses.

LEG. GULDI:
The College course schedule --

MR. RICIOPPO:
Right.

LEG. GULDI:
-- the \$330,000 item

MR. RICIOPPO:
Right.

LEG. GULDI:
That -- how and where is that produced?

MR. RICIOPPO:
Well, the materials --

LEG. GULDI:
And distributed.

MR. RICIOPPO:
The information's assembled in-house, but, again, it's printed by whoever wins the low bid. That was printed this year by {Bartash}.

LEG. GULDI:
That was printed out of the state --

MR. RICIOPPO:
Out of the state, correct.

LEG. GULDI:
-- and county as well.

MR. RICIOPPO:
Correct.

LEG. GULDI:
And how was that distributed?

MR. RICIOPPO:
That goes in from the printing house and binding to a mailing house.
It's sorted by zip code routes and it's sent to the post offices.

LEG. GULDI:
So it's direct mail.

MR. RICIOPPO:
Direct mail, correct.

LEG. GULDI:
Direct bulk mail. Have -- what have we done to track the cost effectiveness and marketing effectiveness of that \$330,000 expenditure?

MR. RICIOPPO:
There is not a direct way that I'm aware of that would correlate between the exact amount of money that's spent on the course schedules and the subsequent enrollment. I can tell you -- I mean, we don't have, first of all, a research department in the marketing area. The marketing area department consists of one person, so we don't have a research arm. What we do try to monitor are calls back to the College, applications, inquiries to the College, what --

LEG. GULDI:
Well, isn't it true that, over the last three years, our advertising budget has gone up very substantially and that our FTE's has come down?

MR. RICIOPPO:
No.

LEG. GULDI:
Okay. Tell me what that pattern -- what are the numbers that you are aware of?

MR. RICIOPPO:
Well, the advertising budget last year, the total dollars spent -- and let me make a distinction here, because there's also some confusion about advertising versus marketing. When we say total advertising dollars, we're talking about monies that's spent to place ads in the

media, and that amount is much smaller than the total budgeted amount, different than Nassau Community College, which takes its budget and segments. So its advertising is strictly advertising, but its printing is put elsewhere, its direct mail is put elsewhere. So if you were to take the same elements that we have in our marketing budget and the same elements that would comprise Nassau's, Nassau's budget would

136

exceed Suffolk's. So the exact advertising dollars that we probably spent, probably about 300,000.

LEG. GULDI:
For bid -- for ad placements and --

MR. RICIOPPO:
In this, in this request, 300,000.

LEG. GULDI:
Okay. How has it -- what has it been the last two years that figure?

MR. RICIOPPO:
Well last -- this current budget year, which we're working in, the total budget for the department was only \$605,000.

LEG. GULDI:
How much of it was advertising?

MR. RICIOPPO:
Probably 160,000.

LEG. GULDI:
A hundred and sixty. And then the year before that?

MR. RICIOPPO:
The year before that, the only -- the amount of money spent in the budget was approximately \$400,000.

LEG. GULDI:
And how much of it was advertising?

MR. RICIOPPO:
I don't have that figure right off my hand. Approximately the same ratio.

LEG. GULDI:
Same ratio, so about 100,000.

MR. RICIOPPO:

No.

LEG. GULDI:
Maybe 80?

MR. RICIOPPO:
Well, yeah. Probably 100,000.

LEG. GULDI:
Okay. So --

MR. RICIOPPO:
Maybe a little bit more.

LEG. GULDI:
So my question, then, is the advertising budget for the last three

137

years has gone from 100 to 160 to 300,000. And what have FTE's done in the last three years?

MR. RICIOPPO:
Well, the years that we've used the mailing, the direct mail piece of the course listings --

LEG. GULDI:
Which are those last three years or other years?

MR. RICIOPPO:
Yeah, they're last -- we did not do it this past Fall. Prior to that, our enrollment has been up a half a percent, one percent.

LEG. GULDI:
And what happened last Fall when you didn't do it?

MR. RICIOPPO:
It went down one percent. We did no mailing out to the community at all. See, what happens with the direct mail piece, and you can't really correlate it, because what happens, it will sit in front of somebody's eyes, they won't think about the Community College until it's right in front of their face. So they'll look at the course listings and they'll say, "Oh, I didn't know you offered that course," or, "I didn't know I could take this course," and that's when we usually get phone calls or inquiries from that.

LEG. GULDI:
Well, see, the concern I have is, and it's one we've talked about collectively in our -- in our meetings, and that is the balance

between the -- putting money into advertising, promotion and marketing of the product we have as an educational product versus putting the money into improving the product, specifically into more full-time faculty, into more sections of more courses, so that we are not -- and I think the number somebody mentioned was thirty-three English courses on our three campuses versus nearly twice that at Nassau, 14 Spanish courses on three campuses versus more than twice that in our competing colleges.

LEG. HALEY:
It's demand.

LEG. GULDI:
Is that -- no, that's -- no, I don't think that's just demand, I think that when the students can't get the course, they don't come to the College, and when they can get the course and the time slot that they want to go, we'll get the student. How do we track the impact --

MR. RICIOPPO:
Well, I can tell you --

LEG. GULDI:
-- of those types of changes?

MR. RICIOPPO:
I can -- all I can tell you is on the marketing side, the role of

138

marketing is to get students to the front door. As far as correlating into direct enrollment, I mean, that's a different area. The role of the marketing is to make students aware of the Community College, the programs and services offered and to get them to the door. If you check the responses, the inquiries to the College over the last several years, this year, for example, for right now, in the current enrollment period, inquiries to the College are up 20%. Applications --

LEG. GULDI:
What are the raw numbers?

MR. RICIOPPO:
Excuse me?

LEG. GULDI:
What are the raw numbers?

MR. RICIOPPO:
I don't have them right in front of me, but I can get them to you.

LEG. GULDI:

I mean, 20%. It had gone from -- we've gone from five to seven?

MR. RICIOPPO:

No, I don't have -- I don't have the raw -- I can --

LEG. GULDI:

Or have we gone from 500 to --

MR. RICIOPPO:

No. This is the report that I received from -- in the Student Affairs Division, you know, Enrollment Management Services. I can get you the exact numbers that they track it. They told me, because I asked hem for an update, they said inquiries to the College up 20%; applications, first time students, up 8%. That tells me that the things that we're doing in the marketing end are effective. Do I have more scientific ways to measure that? No. You want to give me some more staff, I'd be more than happy to put in a market research --

LEG. GULDI:

Well, that, of course, would require an increase to your marketing budget.

MR. RICIOPPO:

Sure.

LEG. GULDI:

All right. I think I'm through with my questions. I'll yield.

D.P.O. POSTAL:

Okay. Legislator Fisher is next, and then Legislator Fields.

LEG. FISHER:

Can you let the other person go next?

D.P.O. POSTAL:

Okay. Legislator Fields.

LEG. FIELDS:

Eric, what is this?

MR. RICIOPPO:

That is our current mailing that we send out on course offerings for the Fall semester.

LEG. FIELDS:
And this went to who?

MR. RICIOPPO:
Every household and business in Suffolk County.

LEG. FIELDS:
Every household and every business.

MR. RICIOPPO:
Correct.

LEG. FIELDS:
And you're aware of the fact that we have a problem with trying to fill jobs with medical personnel; correct, you know, like medical assistants --

MR. RICIOPPO:
Very difficult, yeah, correct.

LEG. FIELDS:
-- nurses and so forth. Do you produce something that appeals to people to try to get into that program?

MR. RICIOPPO:
In direct mail pieces, sometimes we do, depending on the demands of a program. We've done that in the past.

LEG. FIELDS:
Have you?

MR. RICIOPPO:
Sure, for like ophthalmic dispensing, or some of the areas that were in the medical area, sure. Depending on demand, we --

LEG. FIELDS:
I was given this, which apparently has been -- has been printed in-house.

MR. RICIOPPO:
That's and in-house piece, correct.

LEG. FIELDS:
And I understand that the course was canceled because you couldn't get enough people to enroll in the course.

MR. RICIOPPO:

That's not in my area, Ginny, I'm not really sure.

LEG. FIELDS:

Well, I'm concerned.

MR. RICIOPPO:

But that's what happens, though, a lot of times.

LEG. FIELDS:

I'm concerned. I'm concerned, because I had a son who attended the school, and I've spoken to other kids that are my son's age. When they wanted to get the courses they were unable to. I've spoken to adults that are trying to come back to the school and take a second occupation other than one that they've gone into. I'm concerned as the Chair of the Health Committee that we have a big problem with trying to take care of people and we're going to get to the point some day where there aren't going to be people working in office -- medical offices, they're not going to be able to be doing coding, they're not going to be able to be RN's, and we're going to have a lot of people dying just on that end.

Secondly, I think the question that Legislator Guldi brought up is kind of a -- I mentioned before that when your -- when the economy goes flat and possibly down, your increase is going to go up. So whether you market or you don't market, just on the basis of that, any of your advertising and marketing wouldn't really have an effect, because we are going through that now. We are going through a tremendous decrease in jobs in the computer industry, in Long Island we're being affected by it, and I would think as a parent, if I were losing my job, and I've heard this from people, where they thought their kids were going to go to another university out of state and spend a lot of money and now their jobs are going to be lost, so, "Well, where do I go? I'm going to go to a community college."

So I think that there have to be ways of marketing and there have to be ways that you can evaluate it. I don't think you're any different than any other college, and I'm sure that they do it. You know, I don't know whether you -- I don't know what your tactics are, but I feel that, you know, the -- I think the advertising is the part that's troublesome to everyone here, the advertising mixed with the marketing that we're not creating a product that people are going to want to go to, and I think that's what the trepidation is on this vote and how we would like -- we want to see the College survive, we want to see it go beyond what we've seen already, but I think that the marketing and the advertising really need to have a second look, and someone needs to be accountable for it. By saying "Well, I don't have any -- I don't have any way of doing it," I'm not quite sure. So unless you can tell us --

MR. RICIOPPO:

I don't think anybody in this profession, and I've been in this profession for 20 years, I don't know anybody that could stand up here and tell you for every thousand dollars you spend, that will generate two students or two inquiries, and if they did, they'd be lying to you. All I'm saying is that the commitment was made to market this

College a few years ago. Prior to that, no money was spent in marketing, very, very small amounts, and the biggest criticism was Suffolk's best kept secret --

LEG. CARACAPPA:
Right.

MR. RICIOPPO:
-- on Long Island, nobody knows about Suffolk, everybody goes to Nassau, nobody goes to Suffolk. So we implemented marketing and advertising programs over the last couple of years that have not only increased enrollment during good economic times, it decreased the number of students dramatically leaving this County to go to Nassau and other community colleges, it increased the number of students coming into Suffolk from Nassau and other counties. So to say --

LEG. FIELDS:
But haven't you had to -- haven't you had to discontinue classes because you're not able to have the professors to teach the courses and have enough kids or enough people to enroll in the course?

MR. RICIOPPO:
The only time a course --

LEG. FIELDS:
Haven't you had enrollment and you've had to cancel with twelve students?

MR. RICIOPPO:
Not that I'm aware of.

LEG. FOLEY:
As the president that question.

MR. RICIOPPO:
Not with twelve students.

LEG. FIELDS:
I am. I've heard it all over. I think if you were to poll some of the people who work here, I think they'd tell you the same thing.

LEG. FOLEY:
Ask the president that.

LEG. FIELDS:
Maybe we'll ask Mr. LaLima.

MR. RICIOPPO:

Well, again, too, I think the important point to be made here is, too, is marketing and advertising is not something you can start and stop, and start and stop, it requires a steady commitment for us, because we do two types of advertising. Sometimes we do what we call product advertising, similar to what you're talking about, for a specific product or service, but there's also image advertising as well. We spent a great deal of effort, time and money to build that image for Suffolk County Community College. And I'll tell you something, I'll

142

stand here right now and tell you we're damn proud of the job we've done in the last couple of years, because we have put an image going forward that's been recognized, that's been recognized not only for the quality of the things that we've done by all the awards we've won, but also about the students that are coming and the general comments we get from people in the community.

LEG. FIELDS:

So what's the increase in enrollment?

MR. RICIOPPO:

If you want me to get me the enrollment numbers for you, I'd be more than happy to do that.

LEG. FIELDS:

I think that would probably be something a lot of people would be interested in. Can you get it for us in the next couple of minutes?

MR. RICIOPPO:

Minutes? No, I can't.

LEG. FIELDS:

How could you come here tonight on the budget and not give us the enrollment?

MR. RICIOPPO:

Ginny, I deal with marketing and advertising. Enrollment is a separate area.

LEG. LINDSAY:

So, is there anybody else here that has --

P.O. TONNA:

Somebody's here. Somebody with --

LEG. FIELDS:

All right, fine.

MR. RICIOPPO:
Somebody else can, right, speak on the enrollment.

LEG. HALEY:
Thank you.

MR. RICIOPPO:
We have another Vice President who would be glad to talk to you.

LEG. HALEY:
Thank you.

D.P.O. POSTAL:
Legislator Haley.

LEG. HALEY:
Thank you. It's amazing how we could talk about advertising and marketing and there's been an attempt, obviously, in one of the

143

caucuses, and people don't want to say that word, but it took place, to reduce advertising, then, out of that same caucus, was saying that there's a problem with advertising. So it seems contrary, because if you think there's a problem, the last thing you want to do is reduce the amount of monies that you might put in that particular area. And, you know, perhaps, you know, maybe Legislator Fields has a point, because you and I have had this discussion about the College.

Let's be frank with each other, for many years, and I went -- when I went in -- to Suffolk in the early '70's it was -- there's been a stigma about community colleges, there's been a stigma about Suffolk. When I -- excuse me, everybody. I had a comedy club fund-raiser once and they had a comedian stand up there and make jokes about Suffolk Community College. That's the type of image that we've been trying to overcome. There's been no doubt in my mind that Suffolk Community College is our best asset, and I think marketing and advertising is very important to that end. I've even offered to you, and you haven't taken me up on it, is to do the dog and pony show. I've asked you about it before. I said that I would be more than happy to go to school, to school, to school, that's the secondary schools, to tell people about the asset that we have.

LEG. CARACAPPA:
We don't want to lose them, Marty.

LEG. HALEY:

But I think in order to do that, you have to have all the combinations. Excuse me?

LEG. CARACAPPA:
We don't want to lose them.

LEG. TOWLE:
We don't want to lose enrollment.

LEG. HALEY:
But we don't want to lose them. Okay.

LEG. FISHER:
That's your caucus, Marty.

LEG. HALEY:
I deserve that one.

LEG. FISHER:
That's your caucus.

LEG. TOWLE:
We don't have enough money to cover that loss.

LEG. HALEY:
That's all right. That's my caucus picking on me. So I think that advertising and marketing is extremely important. But I think if you were to take a look at the full-time equivalents, and we've been through this a couple of years ago when we talked about it. In good economic times, in absence of marketing or advertising, all things

being equal, in good economic times, our full-time equivalents decline. It's a fact. Kids, families now could afford other schools, they go away in good economic times. In poor economic times, it actually would tend to increase. So it seems to me we had to find a method by which in good economic times to keep those kids here, to keep them from going to Nassau Community College, to understand that we have a pretty good deal going for them.

