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SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

FOURTEENTH DAY

AUGUST 28, 2001

MEETING HELD AT THE WILLIAM H. ROGERS LEGISLATURE BUILDING
IN THE ROSE Y. CARACAPPA AUDITORIUM
VETERANS MEMORIAL HIGHWAY, SMITHTOWN, NEW YORK

MINUTES TAKEN BY
LUCIA BRAATEN AND DONNA BARRETT

(*THE MEETING WAS CALLED TO ORDER AT 9:50 A.M.*)

D.P.O. POSTAL:

Will all Legislators please report to the horseshoe. Roll call.

(THE ROLL WAS CALLED BY MR. BARTON)

LEG. CARACCILO:

Here.

LEG. GULDI:

Here.

LEG. TOWLE:

(NOT PRESENT).

LEG. CARACAPPA:

Here.

LEG. FISHER:

Here.

LEG. HALEY:

(NOT PRESENT).

LEG. FOLEY:

Present.

MR. BARTON:

Legislator Lindsay.

MS. BURKHARDT:

He's here someplace.

LEG. FIELDS:

(NOT PRESENT).

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. CRECCA:

Here.

MR. BARTON:
Legislator D'Andre.

LEG. ALDEN:
Mike's here, yes.

LEG. D'ANDRE:
Yes, here.

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LEG. BISHOP:
Here.

LEG. BINDER:
(NOT PRESENT).

LEG. COOPER:
Here.

DEPUTY PRESIDING OFFICER POSTAL:
Here.

MR. BARTON:
Presiding Officer Tonna.

D.P.O. POSTAL:
He's here.

MS. BURKHARDT:
Legislator Lindsay is here.

MR. BARTON:
14 present.

D.P.O. POSTAL:
Will everyone please stand for the salute to the flag, led by
Legislator Cameron Alden.

SALUTATION

D.P.O. POSTAL:
Thank you. In lieu of clergy, I'd like to introduce Legislator
Cameron Alden, who has a treat for all of us this morning.

LEG. ALDEN:
This morning we're kind of honored to have these people here with us.

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Mary Sharp has done an immense amount of work on Long Island working with our youth, and she's got a program called Long Island Voices, and it brings together kids and puts kids together with themselves and with other kids of their same age, background. But it also does a lot of things for them too. It's an alternative to drug use, it helps with counseling, helps them sometimes get their lives back on track where they might have been lost and possibly lost forever to drugs and other types of bad behavior. Today we're going to have, as you saw a little bit earlier, we're very, very privileged to have little bit of warm-up music. And we're going to have kind of a perform because the rest of the Long Island Voices are outside, and they'll be coming in right. I've ask the Presiding Officer and also the Deputy Presiding Officer, Maxine Postal, to join me, and we're going to present a proclamation to Mary Sharp and Long Island Voices to really honor and recognize the great works that they've done.

D.P.O. POSTAL:

Thank you. I'm so pleased to be part of this today, because I'm not only here as the Deputy Presiding Officer, but I've known Mary Sharp for a very long time. Her sister's a personal friend of mine. I have

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to tell you the voices are extraordinary, we're all in for an astounding treat. The choir has traveled all across the country and actually, to other parts of the world to perform so that people all around this globe know what an extraordinary group they are, and what an incredible choir leader and role model Mary Sharp is.

P.O. TONNA:

Nobody really wants to hear the Presiding Officer speak anyway. So I say, let's hear the music. It's great. Thank you.

LEG. ALDEN:

Here's Mary.

APPLAUSE

LEG. ALDEN:

Congratulations on the good job that you've done. We want to say thank you. You've made things a lot easier and a lot better.

P.O. TONNA:

You want to say something?

MS. SHARP:

Thank you. First of all, I honor the Lord and I have to do that, if you don't mind. I'm just so glad to be here today, and I'd like to thank Legislator Cameron Alden for inviting us. And I'd like to say to you we only bought one fourth of these children because had we

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brought the whole group I think you would have to back the walls up a little bit. So we were conscious of the meeting today, and we have about a quarter of the children. But I just want the Legislature to know that these are a-risk children, a lot of them. And we're home based in Suffolk County, but these children are from all over Long Island. Nassau County, Suffolk County, Queens, all over Long Island, and we're just blessed to be her here today, and we're just so glad to be able to serve our community, because that's one of the things that we really like to do. We go to the prisons, we go to the homes for wayward children, and all of those things, because that's what God ordained us to do, and I thank you again, Mr. Alden --

LEG. ALDEN:
Thank you.

MS. SHARP:
-- for having us here, and the Legislature for allowing us. Thank you again.

APPLAUSE

MS. SHARP:
All right. I was involved in a car accident, and I was the Director and my daughter is the Assistant Director who has a new job, and she wasn't able to be here, so the kids are pretty much going to be on their own. But as I said to them you're here to glorify God, no matter where you are, just do what you do. We're just going to do a little bit of what we do when we open up where ever we are.

PRESENTATION BY LONG ISLAND VOICES

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MS. SHARP:
That's all we want you to do, just rejoice today and loosen yourself up before you get ready for the meeting today, because I want you to know that God can always bring peace in any situation. And I know the Legislature, sometime when they come to meet in here, they be wishing for peace. And I want you to know that God can bring peace in any and every situation. The Long Island Voices offer free tutoring to the children. We also offer mentoring, we give scholarships to all of the college students. And with all of that, we teach vocal, and that's my part. We have volunteer teachers, we have volunteer counselors that all come in and volunteer, and any of you are always welcome to be a part of that. We're going to deal with the vocal now that we sing, acappella, Steal Away, Haven't Got Long, we call it spiritual.

PRESENTATION BY LONG ISLAND VOICES

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MS. SHARP:

We haven't got long to stay here. To all of you Legislators, one day it will all be over, all the confusion, all the stress, will one day all be over. But remember, when you're standing at that table, you're standing on the promises of God. He says He'll never leave you no matter what the situation is. That goes for the Legislators and those of you that are here that have something to say to them. Also remember, God promised us that you could stand on His promise.

PRESENTATION BY LONG ISLAND VOICES

MS. SHARP:

We're getting ready to leave now. We aren't going to take up much of your time, and I told them, don't stomp the place down, so they're acting very reserved, believe me. We kind of told them to cool it down just a little bit. But before we get ready to leave and before you have your meeting, whatever goes on in here today, we want you to know that there's healing for your soul. If you don't get what you need today, there's still healing. You'll heal from it, because God said it so. So we will calmly leave you and let you know that there's healing for your soul.

P.O. TONNA:

In eight years, I'll tell you that was the best morning prayer I've ever had in my life.

LEG. CARACAPPA:
Mr. Chairman.

P.O. TONNA:
Yes.

LEG. CARACAPPA:
Point of personal privilege.

P.O. TONNA:
Sure. Legislator Caracappa.

LEG. CARACAPPA:

Before we do the proclamations by individual Legislators, I'd like to ask everyone to stand in remembrance and silence for a prayer for a wonderful public servant, F. Daniel Maloney, the tax receiver from the Town of Brookhaven who passed on Sunday after an eight year battle with cancer. He was a dedicated family man and a dedicated public

servant, and I'd ask that your thoughts and prayers be with his family at this time. Thank you.

MOMENT OF SILENCE

P.O. TONNA:

Okay. Legislator Fisher, I'll recognize for the purposes of, I think, a proclamation.