I think one of the things that's very important about keeping up full-time equivalents, when we talk about putting undistributed salaries -- excuse me, George. When we talk about undistributed salaries and the like, in absence of advertising and marketing and impressing kids that Suffolk Community College is a good deal, you're not going to have the FTE's there to fill the classes. In absence of filling classes, nobody has a choice but to not run those classes, and that, obviously, has an effect -- has effect on employees and people

GM080701.txt

that work for the College. So it seems to me that we can correlate advertising and marketing and what that's done for the College, especially since in good economic times we've seen an increase in full-time equivalents.

I think that I would propose to you that I feel very comfortable with the advertising budget, and I would propose to you that it wouldn't hurt for us to always take a good look and see what we can do to improve. And I agree with Legislator Fields to that extent I think in some areas. We think, from an economic perspective, we need certain people to enter certain career fields, and we need to somewhat identify that, communicate perhaps with people on the Executive side, find out an area we could key on and work on that. Because if that's identified as a county-wide problem, that's a point at which sometimes this Legislature can participate in the program that may not be a part of your budget, but may be something we can work out on the outside. And, again, I make that offer, and I'm sure other people would, and within their own districts, so I don't scare too many people away, is to do that dog and pony show with you. Thank you.

D.P.O. POSTAL:
Legislator Fisher?

LEG. FISHER:
Hello, Eric.

MR. RICIOPPO:
Hi.

LEG. HALEY:
Sorry about that.

LEG. FISHER:
He turned it off when he handed it to me. Okay. Hi, Eric. Eric, I do want to compliment you on the looks of the catalog. When you came to my office, I said this to you, I think it's a vast improvement to having the course catalog in Suffolk Life, which I won't say anything else, but it's a vast improvement.

During this budget process, however, I have spoken with you regarding

cutting the advertising budget. And the cut in the advertising budget that I referred to came about because the budget that was presented to us by the College was so deficient that we could not in good conscience move forward and not add -- not pierce the cap and add a good amount of money to that budget. And my feeling was that there were other issues, instructional and academic issues that were far

GM080701.txt

more important to me than the advertising budget. The climate of the -- and I was also concerned about getting 14 votes on a resolution that would be able to support the kind of increase that the College needed in its budget. That being said, this evening there's a very different climate from what I had expected. I believe that the Legislature is very supportive of an increase in the budget, and so it looks to me that your advertising budget will be remaining intact. So that's the good news.

What we want to see, though, and I spoke about this with you privately, is in very different terms than the language that Legislator Haley just said with being your dog and pony show. You had indicated to me, when you came to my office to present your marketing plan, that you are using different -- a variety of methods of getting the message out. And I think it's very important that this Legislature be informed as to all of the varieties of methods that you use for getting that message out. I think student ambassadors going to high schools are very effective. I believe that cost effective outreach programs could be employed in marketing. Everything doesn't have to be commercial marketing.

MR. RICIOPPO:

Right, and we do that. And, again, that's under an area which really deals with enrollment services, right.

LEG. FISHER:

I know you do that, you told me, I just want us to know in a systematic way in the Education Committee. But I don't have any questions for you, I wanted to speak to Mike Sacca.

MR. RICIOPPO:

Okay.

LEG. FISHER:

I just wanted to compliment you on that.

MR. RICIOPPO:

Thank you.

LEG. FISHER:

But to tell you that we do need to watch your budget. That's our job. And we do need to watch the numbers. And if Ellen comes before us and tells us that there were 72 English classes in Nassau County and 33 in Suffolk County, that's disturbing to me, because a student who wants to take an English class is going to Nassau County.

MR. RICIOPPO:

But Nassau Community College's --

LEG. FISHER:
Nassau Community College.

MR. RICIOPPO:
-- budget is also \$30 million higher than Suffolk County Community College's budget. So, with a larger budget, you can also increase the offerings.

LEG. FISHER:
We'll do what we can.

MR. RICIOPPO:
Thank you.

LEG. FISHER:
Okay. But I'd like to speak to Mr. Sacca. Is he here?

LEG. CARACAPPA:
He just stepped outside.

LEG. FISHER:
Is Mr. Sacca here, or President LaLima? Okay.

D.P.O. POSTAL:
And, Eric, I wouldn't leave. I think other people may have questions for you.

LEG. FISHER:
Don't go too far.

LEG. CRECCA:
You're not getting off that easy, Eric.

MR. SACCA:
Hello, Vivian.

LEG. FISHER:
Hello, Mike.

MR. SACCA:
How are you?

LEG. FISHER:
Okay.

MR. SACCA:
Good.

LEG. FISHER:
How are you doing?

MR. SACCA:

Fine, thank you.

LEG. FISHER:

Mike, just now I was speaking with you in the hallway regarding the

147

request that was submitted in April, and you said that you did not submit a 4% increase request. Can you explain what you meant by that?

MR. SACCA:

Let me clarify that.

LEG. FISHER:

Because my understanding --

MR. SACCA:

Sure.

LEG. FISHER:

-- is that it was a 4% request.

MR. SACCA:

What we submitted was a 4% budget with a letter attached --

LEG. FISHER:

Can you speak more loudly? It's hard to hear you.

MR. SACCA:

Is that better? Okay?

LEG. FISHER:

Thank you.

MR. SACCA:

What we submitted was a 4% budget with a letter that indicated, and this was April the 6th, that there was no funds associated with that budget that took in any consideration on any contracts, specifically AME or the faculty. In addition to that, there was no money considered in that budget associated with any other increases other than what we were cognizant of as of April 6th, such as increases in insurance or any other increases, and that we were looking for any adjustments above that 4% in order to cover that shortfall. That letter was submitted with the budget.

LEG. FISHER:

I'm not a budget person, but it just perplexes me that there wouldn't have been a contingency within that budget process for the negotiations that would be upcoming --

MR. SACCA:
Not knowing what?

LEG. FISHER:
-- some kind of cushion provided.

MR. SACCA:
Yeah. I have to agree with you. I mean, I would be more than happy to put something in there, but to assume what any type of negotiation settlement was, or to put it in there --

LEG. FISHER:
But you work within parameters. There are some guidelines.

148

MR. SACCA:
Yeah. But I think what you're sending message out, you know, what you're going to settle for, you know, and my feeling was that if, in fact, there was, we would look to the Legislators in order to support the College in accepting those.

LEG. FISHER:
On the other hand, Mike, we're putting money into the budget and into the reserve fund, so that when you negotiate with the Faculty Association and with the Guild, you can negotiate in good faith --

MR. SACCA:
That's what --

LEG. FISHER:
-- so that the monies would be available for you to be able to negotiate. We're not dictating the terms of the contract, we're not saying how much of -- we're not dictating the size of the contract, but we're providing for the possibility that there will be a contract. If there's nothing in it, then how can you negotiate?

MR. SACCA:
Well, let me say this to you. If, you know, in hindsight we knew what the pleasure of the Legislators were, we certainly would have put it in the budget. But by putting in the letter indicating that we did not take in consideration any settlements, we assume that that send a very clear message to the Legislators, that if, in fact, there was a settlement, that there was no funds there in order to, you know, substantiate what that settlement was.

LEG. FISHER:

Well, I guess we like things more direct. We would prefer to know what the wishes are of the Trustees and the College and what the needs are in real terms, so that we can work together.

MR. SACCA:

I appreciate that, and believe me, I would like to do that also. I mean, we're not here to work differently than with the Legislators. They -- the Legislators have been extremely supportive of the College.

LEG. FISHER:

Were you aware -- were you aware, Mike, that if you raised the budget by only 4%, that it was -- that you were precluded from raising student tuition by \$100 by state law?

MR. SACCA:

Well, state law, my understanding is there's a cap on state law for student tuition and that's \$2,500. We are \$75 from that.

LEG. FISHER:

But besides that, you can't raise the rate of tuition higher than the rate of the increase of the budget.

MR. SACCA:

That is a policy by the State Trustees, which we would have to submit

149

in this budget or even the pleasure of these Legislators to the State Trustees in order for the final recommendation.

LEG. FISHER:

But it would be problematic.

MR. SACCA:

That's correct.

LEG. FISHER:

Okay. I'm going to yield to whoever else has questions and I'll put myself back on the list.

D.P.O. POSTAL:

Okay.

LEG. FISHER:

Thank you.

D.P.O. POSTAL:

Legislator D'Andre, I don't know whether your questions were for Mr. Sacca or for Mr. Riccioppo.

LEG. D'ANDRE:
No. Is it Eric the advertising boy or man?

D.P.O. POSTAL:
He's still here.

LEG. D'ANDRE:
Eric, front and center.

D.P.O. POSTAL:
Eric.

LEG. CARACAPPA:
You'll never ever live that one down.

LEG. GULDI:
Eric, you're a nice boy.

MR. RICIOPPO:
I consider that a compliment. You can call me any --

LEG. D'ANDRE:
You better believe it's a compliment, because you're the best
businessman around.

MR. RICIOPPO:
Thank you.

LEG. D'ANDRE:
And you know certain basic laws having to do with advertising. As
advertising budgets goes down, business goes down. I've witnessed
this all my life, my family's witnessed it all its life. And I told
this young man here --

150

LEG. COOPER:
That would be me.

LEG. D'ANDRE:
His family's in business and they know the value of advertising.
There's a young lady down the other end.

LEG. CARACAPPA:
That would be her.

LEG. D'ANDRE:

What is her name? Elizabeth. She found my news letter 20 years ago on birdseed that we promoted and she brought it to me. Her mother or grandmother? Was it your Grandmother?

LEG. FOLEY:
Grandmother.

MS. NOSTRAND:
Grandmother, 30 years ago.

LEG. FOLEY:
Grandmother.

LEG. GULDI:
Great-Grandmother.

LEG. D'ANDRE:
Thirty years ago. She saved that newsletter. And people received it, they came right in the store and bought birdseed. Now, I say this to you. Since you have a business background, advertising background, as budgets go down in advertising, so does enrollment in your case, in other case, business goes down; is that not a fact?

MR. RICIOPPO:
Yes.

LEG. D'ANDRE:
So you're here to put a certain amount of money into advertising to sustain your level of enrollment?

MR. RICIOPPO:
Yes.

LEG. D'ANDRE:
Just as if you were selling shoes or selling cars, or what have you. There's a direct correlation between money spent on advertising and monies -- and increasing business, no matter what kind of business it is. It's a basic law. And you stop that advertising and your business goes down, that's certain as day is night and night is day. So keep up the good work, because since you came there, a ray of sunshine has come to that College.

MR. RICIOPPO:
Thank you.

Don't change.

MR. RICIOPPO:
Thanks.

LEG. D'ANDRE:
Thank you.

D.P.O. POSTAL:
Legislator Cooper.

LEG. D'ANDRE:
And that was my question.

LEG. CARACAPPA:
Do you agree, Eric?

MR. RICIOPPO:
I agree.

LEG. COOPER:
Eric, I also had a question for you. And I have to disagree with the youngster sitting to my right to a certain extent, because we're not selling birdseed here. Birdseed is more --

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

LEG. COOPER:
Is more or less a commodity item. And it's true, if you're selling a commodity item, then I think there's a direct correlation between advertising and the results.

LEG. D'ANDRE:
Education is a business.

LEG. COOPER:
But we're not selling birdseed here and --

LEG. D'ANDRE:
Education is a business.

LEG. COOPER:
I believe I have the floor --

LEG. D'ANDRE:
You have it.

LEG. COOPER:
-- young man. I disagree. I'm not convinced that the increased budget for advertising is warranted. And I strongly feel that if you do not have a quality product to sell, no amount of image advertising is going to sell that product. And I think it's critically important that we address the root problems at the College and those are things

like increasing the ratio of full-time to part-time faculty, increasing the number of course offerings. If we can't make that offering more palatable and more attractive to potential students, they're not going to -- it doesn't matter how glossy the catalog is, whether it's full color or whether black and white, where you're advertising, I'm not convinced that that's going to be enough on its own to bring those students to the College.

And so I really think that we do have some misplaced priorities here. I'm not saying that we should slash advertising altogether. And I don't know exactly what the appropriate level is, but I personally do not feel that we should increase advertising expenditures to the point that we are, unless we address the more pressing problems, and I think foremost is increasing the full-time to part-time faculty ratio, doing what we can to increase the number of course offerings, the schedule of the offerings, so they're available at more times. Once those problems are resolved and once we've got a more or less level playing field with the competition, then, great, spend more money on advertising, but I think we're putting the cart before the horse. And so, again, I think that there are some misplaced priorities.

MR. RICIOPPO:

See, and now we disagree.

LEG. COOPER:

And, also -- excuse me. And, Eric, one other question.

MR. RICIOPPO:

Sure.

LEG. COOPER:

Last year we had a commitment, I think it was from Mike Hollander, I'm not sure, that you would implement a lead tracking program for your advertising, because we had some concerns a year ago about increasing advertising expenditures. And we voted to do that in return for a firm commitment to implement a lead tracking program. And we were told it would be no problem whatsoever. They did that at the Long Island Tourism Bureau, so they could do it at the Community College. Has that been done?

MR. RICIOPPO:

I'm not aware of a specific lead tracking for specific ads. Again, our budget was reduced. We reduced a lot of the advertising that was allocated, where you would do specific product advertising.

LEG. COOPER:

Because, again, at my own company, I mean, we spend hundreds of thousands dollars in advertising, but we analyze very carefully the

response that's generated by ad. And if you don't have a lead tracking program, there's really no way of your knowing for sure which ads are producing, which ones --

MR. RICIOPPO:

But that's only if you're dealing, and we do that, with certain programs, if we're doing a program specific or a product specific ad. But I just want to just go back to your previous point when you said

153

that we really, as far as selling something, we're not selling -- we're not selling livestock or any -- or plants or anything else, but what we are selling, and you're looking at it right here, is image. These are dedicated professionals and people need to know that. And so what we do with the image advertising is we paint a picture in prospective student's minds that they're going to come to Suffolk because it's the best place to go. That's what we're trying to do.

LEG. COOPER:

But it's not enough to get that across in glossy ads. If you don't spend the money on the faculty, if you don't spend the money to hire more full-time teachers, if you don't spend the money to improve your course offerings, I disagree with you a hundred percent. It's not --

MR. RICIOPPO:

But they're not separate. These are not separate discussions. You're talking about something in tandem. It's not that you should spend more here and not more here, you need to invest more everywhere.

LEG. COOPER:

Yes, we do need to invest more everywhere. But if we have to make a hard choice, if we have tough budget times, as we're facing right now, and we have limited funding available, I'd rather spend it on the faculty and the course offerings than on the advertising.

MR. RICIOPPO:

But then you --

LEG. COOPER:

If you can't do that --

MR. RICIOPPO:

Then if you make that decision, though --

LEG. COOPER:

Excuse me, but I just want to -- if I'm a student in Suffolk County and I'm trying to decide where to go to school and I've got a couple of choices, and at one school they have all the courses I'm looking

for, they have better full-time student -- faculty ratios, and they've got a two-color brochure, and another school has a fancy-shmancy four-color brochure, but they're weaker in the other areas, I know where I'm going to go, I'd go with the college that had -- spent less money on the advertising, but had a better quality offering.

And in no way am I questioning the dedication of our faculty, but I am questioning the judgment of some of the decision-makers on where they're -- where they're making these expenditures. And, again, from my point of view, I think it would be much more productive in the short term and in the long term for us to spend more money on the faculty, on improving the course offerings, again, not eliminate advertising altogether, but if it has to come out of somewhere, I'd rather that it come out of advertising, spend more money there short term, and once we improve the faculty ratio and improve the course offerings, then if we have the luxury of spending money down the road, after we've increased the number of students, the number of FTE at the College, we have more money coming in, fine, then spend it on

154

advertising. But I disagree with Mike completely on this.

MR. RICIOPPO:

I think that's where we differ, too, as well. I don't see advertising and marketing as being a luxury, I really don't.

LEG. COOPER:

Well, but not if we're taking away from faculty, and not if we're taking from the course offerings, and that impacts on the quality of education that we're offering the students.

MR. RICIOPPO:

But I said earlier as well, it's really a commitment you need to make one way or the other. When you start and stop and start and stop, do you -- you know, is the effectiveness the same? No, it's not. And that's what we've been getting is the stop, start, stop, start.

LEG. COOPER:

Well, but as far -- but we made a commitment when I joined the Legislature. Very early on, we made a commitment to increase full-time faculty ratio. And, I mean, we all had pledged that we wanted Suffolk Community College to be the best community college in New York State, and the way to accomplish that is not to spend more money on advertising, the way to accomplish --

MR. RICIOPPO:

But if you don't bring the students to the door, there won't be positions for new full-time faculty.

LEG. FISHER:

This is going around and around.

LEG. FOLEY:

Come on, this is going in circles. Let's go.

LEG. COOPER:

But that's the question, what --

LEG. CARACAPPA:

This is getting out of line.

LEG. COOPER:

What comes first, the chicken or the egg? I disagree. I think that the way to bring students to the door is by improving the quality of the courses that we're offering, hiring more teachers. Word will get around and you'll get more students.

MR. RICIOPPO:

How would the word get around, though, just by word of mouth?

LEG. COOPER:

By word -- yeah, a lot word of it by word of mouth, and by marketing and outreaching to guidance counselors at high schools, and a lot of other things that maybe you could be doing that you're not doing, plus some advertising. But if you're spending more money on advertising, from what, 100,000, and 160, to 300, to God knows what, and, at the

155

same time, you're reducing the full-time faculty ratio and you're reducing the course offerings, word is going to get around. What's the point, if you get students to call in, they respond to the lead, and, "Oh, sorry, this course isn't available any longer," or what's the faculty ratio? That's not of interest. I can get a better faculty ratio at Nassau Community College. You're going to lose them. So you spent all the money generating the lead and then there's no follow through. I'm sorry.

MR. RICIOPPO:

That's okay.

LEG. COOPER:

I disagree completely.

MR. RICIOPPO:

That's okay.

LEG. FOLEY:
Let's go.

LEG. CRECCA:
Let's move on. Let's keep it moving.

D.P.O. POSTAL:
Legislator Crecca.

LEG. CRECCA:
Oh, it's me?

D.P.O. POSTAL:
Yes.

LEG. CRECCA:
I'm yelling, "Let's move on, let's keep it moving," and you called mine. I just -- there was a comment made earlier about the advertising by one of the Legislators, saying that most of the Legislature thinks that the advertising should be cut. I don't think that's the case. I just want to make that clear. I think it's smart to invest in the college and advertising in the college in particular. The more students we draw there, the more money that generates for the College and allows us to expand our spending. And I don't think 18 year old kids or 17 year old kids are -- you know, I think a four-color brochure does make a difference and I think you have to market to them, and, you know, you have to be at the College days.

Applause

And, you know, and we'll have more teachers because there'll be more students to teach to, and we'll have more revenue and all that. So I think -- I think any business, and a college is definitely up there. I don't know of a college that doesn't market, certainly not in the private sector, and I assume other -- do you know, do other community colleges have marketing budgets?

156

MR. RICIOPPO:
Oh, every single one does, everyone does.

LEG. CRECCA:
And do you know what Nassau County's marketing budget is?

MR. RICIOPPO:
I don't know the total marketing budget, but I can tell you it's in

excess of a million dollars combined. The same elements that we use in marketing is what they use.

LEG. CRECCA:

Okay. You know, rather than prolong this, because it's late, obviously, and I think everybody wants to get this vote done with, I'm just going to say that, you know, we've got to show a commitment to the College, to the people who work there, and to the institution itself, and I think most of us are prepared to do that.

D.P.O. POSTAL:

Okay. I have a question, but I'm going to yield to Legislator Fields.

MR. RICIOPPO:

Okay.

LEG. FIELDS:

A quick question, Eric.

MR. RICIOPPO:

Sure.

LEG. FIELDS:

When someone enrolls in the school, can you not have a questionnaire, and you probably do as they fill out their enrollment, that at the very bottom says, "Why did you enroll in Suffolk Community College?" And either leave it blank and ask them, or have little boxes that say advertising, marketing, word of mouth, cost, quality, whatever it is. Can you not have that, and would that not evaluate how you're advertising and how you're marketing?

MR. RICIOPPO:

We're doing that now. We do what we call an entering freshman survey. That's being done this year. The last time we did it was 1997. We do it in three or four year intervals. Those questions are on --

LEG. FIELDS:

Why would you not do it every year, thought?

MR. RICIOPPO:

Those questions are on -- well, because I guess of the resources they have to do it. They're short staffed as well. So --

LEG. FIELDS:

No. I mean, it should be right on the questionnaire when --

MR. RICIOPPO:

No. What we do is once we get them into the school -- you're talking

about on an application, "How did you hear about it"? We do that, but it's not specific. What happens a lot of times, too, can you really segment whether it was advertising, was it direct mail, was it promotion, was it a news article that a student read?

LEG. FIELDS:

Well, this might be a way of evaluating.

MR. RICIOPPO:

Yeah, we have that on that survey.

LEG. FIELDS:

Thank you.

D.P.O. POSTAL:

Eric, I have a question.

MR. RICIOPPO:

Sure.

D.P.O. POSTAL:

Because I think that part of the concern has to do with the amount of money spent on advertising in relation to the change in enrollment, and whether people feel that there's a result that's coming from the advertising. Earlier this year there was a projected deficit, and one of the methods to address the deficit was to adhere to the policy, which I guess had not been uniformly adhered to, of not continuing classes that didn't have an enrollment of -- I forgot whether it's twelve and above, or if it was not 12, then whatever it was. Did anyone take a look at whether that had an impact on enrollment? For example, if in attempting to adhere to that policy to reduce the projected deficit and lower costs whether we discouraged students, whether there were student who came specifically for those courses, and once they were no longer offered because of an insufficient enrollment, they went elsewhere, or didn't enroll any place? Was that looked at at all?

MR. RICIOPPO:

You're asking a question that's not in my jurisdiction, Maxine. I really don't know.

D.P.O. POSTAL:

Who would know that?

MR. RICIOPPO:

Probably the Vice President for Academic Affairs.

D.P.O. POSTAL:

Is that person here?

MR. RICIOPPO:

No, he's not.

D.P.O. POSTAL:

I'm just curious because?

158

AUDIENCE IN UNISON:

He's here.

MR. RICIOPPO:

Oh, he is still employed, I'm sorry.

D.P.O. POSTAL:

Can I -- was that looked at? Rather than have you come all the way to the mike, was it looked at?

LEG. ALDEN:

You've got to come to the mike.

DR. CANNIFF:

No, not specifically.

D.P.O. POSTAL:

Okay. Thank you. He said doesn't have to -- he said it wasn't, so there's not sense.

LEG. ALDEN:

No. Just put it on the record.

D.P.O. POSTAL:

He said that there was -- it was not specifically looked at. My concern is that we might be looking at a failure to increase enrollment or an actual decline in enrollment that was related to that action rather than inappropriate marketing, so when we adhere to the strict policy of not continuing classes that didn't have a certain number. Legislator Fisher is the last person. Legislator Fisher?

LEG. FISHER:

I'd like to speak with Sal LaLima, please.

P.O. TONNA:

Can I just make one comment about advertising for a second.

LEG. FISHER:

Sure.

P.O. TONNA:

And it's just --

LEG. FISHER:

I yield.

P.O. TONNA:

If I'm not mistaken, I mean, just enrollment is not a function as much as advertising is, is economic conditions. It would seem to me that just, you know, intuitively, if you have, you know, prosperity, which we're still in the midst of prosperity, there are people who can afford to go away to school and everything else, that, actually, and if we have down-turns in the economy, where people are looking to cut back, or whatever else, enrollment goes up. Has that been --

159

MR. RICIOPPO:

The trend, the historical trend?

P.O. TONNA:

Right.

MR. RICIOPPO:

Yes.

P.O. TONNA:

So you can actually be in a situation where you're pouring more advertising dollars into a prosperous time and getting less enrollment because of the prosperity, than pouring less advertising dollars into a down economy and getting more enrollment. I mean, it just seems to me that -- you know, that it's not just a function of advertising enrollment, a does not equal B.

MR. RICIOPPO:

But, Paul, if you look at most of the studies that are done in the business sector, they'll tell you that bad times and good times, they try to maintain advertising and promotion budgets, as you know. What we've indicated and what we've seen by the trends is that we've run counter to those trends, because in good economic times, our enrollment should have dropped; it hasn't been doing that.

P.O. TONNA:

Yep. Okay. Thank you. And, Vivian, I'm sorry.

LEG. FISHER:

It's okay, my pleasure.

P.O. TONNA:

And back to Vivian now.

LEG. FISHER:
High Sal.

MR. LALIMA:
Hi, Viv.

LEG. FISHER:
Sal, as you know, when I took on the role of Chair of the Education Committee, I told you at the very first meeting that I looked forward to working together. I don't feel that we worked together closely enough on this budget as we should have. And you know the kind of effort that the Legislature has put in since last week when we had the Budget Review analysis and we were able to begin working on these resolutions. And until a half hour ago, we've been hammering out a resolution to the issue of the budget. And we spoke on the phone late in the afternoon several times. And in the spirit of cooperation, in the spirit of Ellen also knowing that we are listening to the faculty and we have raised the line of undistributed salaries, we've added to that number in the budget resolution that we have before us, I am going to make a motion to approve Resolution Number 1A, which is our compromise resolution.

160

P.O. TONNA:
Okay. It's a motion by Legislator Fisher, seconded by Legislator Carpenter. And just to -- I guess, just to make it clear to Legislators, because there's one -- well, Legislator Alden, you go ahead and -- I know you wanted to ask something on the motion, and then -- or debate, or whatever, and then Legislator Carpenter is on the list.

LEG. ALDEN:
Fred, this is just a couple of general questions, Fred Pollert. The one that we're considering now is one in how many? How many budget resolutions or omnibus type resolutions do you have in front of you?

MR. POLLERT:
Currently, there are six resolutions to amend the Community College Operating Budget. Resolution Number 1A is a variant of Resolution Number 1.

LEG. ALDEN:
One, okay.

MR. POLLERT:
And Resolution No. 2A is a variant of Resolution No. 2.

LEG. ALDEN:

Okay. Now, just in general terms, what's the overall increase in spending on 1A, as it's been --

MR. POLLERT:

With --

LEG. ALDEN:

Because we just got a revision.

MR. POLLERT:

Right. With Resolution Number 1A, what the differences between that and Resolution 1 is a --

LEG. ALDEN:

Well, actually I don't need -- you know, you don't have to differentiate between the two.

MR. POLLERT:

Okay.

LEG. ALDEN:

I'm just -- we're over --

MR. POLLERT:

What the County contribution increase for Resolution 1A would be \$1,748,190. That would be in addition to the 4% legal amount, which the County Executive could have and did provide in the 2001-2002 Operating Budget.

LEG. ALDEN:

Okay, thanks. And this is one of six, basically six omnibus that

we --

MR. POLLERT:

That is correct.

LEG. ALDEN:

Okay, thanks. Thanks, Fred.

P.O. TONNA:

Legislator Foley.

LEG. FOLEY:

Thank you, Mr. Chairman. President LaLima, before us is a hybrid of a resolution that would give a substantial increase on the County

contribution to 9.7%. With these, as it states here, Resolution would increase the County contribution to the College 1.748 million, which would bring the total increase in County contribution to 2.9 or 9.7%. If there's a 9.7% increase, as opposed to what the Board of Trustees -- the Board of Trustees approved, which was a split vote of only 4%, with this additional monies, what other positions within the -- among the vacancies would you fill? I know I'm asking -- I know it's something to ask your -- you know, spur of the moment, so to speak, but one of the concerns that I had raised and others on the Education Committee had raised last week is that the Board of Trustees did not submit a full needs budget to the County Executive, and I don't blame the County -- I for one, although I disagree many other times with the County Executive, I don't blame him for the budget that he presented to us, because the record should reflect that that was the budget that was submitted to the County Executive by a split Board of Trustees of only 4%. And just parenthetically, they can't hide behind the fact of the cap laws, because it does prohibit the College from submitting a full needs budget.

But with that said, what we had mentioned last week, there are twelve vacancies in the Assistant Professor line. The answer that we had received last week was that the College had intended to fill five of the twelve, and those five that were going to be filled were form a lock box appropriation that I and others within the Education Committee last year had formulated.

Now with these additional dollars, how would you advocate to the Board to fill the other vacant professor positions that under the 4% scenario you were going to leave vacant?

MR. LALIMA:

Well, certainly, I would give my priority to --

LEG. FOLEY:

I'm sorry, Sal, I can't -- you have to -- Mr. President, you have to speak closely into the mike.

MR. LALIMA:

Certainly, my priority would be attempting to staff the needs of the college and we have many needs. Obviously, in the plan that we submitted, we had to fit the positions within what the budget constraints indicated, but that would be a priority. And, certainly,

the five positions that hadn't been filled would be the very top, and we already have either filled some of those or have searches underway at the moment.

LEG. FOLEY:

Right. But for the other seven positions within that particular area --

MR. LALIMA:

We would attempt to fill.

LEG. FOLEY:

-- the Associate Professors and some of the other positions, with the additional dollars, you feel you'd be able to fill some of these other positions?

MR. LALIMA:

Yeah. Again, depending on how --

LEG. FOLEY:

Now, you might not be able to do it this quickly for the beginning of the academic year, whether or not you could do it --

MR. LALIMA:

For January.

LEG. FOLEY:

-- mid year or not.

MR. LALIMA:

Yeah. I'd say there's a strong likelihood that we'd probably be able to fill, if not all, certainly most of them, until I see actually how many dollars and where they fit in the budget, and what other restrictions are proposed, and I won't know that until you folks finish your vote. But I can make a commitment to you that if the monies are there and they're available to us in such a manner that we could do that, we would certainly attempt to fill --

LEG. FOLEY:

All right.

MR. LALIMA:

-- all of the positions that we certainly know we need, and there are many.

LEG. FOLEY:

Right.

MR. LALIMA:

You should understand that this is happening to community colleges all across the country. Technology is sapping the people out of the classroom into support services, and that's a problem, because either we get the technology and support it, or the classroom teachers are no longer going to be up with the times. So it's a very difficult issue.