SUBSTITUTION OF STENOGRAPHER - DONNA BARRETT

LEG. FISHER:

Good morning. What a wonderful way to start today's Legislative meeting. And it's a remarkable and extraordinary reminder that our children are our future. And that those people who dedicate their lives to helping children who are at risk and who dedicate their lives to helping those children who sometimes are not as easy to help as others are very special people. And one of these people who has spent her life and dedicated her life to helping children is Ellie Seidman-Smith, and I'd like her to come forward right now, while I embarrass her as she stands next to me. All of the people here at this horseshoe know the work that Ellie Seidman-Smith does with the Red Cross and how she takes the issues of kids who are kids in trouble, she advocates for them, she nurtures them and she provides -- she has helped to provide a venue for them to deal with mistakes that they've made, and at the same time provides a very important service to the community.

Throughout the years we've honored the Red Cross a number of times, but Ellie, herself, has yet to receive a proclamation. And she has been doing this for 20 years. So today's proclamation is to honor the work that she's done. When we spoke about presenting Ellie with this proclamation, her staff was eager to come, and the staff is here and her colleagues are here -- can you just stand up so we can see you as well, because you're part of the work that we're celebrating today.

APPLAUSE

LEG. FISHER:

There are also people here who know Ellie because they were Peace Corps Volunteers, and I think that that's important as well, because there are people who made a decision as soon as they finished school, to give back to the community, to become part of public service. And those people are Peace Corps Volunteers. I think some of them are here today.

APPLAUSE

LEG. FISHER:

Okay. And they were other Peace Corps Volunteers who I think had

Principal's Meeting this morning because school is going to be starting soon. But I'm going to read some of the proclamation. In fact, I'll read all of it. It's not that long.

RETURN OF STENOGRAPHER - LUCIA BRAATEN

"Whereas the Suffolk County Legislature wishes to congratulate Eleanor Seidman-Smith on the occasion of her twentieth anniversary as Director of the Community Service Program of Suffolk County, and whereas Eleanor Seidman-Smith has spent a long and varied career devoted to helping others, and has selflessly shared her amazing expertise in seeking aid those who are often unable to help themselves. The success of the Community Service Program reflects the inspiration, dedication and ability of Eleanor Seidman-Smith to search for solutions and then implement them. Now, therefore, be it resolved that I, Vivian Vloria Fisher, Legislator for the Fifth District, along with my colleagues on the Suffolk County Legislature do hereby congratulate Eleanor Seidman-Smith for her 20 years of outstanding service to the community.

APPLAUSE

P.O. TONNA:

I want to quickly to say I want you to know I'm definitely with the best Legislative lobbyist of all times. I can't believe that -- I don't know how many times I've said, no, which meant a yes, so -- and I just want to take a special moment to thank you and the volunteers for the pilot Food Stamp Program that we've put together. You've put over three hundred hours, 14,000 pieces of mail with ten staff people. You don't know how much you're helping the community. Thanks for the leadership, and thanks so much for giving back to the community. Thank you.

APPLAUSE

P.O. TONNA:

She says she's speechless, don't believe it.

LEG. FISHER:

That's never happened before.

MS. BURKHARDT:

Paul, don't leave. You can introduce Legislator Lindsay and do the next proclamation.

P.O. TONNA:

Legislator Lindsay, I introduce you for the next proclamation.

LEG. LINDSAY:

She already did that. Good job, Paul. I ask that the Presiding Officer stay here with me. Monday is Labor Day.

LEG. CARACAPPA:
That's great, Paul.

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LEG. LINDSAY:

To many of us that means the end of a nice summer -- nice summer and a three-day holiday. But more importantly, it's a day we set aside to honor the hard working men and women of the work force that built this country, and we thought it would be very appropriate if we presented a proclamation to the President of the Long Island Federation of Labor, Jack Caffey. Come on up, Jack. The only stipulation to receiving this proclamation is you have to outperform the first group that got the proclamation. You want to dance or tell a joke or what d you want to do? I'm only kidding.

Let me just read the proc, and I think it says it all. "The Suffolk County Legislature is proud to recognize the hard working men and women of the Long Island labor movement, and whereas the dynamic and vital force of American has contributed tremendously to the highest standard of living and the greatest production of quality goods and services the world has ever known. The men and women who comprise our labor force are collectively one of the hardest work and top producing groups to be found anywhere. Their products and services are an essential part of our everyday lives, and whereas the American labor movement is responsible for many of the working conditions and benefits that we take for granted, like paid vacations and the eight hour work day and universal public education and safety and health legislation. Now, therefore, be it resolved, as we approach Labor Day 2001, that we, the Suffolk County Legislature, do hereby extend our congratulations to the Long Island Federation of Labor and their affiliates for a job well done in representing the working people of Suffolk County."

LEG. TONNA:

Congratulations. Nothing can be added to that. Jack, congratulations. Congratulations for all the people that you represent.

MR. CAFFEY:

Thank you.

P.O. TONNA:

Do you want to say something?

MR. CAFFEY:

Yes.

P.O. TONNA:
How did I know?

MR. CAFFEY:
You always got to give a labor leader a mike, just like a politician. I can't follow that act, Bill. These kids were absolutely fantastic. And let me just say from the outset for the people that are not aware of this Legislature, just last month, this Legislature of Suffolk County had the courage to stand up for the working men and women, and fought for a living wage for this County. And it was the first time in the State of New York, a county had realized that there had to be a minimum wage or a living wage passed in a county that the cost of living is so high, and that we could not live with the federal

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standards that apply throughout this country. When my friend Mike Caracciolo made a very interesting point of view, where people were making as much on welfare as they were working, and we were asking people to leave welfare to work. And we were not providing those funds for those people to make above what the welfare system was giving him. That was an indication that we had to do something for our people. And let me say that, on behalf of the labor movement, and to the people who do not belong to unions, it was the labor movement and this Legislature that fought very hard to provide those funds, not only to organized labor, but also to the people that we all represent and love on this county, and that's all of you.

So on behalf of the labor movement, special thanks to Legislator Bishop and Legislator Tonna. And this is a very special gift to be able to get the first time from my colleague from the labor movement who was elected in a special election this year. It is a special proclamation, and I accept this on behalf of everybody and working men and women of this County, and I wish all of you a very safe Labor Day Weekend.

LEG. TONNA:
Thank you.

MR. CAFFEY:
Thank you.

APPLAUSE

MS BURKHARDT:
Paul, Legislator Crecca.

P.O. TONNA:

Let me guess, Legislator Crecca, for purposes of a proclamation.

LEG. CRECCA:

Thank you, Presiding Officer.

P.O. TONNA:

Thank you, Legislator.

LEG. CRECCA:

I'd ask to join me for presentation of this proclamation Bill Lindsay, Legislator Lindsay, and also Legislator D'Andre, my fellow Legislator from Smithtown. And I'd ask the recipient of this proclamation, Robert Wass, to step up to the podium too. Before I tell you why Mr. Wass is receiving a proclamation, I just want to point out one interesting fact -- or two interesting facts about Mr. Wass, other than the reason he's receiving the proclamation here today. First of all, Mr. Wass works often with -- he's an international scuba diver who resides in the Town of Smithtown. He works extensively with our Medical Examiners Department on occasion to provide his expertise to them when there are deaths related to -- that happen out in the water or in the ocean. But history was made by this individual back on April 24, 1999. On that date, Bob Wass, a professional scuba diver and also an IBEW Local 25 member -- that's why I've asked Bill to join us here at the podium -- co led an international team of nine divers

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in a record setting underwater exploration of the North Pole. It was the -- they did a dive in waters that -- Bob, correct me, about 28 degrees?

MR. WASS:

The water was 28 degrees.