And the other thing I'd just like to say, and it's maybe a little bit

of a tangent, keep in mind that the mandates in the budget that we had to submit exceed the normal 4% share by approximately \$2 1/2 to one. In other words, the mandates alone would have been a regressive budget, when you look at all of the mandates that we had to comply with. So from that standpoint, we actually, with a 4% budget, we were going backwards. And I'm not sure where the 9.7 would leave us, but I would hope it's pushing us into the positive side, overcoming the mandates and then leaving us room to do some additional things that I think are very, very necessary.

And, you know, we do have a very good institution. Suffolk is by all standards, through our accreditations and through the comments we've received on accreditations, an outstanding community college. Perceptions are a different problem. And, you know, a lot of the debate on advertising, I'm not an expert in that field, but it is important to understand that we have to overcome perceptions. When I was back in the faculty, I remember a big Newsday article with a headline that big that spread across two pages. It said, "Suffolk's Sleeping Giant." I was a faculty member and that bothered the hell out of me at that time. But the College was founded in a period when it was build it and they will come, and it worked for about 15 to 20 years, then it didn't work anymore, and we didn't market. Now, I was not in a position to make any decisions in that area, but that was not a word that was used at Suffolk Community College. We did not advertise. There was no money in the budget and nobody even cared about it. But we're in a different world and everything has changed, and I think you've risen to that challenge several years ago when you began to provide some funding for that. Now whether you give us the full amount or some amount, I think we do have to deal with the fact that this is a very different world today and we do have to be out there, you know, attempting to create a positive image and perception.

LEG. FOLEY:

Right. Well, through the Chair, if I may just, as a follow-up, your thoughts are well taken, and the record will reflect that it was approximately I think five or six years ago that it was -- it was this particular Legislator who put in a resolution to create a marketing program at the College requesting the College to do so. So myself and others have taken a particular interest in that area. But, at the same time, when we requested of the Board of Trustees to develop a marketing plan, we're aware of the fact that at time that we didn't want to see an expedient growth in that particular area when there was only modest growth in what we consider to be the core of the College and that is the area of instruction and the relationship between the student and the faculty. So that's why we have one of these -- we have some concerns.

But getting back to the point of middle states for a moment, when would the next accreditation review take place?

MR. LALIMA:

It should be coming up in about a year.

LEG. FOLEY:

Okay.

164

MR. LALIMA:

My recollection is it's just about -- it's a five-year review. I think the next one is not a visit, it's done through a progress report, and then if the progress report has questions in it, they will send some site visitors to pursue any of the areas that they have a concern about. We've been pretty good.

By the way, what we're trying to do, and I think you're aware of this, four years ago, when I stepped into this role as president, the College was considered to be divided into three units that were not three campuses, but three colleges, and I was given the responsibility to try to bring the campuses together as one college. And we've developed a number of programs and a theme of one college, three campuses, one vision. It's not been easy. Change of that type is very difficult. People are very bonded to their campuses, and when we begin to try to break the mentality of parochialism, that's a very tough challenge. So a lot of my time has been spent internally in trying to develop a one-college image, because that was part of the problem in having this perception on the outside as Suffolk not up there with Nassau, and we're getting there. It's taking time to meld us into one as an image, one college, and I think we'll get there.

LEG. FOLEY:

Okay. Mr. Chairman, I have some questions of the Budget Review Office. Were there others who have questions of the President and I'll wait? It's -- if others have a question of the President, I'll wait, otherwise I have some questions I'd like to pose to the Budget Review Office.

LEG. FISHER:

I don't have anymore questions.

D.P.O. POSTAL:

Anybody else have questions for Sal LaLima?

LEG. HALEY:

No.

LEG. FISHER:

We just want to vote.

D.P.O. POSTAL:

Okay. There are other people -- there are other people who were on the list to speak.

LEG. FOLEY:

Yeah, but I'm not --

D.P.O. POSTAL:

But I know you have other questions --

LEG. FOLEY:

I have some questions, and then --

D.P.O. POSTAL:

Well, why don't you --

165

LEG. FOLEY:

When we're ready to vote, then there'll be some other comments to make, but I have some questions for the Budget Review Office.

D.P.O. POSTAL:

Well, you have questions for President LaLima?

LEG. FOLEY:

Not for the President, no.

D.P.O. POSTAL:

Oh, okay.

LEG. FOLEY:

Unless anyone else does.

P.O. TONNA:

Well, we're ready to vote, kind of.

LEG. FOLEY:

Well, no.

D.P.O. POSTAL:

There are two other people.

LEG. FOLEY:

I have some questions for the Budget Review Office.

P.O. TONNA:

So, go ahead, ask whoever you want to ask.

LEG. FOLEY:

Well, I'm waiting.

P.O. TONNA:

You still have the floor.

LEG. FOLEY:

Okay, good. Thank you. Thank you, President LaLima. Freddie, if we could for a moment turn to your report on Page 13, and there are I think several items that are important to be made for the record. They remain on the record at the Education Committee meeting, but we need to make them also here at the general meeting as well, and for those in the audience who may not be aware of some of this information. On Page 13, Fred, notwithstanding the number of -- from what I understand, record number of sections that were eliminated this year, if we go to the second paragraph, I'd like you to amplify the point that's made here. Based upon currently filled positions, BRO estimates a surplus of approximately \$1 million in permanent salaries for 2001-2002, including the recommended budget. Much of the surplus, about one-third, is to be found in the instruction budget. Could you please just amplify on that as you had in committee? Because one of the things that we heard this year, back in February, there was -- supposedly was a \$700,000 deficit at the College, then less than a month later, there was a \$440,000 surplus, and now, thanks to the

166

review that your office has done, it has shown that there's, in fact, a surplus of approximately \$1 million. So how can that money be utilized next year to meet the needs of the College?

MR. POLLERT:

Yes. What the methodology of the Budget Review Office is, we went to the payroll registers for the Community College and we forecast, based upon the number of currently filled spots, what the cost would be for next year. That's how we came up with an estimate of a surplus of approximately \$1 million. The bulk of the current vacancies occur in the instructional account. As the President of the Community College had indicated, they have a large number of vacancies. There are sufficient funds in the 2001-2002 Operating Budget that they can fill a large number of those vacancies.

LEG. FOLEY:

All right. Just on that point, there's -- as things speak now, with the budget that was proposed to us, you're saying on the record that there are sufficient funds to fill a whole -- it could either be a million dollars worth of positions, or could it be half that amount,

but the money is available to hire additional faculty or additional support staff.

MR. POLLERT:
That's correct.

LEG. FOLEY:
It could also --

MR. POLLERT:
In total, they have an annualized amount of approximately \$1 million . So they can hire either instructional staff or support staff or administrative staff with a total annualized salary of approximately \$1 million and not exceed their Operating Budget.

What I would also note, on Page 15 of our report is that turnover savings is budgeted at 2.93% of the total salaries, so what they have to do is they do have to maintain approximately 29 vacancies within the budget for next year.

LEG. FOLEY:
Twenty-nine out of 73.

MR. POLLERT:
Well, a group of those are grant funded.

LEG. FOLEY:
Okay.

MR. POLLERT:
So it's really 29 of approximately 64.

LEG. FOLEY:
And that's under the 4% scenario; correct?

MR. POLLERT:
That's under --

LEG. FOLEY:
The proposed budget.

MR. POLLERT:
-- Resolution 1A as well, because Resolution 1A --

LEG. FOLEY:

I understand that.

MR. POLLERT:

-- does not increase permanent salaries.

LEG. FOLEY:

No. I understand that, but as far as the proposed budget.

MR. POLLERT:

That is correct.

LEG. FOLEY:

Now, the monies could also be used under the proposed budget for contractual obligations as well; correct?

MR. POLLERT:

Yes. The Community College has the capability, if they decided to transfer funds from the permanent salary account to transfer it to other items, they could do that as well, or they could use that surplus to fund contractual obligations.

LEG. FOLEY:

Okay. If I may, Mr. Chairman, go through -- now we've heard a lot of discussion about advertising. On Page 18, it was the -- again, the Budget Review Office's considered opinion, and I would say that you have done -- completed a number of analyses of college budgets over a series of decades, so, certainly, I would consider your comments here of an informed nature, but I think it's important for the body to understand the fact that it remains the opinion of the Budget Review Office that before additional funding is spent on marketing, and this is something that Legislator Cooper had mentioned earlier and the point is well taken, the College should assess and quantify the effectiveness of the advertising initiatives already implemented. And you go on to mention that the Office questions the wisdom of the scattergun approach to direct mailing the entire course catalog. Would you care to add to that?

MR. POLLERT:

The Budget Review Office has been concerned about advertising at the Community College for a number of years, probably going back the last 10 to 15 years. We have been writing it up within our Operating Budget reviews. With the large increase in the advertising account, it was our recommendation that, clearly, it's a good idea to find out what the efficacy of the program is. There's a number of ways that it could be done, including doing targeting mailings to a portion of the population to see what the response rates are. It is a standard

protocol to attempt to assess where you get the most advantage for your advertising dollar, be it either through internet advertising, or bus advertising, or T.V. advertising, or the direct mail campaigns. Likewise, one of our concerns was there was a large increase in the direct mailing cost. We questioned whether or not it perhaps could be achieved at a lower cost, rather than directly mailing out the course catalog.

LEG. FOLEY:

And what was that direct -- what was the direct mailing cost?

MR. POLLERT:

It was approximately \$500,000.

LEG. FOLEY:

Over half a million dollars.

MR. POLLERT:

Right.

LEG. FOLEY:

Okay.

MR. POLLERT:

To perhaps do a segmented mailing approach, rather than doing it to all the residents in Suffolk County. There are clearly some populations which have a higher probability of attending the Community College than other types of populations. It would perhaps be worthwhile to try to just do a direct course mailing to those individuals, and perhaps just a card or some sort of a different type of notice to populations of with a lower probability of attending.

LEG. FOLEY:

Okay. If we could now turn our attention to Page 24, under "Stipulations." And these stipulations are very important. These are stipulations that we had incorporated into the Community College budget resolution of last year, which the College had not only promised on the record, but, again, by making it part and parcel of the resolution, it is a requirement under the Plan C Agreement. If we turn for a moment to Number 2, whereas the -- well, let's put it this way, resolution amending the proposed budget, creating 21 Assistant Professor positions and 14 positions for the Multi-Purpose Building. Let's go to Subobject 2. "The resolution required that appropriations made for new faculty and staff for the Multi-Purpose" -- well, let's -- okay. "For the Multi-Purpose Building not be used for any other purpose without Legislative authorization." Now, we heard earlier that 15 -- I believe 16 of the 21 positions have been filled this year, so that means there's an outstanding vacancy of five. You go on to mention that, "Because not all new positions provided by the Legislature to the College were filled, there are surplus appropriations in this area. The Legislature will need to adopt a resolution to transfer these excess appropriations to cover shortfalls in other areas of the College budget." Why -- again, could you just tell us why we need to adopt this resolution? And, in fact, has it -- this is a rhetorical question, but we need to have this as part of the record. Has a resolution been forwarded to us to, in fact, transfer

these excess appropriations to cover other shortfalls?

MR. POLLERT:

No, that resolution has not been forwarded to the Legislature. It's our understanding that it was requested by the Board of Trustees of the Community College. There were two specific concerns. The first concern is that the County Community College is expected to exceed its available appropriations before the end of this year.

LEG. FOLEY:

Okay.

MR. POLLERT:

A resolution will be required to authorize the Community College to increase appropriations. The Legislature cannot introduce that piece of legislation, it must be done by the County Executive. So, two, this is a budget modification which would allow the use of the surplus funds to cover shortfalls in other areas of the Community College operating budget.

LEG. FOLEY:

If none is forthcoming, and there isn't one today, and there's only one more meeting in August, if no such transfer appropriation resolution is forthcoming, then is the budget -- I won't say is illegal, but is the budget then not in compliance? And then what are the consequences of having a budget that's not in compliance with the duly enacted resolutions by the Legislature?

MR. POLLERT:

What the difficulty would be is that New York State law prohibits municipalities from overexpending their appropriations. It would be putting the administration of the Community College in a difficult position if no resolution is introduced to give them the authority to overexpend available appropriations by creating new appropriations. The County Comptroller would be within his prerogative to withhold payments this year and to charge next year accounts for those appropriations that exceed adopted amounts. That would create a budgetary problem for next fiscal year, because equipment that they thought would be purchased this year would really be charged to next year's accounts.

LEG. FOLEY:

Okay. With that said, if we could have the President come forward on that point, please.

LEG. FISHER:

You want Chuck Stein?

LEG. FOLEY:

I'd rather have the President, and then if he so -- President LaLima, you heard the point just made by the head of the -- the Director of the Budget Review Office. It's our understanding that the College has, you know, requested of the County Executive to submit a resolution that would, let's say, move the monies, so that excess appropriations would cover the shortfalls. If nothing happens between now and the end of the fiscal year, which is the end of this month,

170

and given what we just heard from the Budget -- Director of the Budget Review Office, how will the College, if not respond -- well, respond to this situation, if we end the year and it's not in compliance with state law?

MR. LALIMA:

Well, first of all, I believe there's --

LEG. FOLEY:

I'm sorry, Mr. President, I can't -- we can't hear you.

MR. LALIMA:

Okay. Is that better?

LEG. FOLEY:

Yes.

MR. LALIMA:

First, I'm not -- I'm not 100% certain on this, but I do understand there are some difference in interpretation between my Chief Financial Officer and Budget Review, and I believe that our position was that the monies that we would produce as a surplus would be able to be flowed into the reserve fund and then used to be appropriated, through an action by the Legislature, to then match or perhaps exceed the additional expenditures that were made, and that was the understanding. Now, I understand here they don't take that position. Now, again, I may be misinterpreting it, but that's what I've been advised.

LEG. FOLEY:

Through the Chair, Mr. Pollert, please.

MR. POLLERT:

Actually, we are in agreement, it would require Legislative approval to take the surplus revenues that the Community College had anticipated. New York State law says that you cannot appropriate

surplus revenues until all of your revenues have been received. Therefore, even though the College is anticipating surplus revenues, they cannot be expended. It would require a separate act of the Legislature to do a transfer from the College's reserve fund to create additional appropriations.

Basically, the Community College is in the same spot that the County's General Fund was last year. Last year, the County Legislature authorized the County Comptroller to issue a budget note, but not to issue the budget note, because we were short of appropriation. We had extra revenues, but we had no capability of spending those revenues, because we could not appropriate them. Therefore, the County Legislature authorized a budget note to circumvent that problem. The Community College is in an identical situation, they have surplus revenues, they have no legal mechanism to appropriate and to spend those extra revenues without Legislative authorization.

LEG. FOLEY:

Yeah. Before hear from Mr. Stein, and I'd welcome to hear his comments, but, Fred, given your interpretation of the budget, on those

171

line -- those budget lines was a shortfall. Can they roll over that shortfall into next year, next year's Operating Budget, or is that, again, not permitted under state law?

MR. POLLERT:

It would really depend upon what the County Comptroller will do with the appropriations of the Community College. If the County Comptroller refuses to process payments for appropriations which were overdrawn, it could have a dramatic impact on the Community College, because they're short in the payroll accounts.

LEG. FOLEY:

Okay. Mr. Stein.

MR. STEIN:

I just wanted to make a quick comment, that what --

LEG. FOLEY:

Please.

MR. KLEIN:

That what happened with the budget that was recommended by the County Executive, if you read the status of funds section in the front, it appears as though the request that was made by the College, rather than forwarding it to the Legislature for action, if we read the status of funds, it appears as though they address this next year.

LEG. FOLEY:

They address the shortfalls in next year's budget.

MR. KLEIN:

In other words, they're using fund balance next year --

LEG. FOLEY:

Okay.

MR. KLEIN:

-- in order to do it.

LEG. FOLEY:

By fund balance, we --

MR. KLEIN:

It's not -- it's not --

LEG. FOLEY:

By fund balance we mean surplus monies.

MR. KLEIN:

Surplus funds, and which would have flowed down to fund balance. So I think that -- you know, I don't think there's a disagreement between what Fred Pollert is saying and what I'm saying, it's just the way in which it was handled. The Board of Trustees did forward something over.

LEG. FOLEY:

As I say, I don't have a -- I don't want to say problem, I don't have an issue with the College. I just have an issue with the fact that in order for a particular department, if you will, in this case, a County institution to be in compliance with state law, it appears that through the Budget Review Office's analysis, that we could conceivably end the year where the budget is not in compliance. And I don't think it's just merely quibbling over a few dollars and cents, but it's a substantial issue that points to a practice that needs to be corrected, again, not from the institution's point of view, but from, in this case, the Executive Branch not forwarding that particular transfer resolution. Have you --

MR. KLEIN:

Well, I might ask --

LEG. FOLEY:

If I just might ask this. I know the hour is getting late, but these are, I believe, some important areas of questioning. Has the College received from the Exec's Office any reasons as to why they haven't as of yet offered to put forward a transfer resolution.

MR. KLEIN:

The discussion that took place from the County Exec's Office was that they were going to be utilizing fund balance in next year's budget, and, therefore, felt that it would be inappropriate to use it this year, although I think, if you examine the issues, we're talking about two fiscal periods.

LEG. FOLEY:

Right.

MR. KLEIN:

So I don't know that that, in fact, is an accurate reflection. I'm just -- I would ask that maybe the Legislature might want to consider amending the status of fund section as part of the actions here --

LEG. FOLEY:

Yeah, okay.

MR. KLEIN:

-- and in order to handle this situation. That's probably the easiest way to handle it.

LEG. FOLEY:

But I think -- and, Fred, if you could not only respond to that, but we cannot do that on our own, we need -- formally need to -- we need to have a formal request from the County Executive's Office; is that not correct?

MR. POLLERT:

Well, one of the difficulties under the Davis bill, you can only do that in September, which is the next fiscal year for the Community College. From a technical point of view, it's clear that they have no legal authority to overexpend available appropriations, and the estimated expenditures for the Community College indicates that they

will be exceeding available appropriations.

LEG. FOLEY:

All right. Thank you.

P.O. TONNA:

All right.

LEG. D'ANDRE:
Move the question.

P.O. TONNA:
Wait, wait. Okay.

LEG. CRECCA:
Roll call.

P.O. TONNA:
No, no, just wait. Legislator Carpenter.

LEG. CRECCA:
Sorry.

P.O. TONNA:
And then I think we're ready. And I'd ask, all Legislators, please come to the horseshoe. Uh-oh. Well let's do it quickly.

LEG. CARPENTER:
Okay. Very quick, quick. Hurry up.

P.O. TONNA:
You want to get them in a middle of a vote.

LEG. CARPENTER:
I've been told to hurry up. After all of this discussion that we've heard, now I'm going to hurry up.

P.O. TONNA:
All Legislators, please come to the horseshoe.

LEG. CARPENTER:
There certainly has been a lot of commenting on advertising, and probably more than necessary, I think. You know, there's -- I've been involved in marketing and advertising in the graphic arts field for many years before I became a Legislator and it is hard to quantify sometimes. But nothing amused me more, as I was trying to market my business and get people to advertise their businesses, than the person who never did advertising, and then, all of a sudden, the first time you see them advertising is when they take a full-page ad out in the newspaper announcing that they're going out of business. And that's what I was thinking about here tonight, listening about whether or not we should be spending money on advertising. And I -- and I say to you that if we continue to market this College and do it properly, the students will come. They are coming. And you know something, once they come and they see what Suffolk Community College is all about, they are sold for life.

We had something that I was involved in, and I'll really try to go through it briefly, but I received a call from someone who was very disturbed that students in her district were not even considering going to college. And I said, "Gee, that's what the Community College is all about. I am sure that if we could get your students onto the campus, if they could see the new building, if they could see what the Brentwood Campus is all about, I am sure that they would be enamored with the school, they would -- they would become Suffolk students. So within two months, because of the commitment of the staff and the administration at the College, a pilot program was put together and 29 senior high school students from Bay Shore High School got on a bus and went to Suffolk Community College Brentwood Campus. And these were students who never considered going to college, just didn't think it was something in the future for them. Some were thinking about it and thought that they might want to go to Nassau College, and out of those 29 students that started, 28 finished the college freshman seminar course, they have their credit, and over half of them signed up and are students this fall at Suffolk Community College.

When we brought the personnel from the school district over, they could not believe what the campus was like. There was one gentleman who was very familiar with Nassau Community College and raved about the incredible facility at Suffolk Community College. He just couldn't get over it. And those four people left that campus and in my mind were like missionaries going out and talking about everything that was special and wonderful about Suffolk Community. And those students, when we reviewed with them their experience at Suffolk Community, they couldn't say enough nice things about their professor. And I believe I saw him here tonight, and if he is, I really wish he would stand up, because he exemplifies what -- thank you so much -- what this college is all about.

Applause

Those students came away believing, because it was true, that this gentleman really, really cared about them, that Suffolk Community College really cared about them.

So, yes, we need to advertise, we need to get that good message out. And those students are going to come and the enrollment's going to go up, and we're going to increase the faculty, and we're going to increase the full-time faculty. And what we know and believe, that Suffolk Community College is, in fact, that crown jewel in this County, more and more people are going to know each and every day, and we are going to be at a point where we're going to be bulging at the seams and you're going to be here asking for us to expand buildings, I just know it.

So I think that rather than just wanting to see, as someone said earlier, that we want to see the College survive, no, we don't want it to survive, we want it to thrive. We want it to be all that we really

know and believe it can be.

So I would urge, just as we supported that AME contract earlier, I would love to see this Legislature show the commitment that they

175

really have for this College and vote this budget in 18-0.

Applause

P.O. TONNA:

Okay. All right. I just -- before I say, "Roll call," I just wanted to say one thing. I want to commend both the Chairman and the Vice-Chairman, or Chairwoman and the Vice-Chairwoman of the Education Committee for really yeoman's work, very, very hard diligent, detailed work. I want to commend both of you.

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:
So thank you.

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:
Thank you very much.

Applause

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:
Roll call.

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:
Oh, I have to withdraw --

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:
-- motion for -- yeah, withdrawn.

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:
Yes.

LEG. FOLEY:
If I may. Thank you. The hour's getting late.

LEG. HALEY:
Motion to close debate.

176

LEG. FOLEY:
No.

LEG. TOWLE:
Second.

LEG. FOLEY:
No, no. Legislators -- Legislators have every --

P.O. TONNA:
Listen. Legislator Foley has the floor. Legislator Foley has the floor.

LEG. FOLEY:
Thank you. Thank you very much, Mr. Chairman. You rightly point out the great contributions made by the Chair of the Education Committee, Legislator Carpenter, and also the Budget Review Office. The fact of the matter, Mr. Chairman, is what we've witnessed here today is an exercise of both due diligence on our part, but the fact that we've raised some very important questions about the governing and the running of the Community College. Both at the Education Committee meeting last week and here today, a number of points have been raised that are going to have to be followed very closely in the year ahead. One of the most important issues that we have raised here today and we've raised in the Education Committee last week is the difficulty, if you will, the challenge of increasing from the year '99-2000 of an advertising budget of 395, where, if and when this resolution is approved, to 908, an increase of over -- of almost -- of well over \$500,000. And, at the same time, when we had this kind of increase in this particular area of the budget, and this is where I've raised concerns, Legislator Cooper and others have raised concerns, is that in one particular area, where there has been a great increase in the

budget, at the same time, over the past year particularly, there have been major cuts within the class sections.

And one of the questions that was raised at the Education Committee that we raised directly to the President -- rather, to the Chair of the Board of Trustees is that on the one hand, they want to more aggressively advertise the College, but, on the other hand, as we've heard tonight and we've heard from professors and others at the College, while at the same time that they want to advertise with additional dollars, they have made cuts in the class sections. So I don't know how they can relate aggressive advertising with the fact that, all right, they advertise, there are students that want to attend, and when they go to the College, they're told that that class isn't being offered, or that they sign up for the class, and within two to three weeks, they're told that the class is cut. And that has happened this year, and that could happen next Fall as well.

So that's one of the reasons why some of us have asked very pointedly on how the advertising budget is going to be utilized, and why some of us wanted to see a cut in the advertising line, and not to obliterate it, but to make changes to it, and move those monies into an area that we believe those monies would be more effectively used, which is in the instruction line and also in the salary accounts line.

177

So with that said, some of us are going to support it who otherwise would rather see some changes to it, but we're going to watch this very closely in the upcoming year. And, Mr. Chairman, I would close with this. I would close with this.

P.O. TONNA:
We have 20 minutes.

LEG. FOLEY:
You know, it shouldn't be lost -- yeah, we have 20 minutes. It shouldn't be lost on anyone --

LEG. TOWLE:
Of which you've taken an hour.

LEG. FOLEY:
It shouldn't be lost on anyone that some of us have wrestled with this over a period of time in good conscience, and the reason that we've wrestled with it is that the official document from of the College, and we have to go by the official documents in order to make judgments on how to vote, but the fact of the matter is the official document from the Community College, from the Board of Trustees only requested

4% increase, not more than that, notwithstanding what the Chair of the Board of Trustees had mentioned. And so the question that we asked last week was how could they in April request 4% and then come to us and say they need more money?

I would say here tonight that when they request future budgets to us or to the County Executive's Office, that they not only put forward what they have to within the -- to comply with the cap laws, but they should also take up the suggestions that were raised by a number of Trustees, whether it was by Trustee Foley, who will be the outgoing Trustee, and also to some others, that not only to submit a 4% resolution in order to comply with the cap laws, but they should also in the future, they should also in the future submit a full needs budget, which they didn't do this year and they haven't done in times past. So that's something we've been wrestling with for quite sometime is how can we give additional dollars when the official governing body of the Community College did not ask for the additional dollars?

P.O. TONNA:
Thank you.

LEG. FOLEY:
Thank you.

P.O. TONNA:
Legislator Cooper, you have a one-sentence statement.

LEG. CRECCA:
Excuse me. I believe that I was on the list.

P.O. TONNA:
And then -- oh, sorry.

178

LEG. CRECCA:
I was on the list first.

P.O. TONNA:
Legislator Crecca first, then Legislator Cooper.

LEG. CRECCA:
Alls I'm going to say --

P.O. TONNA:
No, wait.

LEG. CARPENTER:
Alls?

P.O. TONNA:
Legislator Crecca, one sentence, then Legislator Cooper.
Go ahead.

LEG. CARPENTER:
Alls?

LEG. COOPER:
It's one long sentence.

LEG. CRECCA:
Alls I'm going to say.

LEG. CARPENTER:
Alls.

P.O. TONNA:
Okay.

LEG. CRECCA:
No. You know what, though, it's now a quarter to twelve.

P.O. TONNA:
Right.

LEG. CRECCA:
It's ridiculous. We should stop debating this. Everyone knows how they're voting. These people have been waiting all night. I say let's stop this and take a roll call.

P.O. TONNA:
Okay. Legislator Cooper.

Applause

LEG. COOPER:
Before I vote in favor of this, I just wanted to say briefly, to respond to what Legislator Carpenter said, I still think that a better way to attract new students to the College would be to hire additional faculty, additional quality faculty, like the gentleman that stood up earlier. And I think that we're being shortsighted if we want to put

P.O. TONNA:

Okay. That's at least a paragraph, maybe two, but --

LEG. COOPER:

It was a run-on sentence.

P.O. TONNA:

Right, okay. Legislator Alden now.

LEG. ALDEN:

Legislator Cooper, then, in answer to that, there are other options that are available after this one, if this doesn't, in fact, pass.

P.O. TONNA:

Okay. Roll call.

(Roll Called by Mr. Barton)

LEG. FISHER:

Yes.

LEG. CARPENTER:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

No.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yeah.

LEG. ALDEN:

No.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

Yes.

180

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes. Thank you very much.

MR. BARTON:
16-2.

P.O. TONNA:
Okay.

Applause

Let's go back to the public portion.

LEG. POSTAL:
Mr. Chairman.

P.O. TONNA:
Yes.

LEG. POSTAL:
Mr. Chairman.

P.O. TONNA:
Yes.

LEG. POSTAL:
Before -- as we go back to the public portion, I'd like to make a motion to discharge --

P.O. TONNA:
Congratulations, everybody. Congratulations.

LEG. FISHER:
Congratulations.

P.O. TONNA:
Yes. Go ahead, Ellen. Sorry.

MS. SCHULER-MAUK:
On behalf of the faculty, I'd like to thank each and every one of the

181

Legislators who voted yes, and also those of you who considered what are very serious issues, and we appreciate it. Thank you.

P.O. TONNA:
No problem. I just want you to know, if I don't have a Philosophy Professor here next time, I'm going to have a tough time here.

MS. SCHULER-MAUK:
Be by my side.

P.O. TONNA:
All right.

MR. LALIMA:
I'd just --

P.O. TONNA:
And Sal.

MR. LALIMA:
I'd like to thank you also, and I pledge to you that we will be in better communication, and we will try to do everything we can to meet all of your goals. I appreciate your support and your comments. Thank you very much.

P.O. TONNA:
Great. Thank you. Legislator Postal has the floor.

D.P.O. POSTAL:
Yes. Mr. Chairman, I --

P.O. TONNA:
Yes.

LEG. CRECCA:
Can we please have quiet in the chamber, please?

P.O. TONNA:

Yes.

D.P.O. POSTAL:

Mr. Chairman, I would like to make a motion to discharge Introductory Resolution Number 1508 for the purpose of aging an hour.

P.O. TONNA:

Okay.

D.P.O. POSTAL:

That's been distributed.

P.O. TONNA:

Right.

D.P.O. POSTAL:

It is a local law to strengthen and implement application of a County Human Rights Law to public accommodations, employment and housing.

182

LEG. FOLEY:

Second the motion. Second the motion.

P.O. TONNA:

Second the motion, Legislator Foley. All in favor? Opposed? It's just to discharge.

(Opposed Said in Unison by Legislators)

P.O. TONNA:

Roll call.

(Roll Called by Mr. Barton)

LEG. POSTAL:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

No.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:
Pass.

MR. BARTON:
Yes?

LEG. D'ANDRE:
Pass.

MR. BARTON:
Pass. Thank you, sir.

LEG. CRECCA:
Pass.

MR. BARTON:
Legislator Carpenter, on the motion to discharge.

LEG. CARACAPPA:
Pass.

LEG. ALDEN:
Pass.

LEG. FIELDS:
Yes.

183

LEG. LINDSAY:
Yes.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
No.

P.O. TONNA:
Yes. To discharge for an age -- for an hour? Yes.

LEG. D'ANDRE:
No.

LEG. CRECCA:
Yes.