LEG. CRECCA:

Twenty-eight degrees. They set a world record there at that time. That's not why we're here today for Robert Wass. I just thought that was an interesting fact. In fact, Mr. Wass was at his Smithtown office where they were having a staff meeting in his dive shop when a call came in regarding the tragedy which happened just five years ago, and that was the TWA Flight 800 disaster. He and his staff immediately gathered up, got their equipment together and headed down towards their boat, which was docked down in Patchogue. Mr. Wass, along with his crew of -- informed the Coast Guard that they would offer their assistance when that disaster took place. And literally, within hours, were set up and out on the waters there to assist the Coast Guard, and the US Navy with that disaster. It was -- the entire diving community here on Long Island, both professionals and the recreational divers, came together to try and assist in any way they

could when this catastrophe struck. It was an amazing unity to see.

Today, as we are just passed the fifth anniversary of this terrible disaster, I ask my fellow Legislators to join in honoring Robert Wass who responded to that emergency without the thought of any personal reward and helped join in the rescue attempt of Flight 800. He is one of the heroes of Flight 800, one of the literally, hundreds of Long Islanders who came to assist and offered their assistance without remuneration or without looking for anything other than helping a fellow human beings. So Mr. Wass, it's with great pleasure that I present this proclamation to you along with my co-Legislators from Smithtown, and Bill Lindsay in Islip.

LEG. D'ANDRE:

Let me just say something.

LEG. CRECCA:

Sure.

APPLAUSE

LEG. D'ANDRE:

This is another example of Americans rising to the occasion, just like in Pearl Harbor. This is smaller, naturally, in size. Americans rise to the occasion, they don't have to be prodded, they don't have to be asked. Like this young man from Smithtown, a real American. He rose to the occasion. That's what it's all about. I congratulate you, young man.

APPLAUSE

LEG. LINDSAY:

Congratulations.

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LEG. CRECCA:

You want to say something?

MR. WASS:

I'd like to just say on part of all the other divers on Long Island, we did have six people on our boat when we went out there to help in anyway possible, only to find out the disaster it truly was and really not much could be done. On the other hand, there was 50 to 80 other divers all over Long Island, outside of our state even, willing to come on and were calling me 24 hours a day to offer their assistance in the catastrophe. Each one of those people deserve recognition,

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including every dive shop on Long Island wanted to help in one way or another. I think people should know on Long Island that these divers don't look at boundaries and territories, such as our fire departments have to, but I think everybody should we're surrounded by water, and from Montauk Point to the East River, every sump, every lake, river, stream I've been in and so have my friends. And we see what it's all about and what's down there. We have major airports in this area where planes just waiting, if they have a problem, they're going to ditch in the water, and we have to be ready to get these people because they can be trapped in the fuselage. I'd like this opportunity to bring to everybody's attention, it is possible and we can save somebody, but not if you're not ready. We're ready to put out fires, go to houses and put them out. Your insurance companies give you good rates on your home owners because the fire department can come right to your house and put that fire out. And you could count the minutes a fire truck will be there. The human body can -- somebody can drown and be under water for 60 minutes. Most recently, even over 60 minutes. And due to the Mammalian Diving Reflex, we can revive that victim. It's incredible to even think of what I just said, but up to 60 minutes submerged under water, that kid in the swimming pool, somebody in a river, stream, lake, Lake Ronkonkoma. We need to get that person and get them out of the water. We have the best EMT's and paramedics and doctors on Long Island. If we can't get the person out of the water, you can't revive them. We need to get that person out, but it takes communication, it takes people getting together to make it happen. And we all have to work too. Nobody's going to get paid 24 hours a day to be diving or anything and nobody expects that to happen, but those rescuers to get there, to make that happen, I think it's possible and something to really look at. That's it. I really appreciate our government coming to say thank you.

APPLAUSE

D.P.O. POSTAL:

Legislator Fields for purposes of a presentation of proclamation.

LEG. FIELDS:

Thank you. Last month we had a group of Legislators present proclamations to firemen, and I did, indeed, have a fireman who had previously been honored by this Legislature for acts of heroism. But in addition, I'm going to ask Jimmy Brown to come up. He was unable to make it last month because he worked nights, and we had an evening meeting. But Captain Jimmy Brown was driving in his vehicle with his

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parents, and he witnessed a vehicle loose control in the median divider of the highway, and it bursts into flames. Without

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hesitation, he stopped his vehicle to assist, and without protective gear or a hose line, approached the burning vehicle to find two passengers trapped inside in their seatbelts. With his bare hands, he forcibly removed the sun roof of the burning vehicle, entered the vehicle twice to free Ms. Laura {Manzella} and Ms. Amy {McCann} from the wreckage, and he carried them to a safe distance. Captain Jimmy Brown exhibited complete disregard for his own safety, distinguished himself as an outstanding firefighter and displayed a shining example of bravery and valor putting his own life on the line to assist someone in need. And we respect and honor you twice, I must add, for all of the acts that you have displayed. And we congratulate, you and on behalf of the entire Suffolk County Legislature, I would like to present this proclamation to you. Thank you very much, and congratulations.

MR. BROWN:
Thank you.

APPLAUSE

D.P.O. POSTAL:
Before we go to the public portion --

LEG. FIELDS:
Maxine.

D.P.O. POSTAL:
Oh, I'm sorry.

LEG. FIELDS:
I'm sorry. I have a second proclamation to present to Patricia O'Hare Schwartz. I hadn't met Patricia before, we've had conversations through the office. And I asked my staff this morning, has anyone seen Patricia? And my staff went out looking, looking, looking and realized that she did stand out quite obviously. Patricia, on June 23rd, was bestowed with the title of Miss New York Achievement, Miss East Coast United States Achievement and also, Miss United States Professional International. She graduated from SUNY Suffolk County Community College with a degree in religious education and is currently enrolled with the Shore Foundation Institute for Religious Studies for Pastor Counseling and the Sheffield Institute of Interior Design for Interior Design. She's authored many poems, which have been published. She teaches Bible School -- Children's Bible School at Grace Tabernacle of Faith Ministry. She's an advocate for Lupus awareness, a disease she is living with. She has advocated against domestic violence and worked with the wounded warriors. She's a member of the Central Islip Community Patrol. Participated in the 5K Run/Walk for Life to raise money for a crisis pregnancy center. Her father died from cancer, and she's dedicated herself to Hospice and Chemo Champs, an organization that collects hats for women who have undergone chemotherapy. Patricia O'Hare Schwartz will be represented New York State in a bid for Miss American Achievement, as well as Miss Universe Achievement. And we would like to honor Patricia for her

commitment to her community and for being a role model for many young women. On behalf of the entire Suffolk County Legislature, I would like to present you with this proclamation, and wish you the best of luck. Thank you.

APPLAUSE

D.P.O. POSTAL:

Before we begin the public portion, I would just like to make two announcements, so that everybody is aware that at 11 am, the Defibrillator Task Force will be presented to the members of the Legislature. You have copies of that report, which have been distributed to you, and that will be at 11 am today. And that will be followed by the Women's Advisory Task Force annual report. Also, at 4:00 p.m., there will be an executive session on selection of the attorneys for the MTBE issue. This executive session is expected to be lengthy and may take as long as two hours. Now, we're going to go to the public portion. The first card, please just be aware that during the public portion speakers are permitted three minutes. If there are questions from Legislators, the speakers may respond to the questions that are asked them. First speaker is Gerard Stoddard.

MR. STODDARD:

Thank you, Legislator Postal. Okay. I rise to commend to the attention of the Legislature the resolution introduced by Legislators Carpenter and Bishop calling for an economic study of Suffolk County beaches. We're told that everybody knows how important Suffolk's Ocean Beaches are to the local economy, so why do we need another study? I think having a gut feeling about something is very different from having scientific evidence of it. People have that same gut feeling all around America's coasts. But they go out and they get proof about the significance of beaches, because scientific proof is what most people base their coastal policy on. Studies like the one called for in this resolution are being conducted all around the country. I have a couple of cover sheets from them. Anna Maria Island Beach Restoration and economic study, this is for the Board of Commissioners in Manatee County, Florida, estimating the economic impact of {bougue} banks on Carteret County that's in North Carolina, that's a 1997 study, summary of 1997 survey of Lake Erie beach users, the Great Lakes, coast line, and a technical report, here by Broward County beaches, an economic study of 1996.

That's the kind of proof that's needed for people to make the right policy decisions about coast lines. We'll also be told that we didn't -- we don't have to gather this information or we shouldn't gather this information, because once it's known how valuable beaches are to the economy, people are going to want to protect them. They will want to use the same common sense beach nourishment techniques that have

proved so successful in New Jersey and the Carolinas, Florida, Texas and California. Some will even tell you that it's a bad idea to protect beaches because it's bad for the environment. Well, it isn't bad for the environment. The seven year \$8.6 million biological monitoring project just completed in northern New Jersey by the Corps of Engineers pretty much puts that environmental argument to bed. That study is available on the internet, on the Corps of Engineers website. The real story is that some people don't like other people

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having houses on beaches, and they will tell you whatever they think you need to know to help you -- to convince you to agree with that, and they will tell you that whether it is true or not. I hope that the Legislature will want to see what the study reveals, and it can proceed and make informed decision about the future of the Suffolk County coast line. Thank you.

D.P.O. POSTAL:

Thank you very much. Before we continue, I'd like to ask all Legislators to please report to the horseshoe. We do not have a quorum, so I'd like to ask everyone to please report to the horseshoe, and we'll wait just a couple of minutes until Legislators return.

LEG. CARACAPPA:

We're good, Maxine. We've got ten.

D.P.O. POSTAL:

Good. Thank you. Our next speaker is Maurice Barbash.

MR. BARBASH:

Hi. I haven't been here that often, and I must say that the has entertainment gotten a heck of a lot better.

LEG. FISHER:

We try.

MR. BARBASH:

But I'd like to add to your pride in what you heard this morning by telling you that Bay Shore School District, my home town, was voted as one of the 100 top music schools, public schools in America. So that should give you a sense of pride. But I'm here on another topic, to support Angie Carpenter's and Dave Bishop's motion. I'm here as Chairman of the New York Coastal Alliance and also as the Senior Trustee or Governor of the Board of Good Samaritan Hospital. And I want to tell you that we are kind of scared stiff at the moment -- and if you go out to the beach on the West End of the beach around Fair Harbor, Saltaire, Dune Wood, etcetera, you'll see why.

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Now, I met for two hours yesterday morning with representatives of a major conservation organization who told me that they didn't think that there was a heck of a lot of danger if a new inlet was formed in that area. Now they hadn't done any economics to see what the economics ramifications of that disaster might be, and they could not -- and they had an expert with them, and a man I respect -- they could not guarantee what would happen in the Great South Bay, in particular what would happen to Bay Shore, Babylon, etcetera, and in particular Good Samaritan Hospital. And as the argument evolved, they said, well, if the tides do get to be kind of high for the hospital, you could always defend it, put a barricade up against the tide. Now, that sounds logical until you wonder how in the hell you're going to service 60,000 emergency room visits a year with the kind of arrangement like that.

So things are a lot -- very very serious, and you can't put your head in the sand, because there is no more sand. And I think you should start here with this resolution and find out precisely what the

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economic benefits and ramifications of the great beaches that we have here in Suffolk County really -- what really mean to you economically and then we can proceed on from there. I'm sure something can be worked out. I like these people in the conservation movement. I consider myself one of them, having been a member of the Sierra Club for 25 years and having received an award from the Audubon Society for a lot of my conservation work along the shoreline. And I think that there is an answer to the problem, but we've got to define the problem, and one of the definitions we need is what are the real economics of these beaches. So I implore you to go ahead and vote for this study. Thank you very much.

D.P.O. POSTAL:

Thank you very much. Next speaker -- next speaker is Sue Weiss.

MS. WEISS:

Good morning. I was hoping that Mr. Crecca would be here to hear what I had to say. Well, maybe he can hear.

D.P.O. POSTAL:

There are microphones --

MS. WEISS:

Oh, okay.

D.P.O. POSTAL:

-- throughout the building

MS. WEISS:

My name is Sue Weiss, and I'm the president of Long Island Coalition of Dog Fanciers. Our group represents 50 dog clubs and over a thousand members. We're here this morning to thank you for putting together our suggestions in a bill, Bill Number 1484, that will be an enforceable bill, one that is not discriminatory, a bill that we can all support and other communities can emulate. It is in compliance with the New York State law, and we urge you to pass it. Thank you.

LEG. CRECCA:

I just --

D.P.O. POSTAL:

Just a minute Ms. Weiss, there's a question from --

LEG. CRECCA:

I just want to apologize. I did hear in the back, and I did come out. I was just in the middle of something, so. But I want to thank you and your members for coming out today and supporting this bill. And thank you for the help in drafting the bill, and giving your valuable input. Thank you so much.

MS. WEISS:

Thank you.

LEG. CRECCA:

That was not really a question.

D.P.O. POSTAL:

Thank you. That's all right. That was fine. Next speaker is Carmen Armstrong.

MS. ARMSTRONG:

Hi. My name is Carmen Armstrong. I'm Vice-president of the Long Island Coalition of Dog Fanciers. We never have one voice where two will do. We are also here to thank -- I am also here to thank Legislator Crecca and Fields for introducing this bill, for working with us, for putting in several things that we feel are very important. In addition to protecting the public, human public, this bill also introduces the protection of our pets; cats and dogs. The bill is not vague, it's enforceable. It also does not require as some other municipalities have, unattainable things. So we again, commend you both and the Legislature and we urge you to pass it. And thank you very much.

D.P.O. POSTAL:

Thank you. Next speaker is -- I'm going to interrupt the -- oh, okay. The next speaker is Anthony Abruscato, Junior.

MR. ABRUSCATO:

Good morning. I'm here today to speak in favor of Legislator Caracappa's bill, "Three Strikes You're Out", to hold the contractors responsible for picking up illegal aliens. Mr. Caracappa stands for truth, honesty and is a law-abiding individual in the true sense of the word. Any citizen Legislator who votes against this bill is helping facilitate criminal activity and must resign their elected position immediately or be thrown out come Election Day. Legislator Tonna, I'm thinking you must be in favor of this bill, because in a Newsday editorial last year, you said that no community should stand for any illegal activity, no matter how small. So I'm going to see how you're going to vote today. And hopefully you're that same truthful, honest and law-abiding individual among the likes of Legislator Caracappa, along with other Legislators who should be demanding that our existing laws be enforced and to be able to recognize when there's a need for new legislation, that our citizen Legislators need to step up to the plate and pass the three strikes you're out bill and stop the political posturing to the media and the advocates for illegal activity here today supporting the invaders of this country.

LEG. CARACAPPA:

Madam Chair.

LEG. ALDEN:

Madam Chair.

D.P.O. POSTAL:

Yes. Mr. Abruscato, there's a question from Legislator Caracappa and then from Legislator Alden.

LEG. CARACAPPA:

Actually, it's a point of clarification. There's no vote on the bill today, just public hearing at 2:30. At that point in time, it will go back to committee if the public hearings is closed. I still haven't

decided if I'm going to close that public hearing at this point in time or recess it. A lot of work to be done on the bill. I've introduced it, there's many more changes to be made on it. I'm working with the County Executive, I'm working with the Department of Consumer Affairs, and I'm also working with the contractors in the neighborhood. It's a long way off. I appreciate you coming down today. It's not so much as for personal clarification as well, it's not so much aimed at illegal aliens, it's aimed at any law. It's

really a pro-consumer protection bill, as opposed to anything else. I want everyone to keep that in mind.