LEG. ALDEN:
Abstain.

P.O. TONNA:
Okay, fine.

MR. BARTON:
Ten.

P.O. TONNA:
Great. Okay. That's got to age for an hour. I'm going to make a motion to continue this meeting until one o'clock.

LEG. CARPENTER:
Two. Two.

LEG. CRECCA:
One.

P.O. TONNA:
We can always extend again.

LEG. CARACCIOLO:
Roll call.

184

LEG. BINDER:
On the motion.

P.O. TONNA:
Wait, wait, wait, wait, wait. Just let me get a second before --

LEG. BINDER:
No. I just --

P.O. TONNA:

-- you say no.

LEG. BINDER:

Yeah, okay.

P.O. TONNA:

All right. Just, I'm making --

LEG. HALEY:

Jewish thing.

P.O. TONNA:

No, not today.

LEG. GULDI:

I think your motion fails for lack of a second.

P.O. TONNA:

It --

LEG. BINDER:

Oh, yeah, no motion.

P.O. TONNA:

No, it doesn't. I haven't finished making the motion. I make a motion to extend the meeting until 1 a.m.

LEG. CARACAPPA:

No way.

LEG. POSTAL:

Second.

LEG. CRECCA:

Second.

P.O. TONNA:

Seconded by Legislator Postal. We have a second.

LEG. HALEY:

Roll call.

LEG. GULDI:

Roll call.

P.O. TONNA:

Okay. No, no, no, no. There is a -- there is a Legislator who would like to speak on this issue.

LEG. CARACAPPA:

Filibuster.

P.O. TONNA:

Legislator Binder

LEG. BINDER:

Besides the fact we obviously do our worst work past 12 o'clock. After forty-five minutes from one Legislator on the last issue, I don't know --

LEG. TOWLE:

Hour.

P.O. TONNA:

An hour.

LEG. TOWLE:

Hour.

P.O. TONNA:

An hour.

LEG. BINDER:

Was it? Oh, we were timing him in the back for like --

LEG. CARACAPPA:

That was --

LEG. TOWLE:

Hour.

LEG. CARACAPPA:

That was part one.

LEG. BINDER:

Oh, we -- oh, sorry.

LEG. TOWLE:

Hour.

LEG. BINDER:

Let's say for an hour. I would say there's no way we should be going to one o'clock because someone wanted to speak for an hour on one issue.

P.O. TONNA:

Well, I'll tell you, that is a very cogent argument, but, still, I'm going to --

LEG. BINDER:
It is. It is.

186

P.O. TONNA:
The motion stands.

LEG. CARACCIOLO:
Roll call.

P.O. TONNA:
Roll call.

(Roll Called by Mr. Barton)

LEG. TONNA:
Yes.

LEG. POSTAL:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Pass.

LEG. CRECCA:
Pass.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
No.

P.O. TONNA:
We still have the public who wants to speak.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

P.O. TONNA:
Don't leave.

LEG. FOLEY:
Yes.

LEG. HALEY:
No.

187

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
No.

LEG. CARACCIOLO:
No.

LEG. D'ANDRE:
No.

LEG. CRECCA:
No.

P.O. TONNA:
You guys are killing me here.

MR. BARTON:
Nine. It fails.

LEG. BISHOP:
Mr. Chairman, at this time, I'd like to --

P.O. TONNA:
Okay. Wait, wait. There's a -- I'm --

LEG. BISHOP:
Mr. Chairman, may I be recognized --

LEG. CRECCA:
Mr. Chairman, I'd make a --

P.O. TONNA:
Recognizing Legislator Crecca.

LEG. CRECCA:
I'd like to make a motion to discharge --

AUDIENCE MEMBER:
You're not going to give us our time?

LEG. BISHOP:
Mr. Chairman.

P.O. TONNA:
Legislator Crecca has the floor.

188

LEG. CRECCA:
Mr. Chairman, I would like to make a motion to take out of order
Introductory Resolution 1660 --

LEG. CARACAPPA:
Second.

LEG. CRECCA:
-- and to approve.

LEG. CARACAPPA:
Second.

LEG. TOWLE:
Second.

P.O. TONNA:
Just wait. There is a motion by Legislator Crecca to take out of
order --

LEG. FOLEY:
Motion to extend.

P.O. TONNA:

-- number what?

LEG. CRECCA:
1660 (Adopting Salary Plans for employees who are excluded from Bargaining Units).

LEG. CARACAPPA:
Second.

P.O. TONNA:
1660. Seconded by Legislator Caracappa.

LEG. FOLEY:
Motion to extend to 12:30.

LEG. BINDER:
Mr. Chairman.

LEG. CARPENTER:
Second.

LEG. BISHOP:
Second.

LEG. FOLEY:
Motion to extend to 12:30.

LEG. BINDER:
There's a motion pending. These are nonrelated motions.

P.O. TONNA:
Which is the motion pending?

189

LEG. BINDER:
Legislator Crecca's motion is pending.

P.O. TONNA:
He has a motion right now.

LEG. FOLEY:
No, no.

LEG. BINDER:
That's pending, so there's no intervening motions to extend. That has nothing to do with his motion.

LEG. FOLEY:
Motion to extend the meeting --

P.O. TONNA:
Yes, you can.

LEG. FOLEY:
-- doesn't that take precedent?

P.O. TONNA:
Yeah, to extend a meeting takes precedent.

LEG. BINDER:
Let me --

LEG. FOLEY:
Motion to extend to 12:30.

LEG. BINDER:
Point of order.

P.O. TONNA:
Point of order, Legislator -- I mean, Legal Counsel, tell us.

LEG. BINDER:
Point of order.

LEG. FOLEY:
Motion to extend to 12:30.

LEG. BINDER:
Can there be an intervening motion to extend the meeting when we're
now --

P.O. TONNA:
Paul, can we do that?

LEG. BINDER:
On a motion --

P.O. TONNA:
Yeah, we're in the middle of a motion.

LEG. BINDER:
-- by Legislator Crecca and we should be -- we should be calling the
motion --

LEG. FOLEY:
Motion to extend.

LEG. BINDER:
-- or at least calling the --

LEG. FOLEY:
It takes precedent.

LEG. BINDER:
-- debate on a motion on taking something out of order. Can there be an intervening motion to extend the meeting, which has -- is not germane to the motion that Legislator Crecca correct has just made? Shouldn't we deal with that motion? Dispense --

P.O. TONNA:
We have a question. We have a question, he's going to answer.

LEG. BINDER:
I'm finishing it.

LEG. FOLEY:
Come on, Paul.

LEG. BINDER:
I'm giving him time to look it up as I'm speaking.

LEG. FOLEY:
Which motion has precedence?

LEG. BINDER:
I don't know. Where can there be an intervening motion?

MR. SABATINO:
The motion to discharge, which was seconded, has to be completed before you move on to the next motion.

LEG. BINDER:
Thank you.

P.O. TONNA:
There's a motion to discharge and a second. All in favor?

LEG. CRECCA:
Motion to take out of order and approve.

LEG. BINDER:
Mr. Chairman, on the motion.

P.O. TONNA:
No, no, no, just take out of order.

LEG. CRECCA:
And approve.

LEG. BINDER:
On the motion.

P.O. TONNA:
To take out of order --

LEG. BINDER:
On the motion.

P.O. TONNA:
No, no, that's a different motion you made, and then we're back to everything else. You made a motion to discharge.

LEG. CRECCA:
To take out of order.

P.O. TONNA:
To take out of order and a second.

LEG. BINDER:
Mr. Chairman.

P.O. TONNA:
All in favor?

LEG. BINDER:
Mr. Chairman, on the motion.

P.O. TONNA:
Opposed?

LEG. BINDER:
On the motion. On the motion. On the motion.

P.O. TONNA:
Okay, on the motion.

LEG. BINDER:
First off, what is it?

LEG. CARACAPPA:
Management bill.

LEG. GULDI:
The management bill.

LEG. BINDER:
Okay, it's the management bill.

LEG. POSTAL:
It's on Page 10.

192

LEG. BINDER:
Second, here's the question. If we're going to take that out of order and if we can't extend this, is there going to be a feeding frenzy of everyone trying to take different things --

P.O. TONNA:
Well, that's why we should vote --

LEG. BINDER:
Well, that --

P.O. TONNA:
We should have extended the meeting an hour.

LEG. BINDER:
Well, but my concern is that we don't go into a feeding frenzy --

P.O. TONNA:
I can't do that.

LEG. BINDER:
-- of taking things out of order.

P.O. TONNA:
No, I can't.

LEG. BINDER:
And I don't know that we should be --

P.O. TONNA:
No, I can't.

P.O. TONNA:
I don't think we should be taking --

LEG. TOWLE:
Motion to end debate.

LEG. BINDER:
On this motion. I don't think we should take anything out of order,
Page 227

GM080701.txt

including this, because once we take the first thing out of order, everyone's jumping in to try to get something out of order. So I'm going to vote no on this or anything to take it out of order. I will not vote for taking it out of order.

LEG. CRECCA:

Do we take a vote, please, on the motion to take it out of order?

P.O. TONNA:

Yes. There's a motion and a second. All in favor? Opposed?

(Opposed Said in Unison by Legislators)

LEG. BINDER:

Roll call.

193

P.O. TONNA:

Okay.

LEG. CRECCA:

Roll call.

P.O. TONNA:

Roll call.

(Roll Called by Mr. Barton)

LEG. CRECCA:

Yes.

LEG. CARACAPPA:

Yes. Yes, to approve to take out of order.

LEG. COOPER:

No.

LEG. BINDER:

No.

MR. BARTON:

Legislator Bishop.

P.O. TONNA:

There is a --

LEG. BISHOP:

Legislator Bishop.

P.O. TONNA:

-- vote. You just say no. You've got to vote one way or the other.
Who's voting?

LEG. BISHOP:

No.

LEG. D'ANDRE:

Pass.

LEG. CARPENTER:

(Not Present)

LEG. ALDEN:

Pass.

LEG. FIELDS:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

194

LEG. HALEY:

Yes.

LEG. FISHER:

Pass.

LEG. TOWLE:

Pass.

LEG. GULDI:

Pass.

LEG. CARACCILO:

No.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes, to --

LEG. D'ANDRE:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FISHER:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

MR. BARTON:
11-7.

LEG. CRECCA:
Motion to approve.

P.O. TONNA:
Thank you. Now -- wait, wait, wait. I made a motion. I'm sorry. I recognize myself. I make a motion to extend to 12:30.

LEG. CARPENTER:
Second.

P.O. TONNA:
Seconded by Legislator Carpenter. Roll call.

195

(Roll Called by Mr. Barton)

P.O. TONNA:
Yes.

LEG. CARPENTER:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

LEG. ALDEN:
No.

P.O. TONNA:
Guys, there's still public that has to speak. There's a few people who want to still speak.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
No.

LEG. FISHER:
Pass.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
No.

LEG. POSTAL:
Yes.

LEG. FISHER:
Yes.

P.O. TONNA:
What do you have? You have ten?

LEG. FOLEY:
Twelve.

P.O. TONNA:
You have twelve?

MR. BARTON:
12-6.

P.O. TONNA:
Great. Okay.

LEG. CRECCA:
Motion to approve 1660.

P.O. TONNA:
There's a motion to approve, seconded by myself. Okay. This is --

LEG. GULDI:
Roll call.

P.O. TONNA:
This is the management plan. Roll call.

(Roll Called by Mr. Barton)

LEG. CRECCA:
Yes.

LEG. TONNA:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CARPENTER:
Yes.

197

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

MR. BARTON:
18.

LEG. HALEY:
Whoa.

P.O. TONNA:
I'm going to the public portion. There are people here who want to speak. Okay. Leonard Gibbs. Tracy Gibbs. Pastor Charles -- okay. Richard Steinberger --

LEG. FIELDS:

He's gone.

P.O. TONNA:
Okay. Eugene Roos.

LEG. FIELDS:
Gone.

P.O. TONNA:
Mauro DiBenedetto. JoAnn and John --

198

LEG. POSTAL:
Viva?

P.O. TONNA:
Viva. Wow, good work. Laura Michaels.

MS. MICHAELS:
Here.

LEG. POSTAL:
She's here.

P.O. TONNA:
Okay. Laura Michaels.

LEG. CRECCA:
She should get four minutes just because she waited so long.

P.O. TONNA:
Yeah, right. She gets three.

MS. MICHAELS:
I can't tell you that -- just to go on the record, as the mother of an 18 month old that wakes up at the crack of dawn, that this issue is important to me, that's why I'm still here.

I'm outraged that Executive Gaffney, as well as this Legislative group, vetoed 1594 and 1595, the property at the corner of Connetquot Avenue and Sunrise Highway. I'm not a politician. I got involved with this issue because it affects my community. I was interested in how this whole Legislative process worked. And before the June 26th vote, I faxed letters to the Legislators imploring you to vote in favor of the County purchasing this land, and was thrilled to receive a call from Fred Towle's Office. However, my positive experience with politics has quickly taken a severe turn to disappointment. I was

very unhappy to read in the Sunday Newsday that Legislator Towle, who, obviously, has left the room now, no longer is willing to support this legislation by voting to override the veto. I was also very upset to hear that Mr. -- Legislator D'Andre would not override the veto this evening when at that June 26th Legislative vote, while talking about the carbon monoxide issue, he was very supportive of leaving open space.

And I just want you to know that Islip Terrace is made up of a lot of different parties, Republican, Democrat, whatever, and I don't think that party politics should come into play here. I think you should listen to the people of the community when we have an issue, and if your original vote was to preserve this land, I don't understand what could have changed in your minds. And I'd really love to hear from the people that did not vote to override the veto, why you've changed your mind from your original vote.

LEG. CARACAPPA:
I didn't change my mind.

199

MS. MICHAELS:
Obviously, nobody wants to take a stand and --

LEG. FOLEY:
Just through the Chair. Madam, as one who did support --

LEG. ALDEN:
There is no Chair here.

LEG. FOLEY:
-- the bill, but let me just say that you're in good company, that some of us have also been victimized in that way where the first vote we have at least 12, let's say, votes in favor of a resolution, and then somehow something mysterious happens between the time that a veto occurs and some of those who initially supported the bill then sustained the veto. So, unfortunately, it's happened before and it all has to do, and they're going to say otherwise, but it all has to do with partisanship, absolutely.

MS. MICHAELS:
Well, I really think that's a shame. I heard Towle, Legislator Towle earlier with the people with the Toussie issue state that he was severely disappointed that that community was being dumped upon. And you know what, I think our community is being dumped upon and nobody gives -- pardon my language. I'd like to use the word.

Applause

D.P.O. POSTAL:
Okay. Ms. Michaels --

MS. MICHAELS:
Thank you.

D.P.O. POSTAL:
-- your time is up. Thank you.

LEG. CARACAPPA:
Thank you.

D.P.O. POSTAL:
Next speaker, Aimee Hamlin.

MS. HAMLIN:
Hi. I'm with the New York League of Conservation Voters. We're a nonpartisan group that works to make the environment a priority with elected officials and voters. We know the voters in Suffolk County, whether they're Republicans, Democrats, or Independents, care deeply about the environment in Suffolk County. So I'm here to speak about Executive Gaffney's veto and the upholding of his veto tonight regarding the property in Islip. This is bad environmental politics and it goes beyond the act of a single politician.