D.P.O. POSTAL:

Thank you next speaker is Jack Coyle.

MR. COYLE:

Good morning. I am here to express support for the proposal to purchase through a Greenways Proposal some land in Amityville, which is a bay-front property. This is a classic battle of developers against the environmentalists, I guess you might say, and we are as Maxine and Dave Bishop know, it's taken quite a while to get where we are now, but we have quite a few people, hundreds literally backing this issue. Just to bring everyone up to snuff and basically support. I'd like to read from this article one of many press that has been received lately, "our county lawmakers hopefully will not take the position that we have had our fair share here in Babylon and close the books on future purchases. For years the residents of the western towns have supported this purchase of thousands of acres of land for preservation on the East End which has benefitted us all. So too do smaller parcels in Babylon, which if left unprotected, will close us in and will provide access to our waterways on the Western End only to those rich enough to afford condos and homes on the South Bay". We hopefully cannot let this happen. The land in question here is approximately two acres. It's on the Great South Bay. It's a very unique piece of property that has been vacant for approximately 23 years. If you go out on this small track of land, you could see the World Trade Center, you could -- the panorama includes Jones Beach Tower and Robert Moses. And if you ever want to capture the essence of the water on Great South Bay, this is one place you can do it from.

Also, it is the last undeveloped acreage on the South Shore, beginning with Nassau County border out through Heckscher Park. Plans for this and the bulldozer will equate approximately four high-rise ranches. We have chosen in our area to be different and propose a peoples park which would essentially present -- preserve this particular piece of property for the future; the children are the future, the voices of the Island of the future. It's just something that if we can in any way, manner, shape or form preserve for the future, we have to. Thank you very much for your time, and we totally support your efforts.

LEG. BISHOP:

You have -- if you want, show them.

MR. COYLE:

I have also brought with me some aerial photographs we took of the parcel if the Legislators are interested in having a look at these.

D.P.O. POSTAL:

Mr. Coyle, you may just want to have them passed around and we'll return them to you.

MR. COYLE:

Thank you.

D.P.O. POSTAL:

Thank you. The next speaker is Mary Chelton.

MS. CHELTON:

Good morning. Thank you for allowing me to talk to you this morning. I'm a resident of East Patchogue, and I'm an owner of three pure bred dogs, two of them rescued. And I want to commend you on Resolution 1484, and I hope you pass it in its present form, the Dangerous Dog Law, which extends New York State Law. And I like it because it avoids all the terrible pit falls we've seen in so many other jurisdictions, naming specific breeds as if all dogs can't be dangerous under certain circumstances. And also discriminating between offensive and defensive dog bites. That's extremely important, because any dog, no matter how good that is unduly provoked by someone cruel or by being afraid may bite out in fear, and I think it's important to recognize that difference. So I would urge you to support it and pass it in its present form on behalf of all of us who love dogs and try to be responsible dog owners. Thank you very much.

D.P.O. POSTAL:

Legislator Alden.

LEG. ALDEN:

I'm going to apologize on behalf of my fellow Legislators for not being here to listen to you. I think this is a disgrace and really we should suspend the meeting right now until other Legislators can come in.

APPLAUSE

LEG. ALDEN:

You're --

MS. CHELTON:

I watch C-SPAN, so I do understand some of this.

LEG. ALDEN:

You're words aren't wasted in that, you know, we make a -- there is a full transcript of the meeting made and that's distributed to all the Legislators, you know, but a little bit of respect should have been shown, and I apologize for that.

MS. CHELTON:

Thank you. I appreciate it. But you've done good stuff with this bill, so please know that I support it wholeheartedly.

D.P.O. POSTAL:

Thank you. I will say also, that there are speakers throughout the building. I know that it's very frustrating to sit here and wait to

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address the Legislature and then look at a bunch of empty chairs. That doesn't change the situation, but you should know that there are speakers throughout the back of this building so that Legislators who are in the restrooms, who are speaking with other Legislators about issues before the Legislature, can hear the speakers. Our next speaker is Julie Ben-Susan.

MS. BEN-SUSAN:

Good morning. My name is Julie Ben-Susan. I'm the manager of the North Ferry Company, which runs a ferry service between Shelter Island and Greenport. I may be out of order time wise here. There's a vote this afternoon, we hope, on our operating increase. Our public hearing has been closed, but this is an opportunity to speak to you one more time. Our ferry is run by a private company, but is also a public service which serves all comers, not just Shelter Islanders, but a constituency which spreads across all of Long Island and impacts all of you Legislators. North Ferry is primarily a lifeline for Shelter Island. It -- we transport ambulances, 350 plus a year, to Eastern Long Island Hospital in Greenport, some during the day, some throughout the night. We also take fire trucks, residents, their friends, families and those who service us directly and indirectly.

By the way as has been reported in the press, we have increasingly become part of a bridge to the Hamptons, which is facing its own transportation issues. This is a real issue and one that we all must consider, but it is for another day, except insofar as it exacerbates the wait times today. Just as a refresh, who are we? We are a fleet of four boats carrying cars, trucks and people from Shelter Island to and from Greenport. We operate 19 hours a day, 365 days a year. We've been in operation for close to a hundred years, although in our current corporate form, for only 20. We have a wonderful dedicated crew, one of whom you'll hear from later today. They work incredibly hard in all weather to ensure the safety of over a million passengers a year. This is not a casual statement. The gentleman you'll hear from later plucked a person out of the sea on December 19th, and literally saved his life.

What have we done lately? We have new management, a new open attitude, we have worked extraordinarily hard to make amends with the Legislature, with the BRO, and to take a whole new look at the whole picture. However, we simply cannot keep up this pace without your help. We've run more than 1,000 trips this year extending our eight-hour shifts to 11 hours to accommodate the lengthening lines and have made better use of our crew for our maintenance. Nevertheless,

here is our financial picture. We are topped out at roughly 3 million dollars in revenue. In 1999, we made \$250,000, in 2,000 we made 125 thousand dollars. We are looking at break-even for this year, and in the Year 2002, we will run out of money without help from you

D.P.O. POSTAL:

Ms. Ben-Susan, your time is up. I have a motion from Legislator Alden. Seconded by Legislator Crecca to extend the public portion. All in favor? Any opposed?

LEG. FOLEY:

No. A question.

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D.P.O. POSTAL:

Legislator Foley.

LEG. FOLEY:

Just for a question, if I may.

MS. BEN-SUSAN:

Thank you, Brian.

LEG. FOLEY:

Ms. Ben-Susan, in the Public Works Committee we had discussed this issue at length and the colleagues should know that, in essence, the rates have been bifurcated where this is simply for the operating portion of the budget. And there will be another subsequent resolution dealing with the need for an additional ferry boat. But Ms. Susan, could you tell us for the record the position of the Shelter Island Heights Community and others that are involved with this? Perhaps Legislator Caracciolo might want to speak at some point on this, but as a Chairman of the committee that had reviewed this, I'd like you to share with us as you had shared with the committee the views of the -- some of the homeowners, a good number of the homeowners over in Shelter Island about this particular application.

MS. BEN-SUSAN:

Okay.

LEG. FOLEY:

And about the direction of the ferry service too.

MS. BEN-SUSAN:

Thank you. Unfortunately, it's a little bit of a complicated issue. The -- if I could talk about the boat for just a minute and then I'll come back to the operating. The boat is without doubt a contentious

issue. We feel we need it desperately for capacity, but we are getting a backlash from the Island --

LEG. FOLEY:
That's a separate --

MS. BEN-SUSAN:
That's a separate issue.

LEG. FOLEY:
The resolution today has to deal with the operating budget so the other issue we can deal with at a later point.

MS. BEN-SUSAN:
Okay. Good. I would prefer that as well. The operating portion we really thought was not a contentious issue. We thought that we were all set, we need it desperately, it is, I think, fairly routine from your perspective that once the BRO has made a full review and has recommend an increase -- we have told you before and we thought that this was on track. We learned yesterday that -- from Legislator Caracciolo, and he should speak to this himself because he has the surveys, and I do not, but he sent out a rather complicated survey,

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which among other things, asked the question, do you favor an 8% operating increase? And shock and dismay, people came back and said, no. That puts Legislator Caracciolo in a difficult position, because he got that answer to the question. And I -- so we appreciate that he's in a tough spot, but we appeal to you all to look beyond the obvious and to understand the financial realities and use your good brains and common sense and find a way to help us get past that.

We're getting a backlash in a whole bunch of ways. We're working very hard to overcome those emotional issues, but this one's about the money, and we're simply going to run out of money. We're going to have to cut back. We've run more than a 1,000 trips, we've improved the service, we're not going to be able to maintain that, we're going to have to cut back if we don't get this increase. I beg you for this increase.

D.P.O. POSTAL:
Legislator Carpenter.

LEG. CARPENTER:
Not a question, per se at this moment, but I would suggest that if you could, to stick around until we do address the resolution so that if there are any specific questions when other Legislators are able to be here when it come to vote on it, it would be helpful.

MS. BEN-SUSAN:

Absolutely. There are others coming to join -- others here and those coming to join me as well. Thank you.

LEG. CARPENTER:

Thank you.

D.P.O. POSTAL:

It's now after 11:00. Before we go to the two reports that I had announced a little earlier, I'd like to ask the members of the Legislature to stand once more for a second moment of silence for Margaret DeFlumeri who was a Legislative staffer who passed away recently.

Moment of silence

D.P.O. POSTAL:

Thank you. Now, despite the earlier announcement, we're going to reverse the order of our reports because of some time constraints people have. So we're going to begin with the women's Advisory Task Force annual report. No? No? That's the way we had it before.

LEG. CRECCA:

Yeah.

D.P.O. POSTAL:

You told me --

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LEG. CRECCA:

No. I thought -- never mind.

D.P.O. POSTAL:

Okay. Then we'll go back to our original schedule, and we'll go to the Defibrillator Task Force report. Will all Legislators please report to the horseshoe. We have two reports that are being presented to the members of the Legislature. Please report to the horseshoe. And if you would just hold off Dr. Bradley, for just a second.

COMMISSIONER BRADLEY:

Sure. Sure.

LEG. CRECCA:

Legislator Postal, I just want to acknowledge too, joining Dr. Bradley at the podium is the Chairperson of the Task Force, and that's Jeanne Alicandro, the Medical Director of Suffolk County Emergency Medical Services.

D.P.O. POSTAL:

Thank you. When George comes in, we can start.

COMMISSIONER BRADLEY:

Good morning. What I'd like to do is present the results and the recommendations of the Suffolk County AED, Automated External Defibrillator Placement Task Force. The legislation that created the Task Force was signed in September of 2000, and the interest in activity in this area was really prompted by the death of Louis Acampora, a lacrosse player at a school sporting event. The charge of our committee was to evaluate and determine where and to what extent portable defibrillators should be made available in buildings or facilities to provide maximum public safety to the citizens of Suffolk County, including students who participate in sporting events. I will be referring to our actual Task Force report. I think most of you have that in front of you.

Just a few words about the makeup of the committee. Doctor Alicandro, who works for the Health Department is the Medical Director of EMS. She was the Chair of the committee, and did the lions share of the work on the report. Legislator Crecca was on the committee, myself, two school representatives, one superintendent, one representative from physical education, the American Heart Association was represented, the American Red Cross, Legislative Budget Review -- and I also want to thank them, they were very helpful in collecting and analyzing the data -- and Stony Brook was also represented. When you look at cardiac arrests, most causes of cardiac arrests are from abnormal heart rhythms, called arrhythmias. The most common is called ventricular fibrillation, for which defibrillation is really the only treatment to reverse that abnormal rhythm. If the rhythm is left untreated, it's a chaotic rhythm, it will go to assistively, which is no rhythm and death. The factor that has the most to do with success in terms of cardiac arrest is time to defibrillation. The longer it takes for you to defibrillate, the less the chances are of reversal of that rhythm and survival.

PAD, Public Access defibrillation. In 1998, New York State passed a law making defibrillation possible in public venues. In the past it had been mainly available in hospitals and in ambulances. In 1998, New York State passed a law allowing it to be available in public

places where people had gone through formal training or were health care practitioners were doing the actual defibrillation. Some notable examples of Public Access Defibrillation in this country are, number one, in the casinos in Las Vegas, where the security guards are trained as the defibrillators, and they have a very high success rate. If there are individual questions, we can answer them at the end. And I'd like Dr. Alicandro to take most of those, since she knows more about this than I do. Also, O'Hare Airport, they have defibrillators mounted on the wall in the airport, and there have been people trained there to do the defibrillation when indicated, but there have been several examples where passersby in the airport, who have been trained, but not trained at O'Hare have actually done the defibrillation and have had a successful defibrillation. Some PAD programs in Suffolk County that already exist; number one, is the Police Department Program, where police officer cars are equipped with defibrillators, fire chiefs, different companies, recreational facilities, County buildings, and since the event with Louis Acampora, many schools have gone forward and implemented Public Access Defibrillation.

If you look at what the recommendations are in terms of implementing PAD, the recommendation is, is that if your traditional EMS service cannot get there within five minutes then you should consider implementing an PAD program. Other things to consider is you would have an estimated probability of one time where you would need PAD in five years. So those type of things; one, your EMS system can't make it, the other is that you would have a reasonable need PAD for use of an AED or a PAD. Other targets to look at when you're looking at need for particular public place in terms of implementing PAD would be large populations of residents over 50, because they have the greatest risk for sudden cardiac death, areas where you have large gatherings of people and, in particular, they look at greater than 10,000 people. Sites with a reported high incidence of cardiac death, and community-specific need areas, such as access areas, ferries, there's no way an EMS system is going to make it onto the ferry. Ferry operators should consider whether PAD is appropriate for them. Another is schools. They definitely have access problems, and the loss of a child in a sporting event or other type of incidence is such a tragic loss that schools are starting to look and say, should we have PAD.

To collect our data, to look at targets for PAD, we had two sources; one, the Task Force prepared a survey to go out to public venues in Suffolk County. And what we wanted to do is we wanted to assess the population volume going through that public place, the age distribution going through, whether there are access problems with a particular public place and whether they had self identified cases of cardiac arrest. The other data collection was looking at all reported cardiac arrests in Suffolk County in the Year 2000. So those were the two data sets that we collected. We chose public places based on what we thought would be probable places where PAD may be indicated; senior citizen facilities, we sent it out to all nursing homes, senior

citizen complexes, recreational facilities, we sent it out to our it ballparks, community centers, golf courses hotels, motels, libraries, these types of places, transportation sites; airports, train stations and ferries, we sent it out to all schools and some business and village centers.

In terms of the survey, we sent out 687 surveys. We got 370 back for a response rate of about 54%. And as I said, we assess these sites for population, population greater than 50, reported incidents of cardiac arrests and special access problems. And I refer you to Page 9 of the report, and there is a chart at the top, and we have -- based on our survey, we have put the different public locations where they apply in terms of having great numbers of populations over 50, large numbers of total population, documented arrests and access problems. And if you look across, you'll see that some of the locations are in several of the columns, such as golf courses. So the more indications that you have of the four, the greater benefit you potentially could have from a Public Access Defibrillation Program. The sites that we identified in terms of being in need of Public Access Defibrillation correlated very well with sites that have already been identified in the literature. There were some limitations of the data; one is we didn't get a 100% response rate. If you look on the chart where we talk about formal records kept, many of them didn't have formal records. So it was -- the person who was filling out the survey, what they thought in terms of cardiac arrest on sight. So some of the data was not 100% accurate. And also, there were some inconsistencies between the two data bases; one, self reported by public location and the other reported in by EMS personnel in the field when they had a documented cardiac arrest.