The New York League of Conservation Voters takes a dim view of any candidate who supports a policy of not trying to preserve land in cases where landowners aren't instantly eager to sell. This kind of

200

veto has never happened before and it shouldn't happen again.

Legislator Caracciolo, I want to say to you, I want to thank you for doing the right thing, for being a true public servant, for standing up against the rest of the party and doing the right thing. And thank you to the rest of you who also did the right thing. And the environment is just too important to play politics with. I'm glad you recognize that, Legislator.

LEG. CARACCIOLO:
Thank you.

MS. HAMLIN:
I urge you all to vote for the environment and the citizens' desires next time this bill comes before you. Thank you.

Applause

D.P.O. POSTAL:

Thank you. Next speaker is Joseph Palermo.

MR. PALERMO:

Of course, this is past history, but I'm going to give you my speech anyway.

D.P.O. POSTAL:

Use the microphone.

MR. PALERMO:

Okay. Good evening, Legislators. My name is Joseph Palermo. I reside at 887A Connetquot Avenue in Islip Terrace. At this time, I'm not going to extol the virtues of land conservation bills 1594 and 1595 introduced by Legislator Fields. Other speakers before me have been doing that. Instead, I want to denounce County Executive Bob Gaffney for setting a dangerous precedent and the County of Suffolk in vetoing a bill that is a planning and preliminary step. What was an important issue for the residents of Islip Terrace is now an important issue for all of Suffolk County. And by vetoing these resolutions, Bob Gaffney has brought attention to this issue and made it a purely partisan political issue. The veto can only give carte blanche to special interests such as some land developers who care only about money, not about the people who put them in office.

At the June 4th Legislative session, I reminded certain Legislators here that they were elected to serve the people, not the other way around. Legislator Towle, Newsday has printed your intention to change your vote and sustain the veto. How do you think straddling the fence will sit with voters in the next election? Legislator D'Andre, I hope that after your years of service to this Legislature you would not let the people down. However, you did. Legislator Haley, what will the voters and the environmentalists say in November if you switch your vote? They'll feel that you cannot be trusted.

Residents of Islip Terrace have family and friends throughout Suffolk County and will be well aware of the results of this vote to override, we will see to that.

201

Let's go back in time politically. During the 1800's in New York City, there were two municipalities, City Hall and Tammany Hall. The Mayor headed City Hall and Boss Tweed headed the other, who was involved in special interest groups. In 1871, Boss Tweed was arrested and charged with defrauding New York City of several millions of

GM080701.txt

dollars and sent to prison. Tammany Hall ceased to exist after 1934 when Fiorello LaGuardia became Mayor. I tell you this because we have the danger of another Tammany Hall in our midst, catering to politically connected land developers. Senator Trunzo should not be a hatchet man. That is not why he was elected.

Islip Town Supervisor Pete McGowan should not be telling Suffolk County Legislators how to vote. We do not need an Islip Tammany Hall. Suffolk County Executive Gaffney, we don't need a Suffolk Tammany Hall, and most of all, Mr. Gaffney, we don't need or want another Boss Tweed. Thank you.

Applause

D.P.O. POSTAL:

Thank you. Next speaker is Pastor Octavia Johnson? Peter Quinn? John Bunde.

MR. BUNDE:

Of course, I started out with good afternoon, but that's almost -- well, it's good morning, now. My name is John Bunde. I live at 40 Craig Place in Islip Terrace. As the President of the Islip Terrace Community Association, I'd like to say that we as a community are severely disappointed in the actions of the County Executive in vetoing Resolutions 14 -- 1594 and 1595, as well as the actions taken by the Legislature this evening. These resolutions were for planning steps only and should have been allowed to run their course. The end results should have been determined only after an offer was put on the table for fair market value of this property. Why is everyone afraid to put an offer on the table? Perhaps the real owner, who has yet to be determined, may be interested in negotiating. Last week, Stamford Brunswick, a real estate appraiser, who described himself as hired by Levin Management, the deeded owners of this parcel, spoke to numerous residents on Craig Road. We were told that one of the partners had recently passed away and his widow wanted to sell, sell out her share. The game had now changed and you now have an obligation to move forward with these resolutions, but, of course, you've killed them this evening, which, you know, by preempting our ability to speak tonight has made this very difficult for us.

As now, you have a motivated seller. By allowing this override to the veto, you've now given Greenview the green light to move ahead, in our eyes, with the Town of Islip, and that our concerns are not of your interest, which is deplorable, as you are all public servants supposedly acting in our best interest. To say that by ending the resolutions now is saving taxpayers' money, as quoted by County Executive Robert Gaffney in Newsday, is an insult to our intelligence. A few hundred or a few thousand dollars to evaluate the worth of an environmentally sensitive property is money well spent. We, as taxpaying residents, have paid for numerous other properties to be

evaluated and eventually purchased, even from, quote, unwilling sellers. Why wasn't anyone screaming to save our hard earned tax dollars then? Because it isn't about the money, is it?

Legislator Towle, you were quoted in Newsday as saying there are dozens of properties the County could also pursue where the seller is willing to sell. I challenge you this. How many are available that are 26.5 acres? How many are contiguous to a state park preserve? How many have resident populations of deer, fox and osprey, and how many are in Western Suffolk? You, I and everyone else here already know the answer, there are none.

Legislator Alden, from the onset of this issue, you have shown no interest in the concerns of our community and my -- residents of my community, your neighboring district residents. At the Environmental Committee meeting, you ignored our speakers and attempted to postpone the vote. You were then -- you then voted against our resolutions. At the Legislative session, again, you ignored our speakers, palled around with the developer, then voted against our resolutions. All we --

D.P.O. POSTAL:

Mr. Bunde, I have to ask you to sum up, your time's up.

MR. BUNDE:

I'm finishing up, ma'am. Are we to be surprised that a letter had been developed from Levin Management to excuse your behavior and that of our County Executive on the basis of their, quote, unwillingness to sell?

D.P.O. POSTAL:

Thank you. Mr. Bunde, I have to go on to the next --

MR. BUNDE:

Ma'am, I've waited all day. If you would indulge me --

D.P.O. POSTAL:

I know you have.

MR. BUNDE:

-- for one-half of a paragraph, please.

D.P.O. POSTAL:

And if there's a question --

LEG. FOLEY:

I have a question. I have a question.

D.P.O. POSTAL:

Legislator Foley.

LEG. FOLEY:

Okay.

LEG. ALDEN:
Brian, let me ask him a question.

203

LEG. FOLEY:
You have a question? Go head.

LEG. ALDEN:
Go ahead.

MR. BUNDE:
Yes, sir.

LEG. ALDEN:
You got anything more that you want to beat up on me on?

MR. BUNDE:
No, I'm not beating up on you personally, no.

LEG. ALDEN:
No. That gives you more time to talk. All you have to say is yes or no.

MR. BUNDE:
No. All I'm saying is that the letter, sir, does not remove culpability for disrespectful behavior. And I can assure you that we have a lot of friends, neighbors and relatives who live in your neighboring district. It's right next to us and I think they are concerned as much as we are about what happens in our township, which is right next door. We plan, as residents departments of Islip Terrace, to continue to fight this development on the Town level and we will, with the strength of our dedicated community members.

D.P.O. POSTAL:
Do you have a question, Legislator Foley?

LEG. FOLEY:
No.

D.P.O. POSTAL:
No. Thank you.

MR. BUNDE:
Thank you.

D.P.O. POSTAL:

Next speaker is Kenneth Spillane. Carmen Armstrong? Grace Ioannidis.
Tom Breeden. Jim Engrassia.

LEG. GULDI:

Is there anyone else who filled out a card who's still here to speak?

LEG. FOLEY:

That's right.

D.P.O. POSTAL:

There is somebody. What is your name?

204

MS. DE VRIES:

Renee deVries, Number 46.

D.P.O. POSTAL:

Yes. You're actually up next. Renee Perez deVries.

MS. DE VRIES:

Good evening. My remarks were, hopefully, to be presented to you before you voted, but you voted. I am not a politician. I am a 37 year resident of Islip Terrace. I grew up there and I raised my -- came back to raise my children there.

At a recent public meeting, a reporter asked me why I had brought my children to meetings, and I told him because I believed that if you work through the system, you could effect change. We waited all day, you could listen.

LEG. FOLEY:

Yes, really.

MS. DE VRIES:

I believe that if you could work through the system, you could effect change, and I came here today with that impression and I watched you vote. You, in not overturning Gaffney's veto, you butchered the system and he butchered the system, you allowed him to, and you all held the knife. It is impossible for me --

Applause

-- to try to explain to you in my three minutes, but I will try. I do -- I am primarily a parent and I find myself trying to explain to my children how things work. I try to teach them, I listen to their

GM080701.txt

stories and they listen to mine. This piece of property is a piece of property that can, if you vote the right way, stay the way it is. It is a piece of property that later on, when your grandchildren ask you what you did as a steward of Long Island, you can say, "I helped preserve the wildlife and these kinds of properties on Long Island," or you could say, "I help build apartment buildings and residences on every single empty piece of property that existed on Long Island." We are stewards of this property.

I am a graduate of Suffolk Community College, it is a great asset. Long Island's greatest asset is its environmental properties. It is your job to help us to keep what the residents and voters want in the forefront of your mind. You are stewards of this property. Please, think of that when you vote again. Please, try.

There is a woman who lives in my neighborhood, she has been here for over eighty-five years. She tells me stories of what Long Island used to look like. I will never see it the way she sees it in her mind. Do we want to be here sixty years from now -- well, we won't be here sixty years from now, but do we want to be here with grandchildren and children and tell them, "This is what Long Island used to look like," or do we want to be able to say that we protected the gift that Long Island had in its properties? Thank you.

205

Applause

D.P.O. POSTAL:

Thank you. Is there anyone else who would like to address the Legislature? Okay. Moving to the agenda.

P.O. TONNA:

Okay. Let's go to the agenda. Okay.

LEG. TOWLE:

Mr. Chairman.

P.O. TONNA:

I make a motion to approve the Consent Calendar.

LEG. FOLEY:

Second.

P.O. TONNA:

Second by Legislator Postal. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

Okay. Is there somebody that just said, "Mr. Chairman"?

LEG. BISHOP:

Mr. Chairman.

LEG. TOWLE:

CN's?

LEG. BISHOP:

Can we do the CN's?

P.O. TONNA:

Sure. We've got three -- four CN's. Okay, here we go. CN Number 19 -- 1690 (Amending Resolution No. 34-2001, authorizing use of Smith Point County Park Property by Bay Area Civic Association and William Floyd Summit for a race). Motion --

LEG. TOWLE:

Motion.

LEG. CARACAPPA:

Second.

P.O. TONNA:

-- by Legislator Towle, seconded by Legislator Caracciolo?

LEG. FOLEY:

Title?

P.O. TONNA:

No? Legislator Foley?

206

LEG. FOLEY:

Title.

P.O. TONNA:

This is the William Floyd Summit for a race.

LEG. CARACAPPA:

Smith Point County Park property, 5K race.

LEG. TOWLE:

5K race in the park.

LEG. CARACAPPA:
5K race.

P.O. TONNA:
It's a 5K race?

LEG. HALEY:
No-brainer.

P.O. TONNA:
Okay. All in favor? Opposed? Okay.

MR. BARTON:
18.

P.O. TONNA:
Okay. Resolution Number 1786, authorizing use of the Maritime Museum
in West Sayville County Park.

LEG. CARACAPPA:
Motion.

LEG. FOLEY:
Second.

P.O. TONNA:
For the Beefsteak Dinner --

LEG. FOLEY:
Yep.

P.O. TONNA:
-- fund-raiser?

LEG. FISHER:
Second.

P.O. TONNA:
Okay. All in favor? Opposed? Okay. Roll call -- what do you got
there?

MR. BARTON:
Caracappa/Fisher, 18.

GM080701.txt

Thank you. 1793, authorizing from the Drinking Water Protection Program, an agreement with the Town of Babylon for the payment of property taxes at the Oak Beach Inn property, Town of Babylon.

LEG. CARACCIOLO:

Do we have a copy of that agreement?

P.O. TONNA:

Wait. First of all, we have to have a motion. Legislator Bishop, do you want to make a motion?

LEG. POSTAL:

Second.

P.O. TONNA:

Motion by Legislator Bishop, seconded by Legislator Postal.

LEG. HALEY:

OBI.

P.O. TONNA:

Okay.

LEG. HALEY:

This is the OBI.

P.O. TONNA:

All right.

LEG. CARACCIOLO:

Do we have a copy of the --

P.O. TONNA:

I'll refer you to our Legal Counsel.

LEG. BISHOP:

Just by explanation, I think Dave Grier can probably explain this better than I can, because it's -- there is a stipulation in place between the parties, and part of the stipulation, critical part is that the deal has to close by August 10th, and that's why this is coming in on CN.

LEG. CRECCA:

Where does it say that?

MS. ROSENBERG:

It's court-ordered. It's court-ordered.

LEG. BISHOP:

It's court-ordered. The County Executive's Office is going to verify that.

LEG. CARACAPPA:

By Justice James Catterson.

LEG. BISHOP:
By Judge Catterson. The --

LEG. TOWLE:
His dad was here today.

LEG. BISHOP:
There it is. It's in the --

LEG. HALEY:
Was that his dad?

LEG. TOWLE:
You spoke to him, in fact?

LEG. CARACAPPA:
What, did you threaten him?

LEG. TOWLE:
I think your words were, "Drop dead."

LEG. BISHOP:
I almost had him not accepting donations from his -- almost, almost got him. In the fourth whereas, it's referenced. However, what this resolution does, when you voted back, I guess it was in March, that was the critical vote, because you authorized the money going into this. All this resolution does is accept the State property, because as part of this deal, the State is turning over to the County property that will become part of the park. Formerly, this property was leased to Mr. Matherson. So the Town leased to Matherson, the State leased to Matherson, and now this land is all coming to the County, and that's what this resolution does is accept the State property.

LEG. CARACCIOLO:
There were newspaper reports, Newsday, in fact, reported that this property is going through -- the transfer of this property and acquisition of this property is going to a number of individuals, Mr. Matherson, to a developer, to --

LEG. BISHOP:
Nature Conservancy.

LEG. CARACCIOLO:
To the County.

LEG. BISHOP:
To the County, and then leased to the Town for 20 years with another

20-year option. At the end of that, it comes back to the County.

LEG. CARACCIOLO:

Okay. But part of this universal settlement, are there not some compensation due some of those parties mentioned by the Town of Babylon, and if so, for what?

209

LEG. BISHOP:

I think what you're referring to is does Mr. -- Mr. Matherson has a judgment against the Town from actions that took place two decades ago. What he had managed to do with this developer is, in lieu of exercising the judgement of collecting tens of millions of dollars, he got the right to build a high-rise development. That's why when we brought this forward, the issue was do we want to allow the first high-rise development on Suffolk County's coast. By the County acquiring the property, he goes away and we draw a line in the sand against high-rise development.

LEG. CARACCIOLO:

Well, how does he go away?

LEG. BISHOP:

Well, he's paid for his property --

LEG. CARACCIOLO:

By?

LEG. BISHOP:

-- so he's selling.

LEG. CARACCIOLO:

By?

LEG. BISHOP:

By the Greenways Fund. We get a park.