The second source of data was the cardiac arrest mapping data, and we have some maps here. There is required reporting of all out-of-hospital cardiac arrests in Suffolk County, and they are required to report to medical control, which currently is being administered by Stony Brook. So based on the data for 2000, there were 896 arrests in the County. Now, this is out of the hospital. If someone arrests in the hospital, it's not going to be reported through this data base. What we found is that 70 to 80% of the arrests occur in the home. And if -- again, I'm going to refer you to Page 11 of the report, and it lists the nonresidential sites for cardiac arrest. So besides the people the majority --

D.P.O. POSTAL:

Dr. Bradley, can I just interrupt you? Legislator Fisher has a question I think many of us may have.

LEG. FISHER:

I think many of us may have the same question because we're looking at the maps in front of us and we -- we're trying to understand red indicates what on the other one?

COMMISSIONER BRADLEY:
The other one?

LEG. FISHER:
The color codes.

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COMMISSIONER BRADLEY:
They're in Appendix D, number of cardiac arrests per population, per Zip Code. Appendix E. Appendix D, the same map is in there, and you can see the scale.

LEG. FISHER:
Okay. Thank you.

COMMISSIONER BRADLEY:
Okay. So then going -- this chart on Page 11 lists the non resident-residents arrests. So besides arresting in you own home, these are the places. Again, we have the same limitations with the data, that sometimes we could not identify the sight of the arrest. Senior housing was a major cause, businesses, roadways, and then the numbers decrease as you go to the bottom of the chart. The -- what we did was we took the number of arrests per Zip Code, and we figured out an arrest rate per population. Now, these are not age adjusted. So if you have a Zip Code that has large numbers of seniors, you're going to have more people that are a greater risk of having cardiac arrest. And this is the first year that we've done this. It's only one year, the numbers are still relatively small for many of the Zip Codes. So we will continue to do this. You can't make much -- if you find a rip Zip Code up there that has a reasonably high rate, I don't want people to be alarmed. I think they need to do an area analysis of what it means, but it's -- I dont want people to act aggressively just on this one map. We also had to use the Cole's Directory to try to identify the location of these reported cardiac arrests. And for some of them we felt that the Cole's Directory wouldn't accurately identify a senior housing complex. For some of these unknown, we felt they probably would have gone into senior housing. Okay.

So these are -- these are the two sources of data that we had, the survey results and the reported cardiac arrests. And the recommendations of the committee was number one, dissemination of the report. And if you go through the report in the appendices there is information about Public Access Defibrillation and what it means and who could partake of Public Access Defibrillation, whether it's a senior complex or a business or a school. Dissemination of the report to the people that responded to the survey, to municipalities, to

libraries, to a whole list of different people. We identified a lack of knowledge about PAD when we did our survey. So we thought it was indicated to educate about this. We also thought it was indicated to prepare packets about Public Access Defibrillation based on when our information goes out about our report, people are going to be interested. We found that some people were interested when we did our survey. We asked that, would you be interested in implementing a Public Access Defibrillation Program at your site. Because most arrests occur in the home, we thought we should have more widespread CPR training. You can't have a defibrillator in every home, but you can have family members know how to do CPR until an ambulance gets there. We think that's very important.

In addition, if an organization, a school, whatever wants to do PAD, that there should be education that at a minimum, people should be trained in CPR, not just PAD. We should know how to do CPR and have

PAD available. So those were general recommendations. In terms of county facilities, the police defibrillation program, we have found that certain police cars do not have defibrillators; the COPE cars and some of the pool cars, so our recommendation is that all police cars be equipped because there have been incidents where those cars have been called into service, arrived at a scene of somebody who had had cardiac arrest and there was no defibrillator in the police car. Parks and golf courses, we think there should be an assessment. If there are already defibrillators on some of these locations whether it's adequate for the size of the park or for the size of the golf course, we think there should be an assessment done. We think that similarly, for county buildings there should be an assessment. If you go to -- in the report it talks about the County buildings that currently have PAD available. All of the health centers are equipped in many of the county buildings. We found that in our Task Force discussions that even though a building had PAD, that some of the employees from the County that were in the room didn't know where they were or didn't even know it was implemented. So besides implementing a PAD Program, we think there should be wide spread education of all employees in the building about the existence. There may only be one person who's trained in PAD, and you don't want them to have to go to get the defibrillator to come to the person who's potentially arresting. So people should know where they are.

In addition we feel that they should be attached to lock boxes. So if your going to pull a defibrillator and start to use it, that would call 911 to have an ambulance come to the scene. And currently, that does not exist. Local municipalities, we felt that individual municipalities should do a self assessment of themselves, of their buildings to decide whether an PAD is appropriate for them. Schools.

And as I said, schools fall into the need category because of access problems, and also because, as I said, the loss a child is such a tragic loss, especially if it could be preventable. During the deliberations of the Task Force, the State came out with recommendations, New York State Education Department came out with recommendations on PADs in schools. And basically, what they said is the emergency plan that the schools have should include policies and procedures on how to handle cardiac arrest in students and adults that both work at and/or routinely visit schools for a variety of reasons. And we found that the schools, yes, they have kids in them during school hours, but the schools are hope to many different organizations, different clubs in the evening, so there are large numbers of people that do go through the schools.

The State's policy and procedure also mention the need in terms of sporting events. It states that a PAD Program might be included in a school safety plan and that each school district should do an assessment of themselves when they're doing their planning and make a decision whether PAD is appropriate for them. The final recommendation is on private sector, that we felt there were certain areas in the private sector that don't have PAD that should have PAD. Some of those areas are senior complexes, certain nursing homes, golf courses. Golf course, if you looked at the chart, had several indications for PAD; access problems, large numbers of elderly people. So they were indicated. Shopping malls, airports, these places should have PAD. Transportation sites have particular access problems, as I

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said the ferries. There's no way an EMS system is going to get there. So they should consider that. And certain businesses should evaluate for themselves, private businesses whether it is appropriate. So those are our recommendations, and myself and Dr. Alicandro would be happy to take questions.

D.P.O. POSTAL:

You know, just for myself, I think we're all probably feeling the same, we're very impressed with your report. I know that Legislator Fisher has a question, I have one after that.

LEG. FISHER:

Good morning. I have a question which I didn't see addressed here and, perhaps it's not a problem. The assumption is that if there is an PAD program that there is trained personnel to administer it. Is there any danger with the use of a PAD? For example, if someone isn't trained and has access, and misdiagnoses or thinks that someone is -- is suffering cardiac arrest because of ventricular fibrillation and it's something else, can they harm that person by using the system, by using the defibrillator?

COMMISSIONER BRADLEY:

The defibrillators that are used in PAD access the rhythm and will only allow that person to be shocked if it's an appropriate rhythm for the defibrillator.

LEG. FISHER:

Okay. So it has its own safety.

COMMISSIONER BRADLEY:

Yes.

LEG. FISHER:

Okay.

DR. ALICANDRO:

Part of the legislation in the State for Public Access Defibrillation also entails entering into a collaborative agreement that involves training. So persons are trained in CPR and to recognize cardiac arrest situations before place an AED. So there's training involved in establishing these programs.

LEG. FISHER:

Okay. But although there might be training in place --

DR. ALICANDRO:

Right.