LEG. CARACCIOLO:

But if he has -- if he has a claim against the Town, the concern I have is, is the County coming in as a party to that claim indirectly, not directly, under the guise of our Active Parklands Program, to make an acquisition to bail out a property owner at taxpayers' expense? And what are -- what is the site plan for the active park? I haven't seen anything.

LEG. BISHOP:

GM080701.txt

The site plan was worked out between the Suffolk County Department of Parks and the Town of Babylon. It will have a diving school, a fishing pier, and other activities at the site, including potentially a bed and breakfast, which would raise revenue. All -- any structure on the site will revert back to the County at the term -- at the end of the lease, so you're going to get -- County taxpayers will get all of the improvements.

LEG. CARACCIOLO:

Where is that stated and what is the timetable for that?

LEG. BISHOP:

The County Executive's Office negotiated that with the Town of Babylon.

LEG. CARACCIOLO:

All right. So we have Dave Grier from the County Attorney's Office. Dave could you answer the question? Where are those agreements?

210

Are -- well, I should I say is the Town bound legally to follow through on an active parkland plan? And what is the benefit to residents outside the immediate area in utilizing facilities that have yet to be built? And when will they be built? And what are they, what are those facilities?

MR. GRIER:

Well, as far as the details of what the plan is concerned, I'm not aware of what all the details are. I haven't been involved in that aspect of the negotiations. As far as the Town having to follow through with this, they are bound by a stipulation of settlement, which was put on the record before Judge Catterson.

LEG. CARACCIOLO:

Well, explain to us nonlawyers what -- what is the stipulation agreement?

LEG. CRECCA:

Dave, speak closer to the mike, so we can hear you.

MR. GRIER:

Sure. The stipulation basically requires that property that the Town currently owns and the State owns is going -- which is the parcel that is included in this resolution, is going to be conveyed through the Town to Mr. Matherson to a company called Oak Beach Dunes LSC, who will then convey that to the Nature Conservancy, who will then convey that to the County.

LEG. CARACCIOLO:

Why are we going through all of these transactions?

MR. GRIER:

Well, the Town, Oak Beach Dunes LSC, Matherson, they're all parties to the lawsuit, so that will take care of the claims under those -- the two actions which are listed.

LEG. CARACCIOLO:

There was also a developer involved, as I recall.

MR. GRIER:

That's Oak Beach Dunes, is -- was the developer.

LEG. CARACCIOLO:

And what is the principal's name?

MR. GRIER:

One of the individuals was -- I don't recall his first name, but his last name is {Cassada}.

LEG. CARACCIOLO:

Right. I still don't understand the nature of how the County gets involved a deal that's now -- the County share is 2 million, but the total deal is seven, and according to the Newsday report, it's worth something like 3 1/2 or 4 million dollars. So how do we get to the seven?

211

MR. GRIER:

I haven't seen the appraisals. All I can tell you is that aside from the lawsuits, the County got involved merely as -- you know, through the two resolutions that were put in to acquire this for preservation and active park purposes, and that's how the County got involved, and that's where, you know, we started negotiating the contracts. And, obviously, as it becomes County property, it's open to all County residents and that's the benefit that would accrue.

LEG. CARACCIOLO:

Okay. This indicates that the funding is coming from the County's Drinking Water Protection Program.

MR. GRIER:

Correct. It's got two funding sources.

LEG. CARACCIOLO:

What property on this site is being protected for drinking water

purposes?

MR. GRIER:
I believe those --

LEG. CARACCIOLO:
I understand this is a parking lot.

MR. GRIER:
I don't -- I haven't visited the site. I've never been to OBI for as long as I've lived here in Suffolk County, so I don't know what the property physically looks like.

LEG. CARACCIOLO:
Dave, do you know?

LEG. BISHOP:
You're right, there's a parking lot, there's wetlands and there's a structure. The structure is coming down. What's going to be created is an active park site with the wetlands preserved around in as well. In figuring this out, one of the things that the Real Estate Division did was that formula, because they realized that some of the land would have to be preserved and some of it would have to be made into the park, because you're using two funds. We've done this, for example, in your district, where we combined funds and we had to be sensitive to that question.

LEG. CARACCIOLO:
Not on parking lots. We've purchased land to develop active park and we've done it with the Wedge.

LEG. BISHOP:
Yeah, but it's a -- Mike, it's a parking lot on a beach. You're looking at the water.

LEG. CARACCIOLO:
I guess what really have a concern about are the numbers. When I read in the paper that there are four different entities involved and that

Mr. {Cassada} is getting \$3 1/2 million, or some amount close to that, the County is kicking in \$2 million and the ultimate price tag is seven, the numbers just didn't add up, and I'm wondering what -- what role the County is playing in helping somebody out of a stipulation agreement with a property owner and a developer? It seems to me that Mr. {Cassada} is being made whole by this arrangement, seems to me that Mr. Matherson is being made whole, and I want to make certain that taxpayers are, in essence, bailing out a property owner and a

developer.

LEG. BISHOP:

Your criticisms are all -- they're all legitimate criticisms. It is not -- you know, it's not perfect.

LEG. CARACCIOLO:

Really not criticisms, they're questions.

LEG. BISHOP:

Because people do -- I mean, Matherson, I mean, he's misbehaved for decades, right? And he's been --

LEG. FISHER:

Legendary.

LEG. BISHOP:

And because he was found by a Federal Court to have been essentially persecuted when he was running his business, he's, you know, held the Town by the tail, and Western Suffolk County in great part by the tail. So now we come to the end of the saga, and does -- is the County heroic, are we stepping forward in a big way? Absolutely. What are we getting for it? Well, you're getting beautiful waterfront park that will be available to all County residents, and what I think is more important, because it's more important in your district and George's district and right -- any coastal district, is we are drawing the line against high-rise development. This would be the first. And the history of Long Island development is when the first gets going, it begets the second, third and so on, and so this would draw the line and not allow that to happen. That was the argument that I made, Legislator Binder made, Legislator Tonna, Legislator Postal, the cosponsor when we brought it forward the first time. It was persuasive then. I would think, at this late date, when we're under a court order to close in three days, and we have all the agreements and all we need to do is accept the State property, that you would be -- you know, stick with it and let's get it done, because I think that the -- that the message it sends against high-rise development on our coast is a legacy that we want to keep. We don't want to -- we don't want to be the government that allowed that to happen, do we?

LEG. CARACCIOLO:

When you --

LEG. BISHOP:

And I understand your point.

LEG. CARACCIOLO:

Right.

LEG. BISHOP:

It's exorbitantly expensive, people are making out very well, but it's appraised -- you know, it's within the appraisal and it draws the correct line in the sand against high-rise development.

LEG. CARACCIOLO:

Well, I have to tell you, there are a number of appraisals that I'm really getting -- I'm becoming concerned about in this County. When we look at Shadmoor, when we look at Chandler Estate, when we look at this one, I'm beginning to wonder whether something is awry. We're talking about millions and millions of dollars, in the case of Shadmoor, above -- some \$12 million more was paid for that property a year after the U.S. Fish and Wildlife said it was worth five. The State, the Town and the County paid 17.7. Why? No one's been able to give me a satisfactory answer. And I just want to make sure this is not going down that same path. Well, Subdivision approval, when you could have conserved 83% of that property and develop four acres. I mean, there are a lot of questions that I think we have to start exploring. I intend to do that in the Finance Committee.

LEG. BISHOP:

Mr. Chairman, I'm going to run out of time, and if it's going to go down on merits, that's one thing, but I'd hate to lose it on the time factor.

LEG. CRECCA:

Well, this is the first time I'm seeing it.

P.O. TONNA:

Okay. Well, all I can -- all I can say is right now -- are you done, Legislator Caracciolo?

LEG. CARACCIOLO:

Yeah, I'm done.

LEG. BISHOP:

So I would ask that you call the vote.

P.O. TONNA:

Okay. He's done.

LEG. BISHOP:

I would appreciate it.

LEG. CRECCA:

Well, I've asked --

P.O. TONNA:

All right.

LEG. CRECCA:

I have some questions on it.

P.O. TONNA:

Can I say something? You can -- you can end -- make a motion to end

214

debate, but Legislator Crecca's next on the list.

LEG. BISHOP:

Well, I -- Legislator Crecca, how long is it going to be?

LEG. CRECCA:

I don't know, but I just --

LEG. BISHOP:

All right. I make a motion to close debate.

LEG. CRECCA:

Wow.

LEG. BISHOP:

I need ten votes for that?

P.O. TONNA:

Twelve.

LEG. CRECCA:

With all due --

LEG. BISHOP:

Twelve?

P.O. TONNA:

You're not going to get that.

LEG. CRECCA:

On that motion, with all due respect --

LEG. BISHOP:

All right. Can I make a motion to extend the meeting to 12:45?

LEG. FOLEY:

Second.

P.O. TONNA:

I'll second that. I'll second that. Okay. Roll call on the motion to extend the meeting to 12:45.

(Roll Called by Mr. Barton)

LEG. BISHOP:
Yes.

LEG. TONNA:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
How long to extend?

215

LEG. HALEY:
Fifteen minutes.

P.O. TONNA:
12:45.

LEG. BINDER:
No.

LEG. D'ANDRE:
No.

LEG. CRECCA:
Pass.

LEG. CARPENTER:
Pass.

LEG. ALDEN:
Nope.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
Pass.

LEG. CARACCIOLO:
No.

LEG. POSTAL:
No.

LEG. CRECCA:
No.

MR. BARTON:
Legislator Carpenter.

216

LEG. BISHOP:
Motion to extend the meeting to 12:50.

LEG. CARPENTER:
No.

P.O. TONNA:
Wait, wait, wait. No, you've got to --

MR. BARTON:
No.

LEG. CRECCA:
He's doing a roll call.

P.O. TONNA:
Let's finish the roll call.

MR. BARTON:
Legislator Guldi.

LEG. GULDI:
Yes.

MR. BARTON:
Nine.

P.O. TONNA:
Okay.

LEG. BISHOP:
Motion to extend the meeting to 12:50.

LEG. FOLEY:
Second.

P.O. TONNA:
Okay.

LEG. FOLEY:
Second.

P.O. TONNA:
I'll second that in the spirit of bipartisanship.

LEG. HALEY:
Make it 12:40.

P.O. TONNA:
12:50.

LEG. LINDSAY:
If this don't pass, you're going to run out of time.

217

P.O. TONNA:
No kidding. But go ahead, roll call.

(Roll Called by Mr. Barton)

LEG. BISHOP:
Yes.

LEG. FOLEY:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. D'ANDRE:
No.

LEG. CRECCA:
No.

LEG. CARPENTER:
No.

LEG. ALDEN:
No.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
No.

LEG. POSTAL:
Yes.

LEG. TONNA:
Yeah.

MR. BARTON:
Ten.

P.O. TONNA:
Okay. Legislator Crecca, you have the floor. You didn't get it, you need --

D.P.O. POSTAL:
We need 12?

P.O. TONNA:
You need 12. You didn't get it. Go ahead.

LEG. BISHOP:
To extend the meeting?

P.O. TONNA:
Yeah.

LEG. GULDI:
Ten to extend.

P.O. TONNA:
How many votes.

MR. SABATINO:
Twelve to extend.

P.O. TONNA:
Twelve to extend.

MR. SABATINO:
Twelve to extend. Twelve to extend.

P.O. TONNA:
Legislator -- Legislator Crecca and then --

LEG. CRECCA:
Can I ask my question, so maybe he can get this vote in?

P.O. TONNA:
Legislator, can you get it done quickly, so we can vote?

LEG. CRECCA:
Is it -- I heard somebody say it's \$7 million for this property. So we're paying 2.5 million per acre for this property.

LEG. BISHOP:
Probably, but we're getting donated another -- you're getting donated --

P.O. TONNA:
We're down to our last three minutes. Let's please listen.

LEG. BISHOP:
Getting donated another additional -- it's eight acres all together.

LEG. CRECCA:
I just -- I apologize, but I didn't -- it's the first time I've seen this.

LEG. HALEY:
Andrew, it's based on appraisals.

LEG. CRECCA:
It's just a lot -- you know, it's a lot of money.

LEG. HALEY:
Everybody looks at --

LEG. BISHOP:
Absolutely.

LEG. HALEY:
-- the appraisals, the Town, the County, everybody.

LEG. HALEY:
Move the vote.

MR. BARTON:
There's a motion and a second, Mr. Chairman.

P.O. TONNA:
Okay. There's a motion and a second. Roll call.

(Roll Called by Mr. Barton)

LEG. BISHOP:
Yes.

P.O. TONNA:
We have literally --

D.P.O. POSTAL:
Yes.

LEG. COOPER:
Yes.

P.O. TONNA:
We have a minute and fifteen seconds.

LEG. BINDER:
Yes.

LEG. D'ANDRE:
Pass.

220

LEG. CRECCA:
Pass.

LEG. CARPENTER:
Pass.

LEG. ALDEN:
Pass.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Pass.

LEG. TOWLE:
Pass.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Abstain.

LEG. TONNA:
Yeah.

MR. BARTON:
Legislator D'Andre.

LEG. HALEY:
Yeah.

MR. BARTON:
Mr. D'Andre.

P.O. TONNA:
Wait, wait. Legislator D'Andre goes.

LEG. D'ANDRE:
This is a hell of a lot of money.

221

P.O. TONNA:
Mike, you got to vote yes or no. You got thirty seconds, Mike.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
(Shook head no)

MR. BARTON:
No?

LEG. CARPENTER:
Yes.

LEG. CRECCA:
I didn't vote.

LEG. ALDEN:
Yes.

LEG. CRECCA:
What happened? I didn't vote.

P.O. TONNA:
Okay.

MR. BARTON:
Legislator Caracappa.

LEG. GULDI:
Did you vote, Legislator Crecca?

LEG. CRECCA:
I didn't vote.

MR. BARTON:
Legislator Crecca. What?

MS. FARRELL:
You shook your head. Okay.

LEG. BISHOP:
Call the vote.

LEG. CARPENTER:
Time's up.

P.O. TONNA:
He said no. Okay.

LEG. BINDER:
Call the vote.

P.O. TONNA:
Call -- yeah.

222

MR. BARTON:
Legislator Caracappa.

LEG. D'ANDRE:
Time's up.

P.O. TONNA:
Come on, guys, you got ten seconds.

MR. BARTON:
Legislator Towle.

LEG. TOWLE:
Yes.

MR. BARTON:
Legislator Caracappa.

LEG. CARACAPPA:

Did you get my vote, Mr. Clerk?

MR. BARTON:
No, I haven't. What do you want?

LEG. CARACAPPA:
Abstain.

MR. BARTON:
Mr. Crecca?

LEG. CRECCA:
Abstain.

LEG. HALEY:
Motion to lay this on the table, Mr. Chairman.

MR. BARTON:
Fifteen.

P.O. TONNA:
Fifteen. Okay, great.

LEG. CARPENTER:
Second.

LEG. HALEY:
Motion to lay this on the table.

P.O. TONNA:
I'm sorry.

LEG. FISHER:
Second.

223

P.O. TONNA:
I'm sorry.

LEG. FISHER:
1795, second.

[THE MEETING WAS ADJOURNED AT 12:30 A.M.]

{ } Denotes Spelled Phonetically

GM080701.txt

224