LEG. FISHER:

-- somebody who is enthusiastic and wants to help out could grab one and try to use it, I'm glad to hear that in the mechanism itself there is a safety.

DR. ALICANDRO:

Yes, definitely.

LEG. FISHER:

Also in on the chart on Page 9, in the narrative you mentioned -- under access problems you mentioned ferry, and just now you mentioned it in your discussion, but it's not listed under access problems here. Ferries are not listed under access problems. Is there -- is it because an arrest has not occurred on a ferry?

DR. ALICANDRO:

We had difficulty with our ferry response, because some of them were only operational in the summer months, and when we did the survey it

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was in the winter. So several did not respond. We did hear from one who did not list that as an issue, although anecdotally they have had, you know, a problem with that.

COMMISSIONER BRADLEY:

So we identify it as an issue.

D.P.O. POSTAL:

Use the mike, Clare.

LEG. FISHER:

Okay. The committee identified it as a problem, but it did not come up as a survey result, and that's why it's not on this chart.

DR. ALICANDRO:

The surveys were self reported, and depending on the individual doing it they may or may not have records.

LEG. FISHER:

I see. Okay. Thank you.

D.P.O. POSTAL:

I have a question then Legislator Crecca.

D.P.O. POSTAL:

Just kind of piggybacking on Legislator Fisher's questions, how long does it take to train an individual to properly use a defibrillator?

DR. ALICANDRO:

It's about a four-hour training program.

D.P.O. POSTAL:

And are those provided by the department or are they provided by FRES or, you know, who provides those training sessions?

DR. ALICANDRO:

We have a community training center and provide or link up instructors for that kind of training. American Heart Association has a program and Red Cross, as well.

D.P.O. POSTAL:

And is that the kind of thing where you get requests for training and when you reach a certain number you schedule -- how does it work? Or you schedule them and people then respond at that time?

DR. ALICANDRO:

We respond to requests, but there's also been initiatives where CPR days are scheduled for and publicized so that people will come. I think that's something we wanted to concentrate on that came out of this committee that they're needs to be an increased push for that. Schools have also been targeted for training in CPR.

D.P.O. POSTAL:

This is beyond CPR.

DR. ALICANDRO:

This is beyond CPR, but CPR in general and CPR aide I think that's going forward is something we want to focus on.

D.P.O. POSTAL:

Legislator Crecca has a question, then Legislator Fields.

LEG. CRECCA:

Sure. I'll defer to Legislator Fields because I was just going to wrap on it real quick.

LEG. FIELDS:

Just a quick question. Is there a charge for the training program?

DR. ALICANDRO:

It depends on who's providing the training. There's generally a charge for books.

LEG. FIELDS:

Thank you.

LEG. CRECCA:

I just wanted to urge my Legislators -- my fellow Legislators, take a look at the report when you have a chance. I'm going to be introducing -- filing today, seven different resolutions which implement some of the Task Force recommendations. And I'm sure we'll be debating those as time goes on, and I'll be happy to answer questions involved with that. And I just want to commend Jeanne Alicandro, Dr. Alicandro, from our -- she really did a bang up job on this. And really for the last year, the Task Force worked very hard, but certainly the brunt of the work fell on the Health Department, and specifically, Emergency Medical Services. So I want to thank the Commissioner and Dr. Alicandro.

LEG. CARACCIOLO:

Madam Chair.

D.P.O. POSTAL:

I think we all second that. Legislator Caracciolo.

LEG. CARACCIOLO:

Well, I believe Legislator Crecca was being very modest. The one who really deserves recognition and applause is Legislator Crecca for identifying this issue and sponsoring the legislation that led to this study. So congratulations to you, Legislator Crecca.

LEG. CRECCA:
Thank you, Mike.

LEG. ALDEN:
Some of our worse nightmares is Andrew Crecca running around with a shock machine.

LEG. CRECCA:
There you go. Get the hair even curlier on me.

D.P.O. POSTAL:
We next have a report from the Women's Advisory Task Force.

MS. GERSHOWITZ:
Good morning, Presiding Officer Paul Tonna, Deputy Presiding Officer Maxine Postal and distinguished members of the Legislature. My name is Pamela Gershowitz, and I'm the chair of the Suffolk County Women's Advisory Commission. We are here this morning to respectfully present and update to you on the issues being studied and addressed by the Suffolk County Women's Advisory Commission. Thanks to all of you, this Commission has been created by Resolution Number 173-2000. Thanks to all of you for appointing very qualified women to the Commission to represent you and your constituents, and thanks to all of you for the great amount of work we've been able to do in a very short time.

Our first morning meeting was on January 22, 2001. The resolution required four meetings per year, and we have already had six. We had six because we feel the work of our Commission and the charge that you have assigned to us is so very important. We have elected offices, created committees, bylaws and most importantly, defined issues that we would like to address with you this morning. I would quickly like to introduce our Board to you. Please stand when I call you're name. I am Pamela Gershowitz, appointed by Suffolk County Executive Robert J. Gaffney; Marie Zare, First Vice-Chair, appointed by Legislator Andrew Crecca; Second Vice-Chair and Chair of Women's Health Issues, Jeanne Heath, appointed by Legislator Steve Levy; Paulette Bartunick, Recording Secretary and Chair of the Internet Committee, appointed by Suffolk County Executive, Robert J. Gaffney; Yvonne Pena, Chair of Women's Legal Issues, appointed by Rabbi Steven Moss, Chair of the Human Rights Commission; Judith Wishnea, Chair of the Homelessness Committee, appointed by Legislator Vivian Fisher; Marsha Smoller, Chair of the Elderly Committee and Christy Thomas, Vice-Chair of the Health Committee, Director of Suffolk County Women's Services. Thank you all for your hard work.

Our Commission has put our efforts into areas where we would like to see some changes made. So many very beneficial things have been done by this Legislature already. We are not looking to reinvent the wheel, but to work with you to make a difference. Our issues are not purely women's issues, but human issues that effect us all. This is just a preliminary report. I would appreciate if you could hold your questions until the end and then they will be directed to the Chair of each committee.

I would like to begin with the Women's Legal Issues report. This

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committee has been addressing many issues, but we will focus on domestic violence and orders of protection. Following are some background facts on domestic violence. An estimated 90% of domestic violence victims are women abused by their male partners. As many as 74% working women who are domestic violence victims are harassed by their abusers on the job. In a survey of Fortune 1000 Companies, 49% of the respondents said that domestic violence has a harmful effect on their company's productivity, and 66% believe that a company's financial performance would benefit by addressing the issue of domestic violence among its employees. People will go back to the abusing spouse if they get fired -- if they get fired. Through workplace intervention and education, we can begin to end the cycle of violence. To this end, the passage of a local law to prohibit employment discrimination against victims of domestic violence would help alleviate the cycle of violence and reduce productivity in the workplace. Brooklyn is working on a similar law, and we hope that we can also.

The Women's Legal Issue Committee has also investigated the procedures to be followed when an individual tries to obtain an order of protection. After many interviews with the Suffolk County Department of Probation at the courthouses where these orders can be obtained, the problem identified was that these facilities do not offer intake forms printed in various languages. These facilities also do not offer a language bank or link for individuals who have not mastered the English language. There are interpreters, but they are not available at all times. If an individual who needs an order of protection cannot speak or understand English, this person may be denied access to this potentially life saving instrument. It is recommended that the Probation Department and any other agency that assists individuals who try to obtain an order of protection become better able to assist those individuals with language barriers by providing a way either with interpreters or forms in different languages or a language bank to help these women obtain an order of protection.

Our next committee, the Committee on Homelessness has reported that as of July 2001, there were 385 families in emergency housing. 90% of these families are women heads of households, and 1,000 children are involved. Approximately three-quarters of the families are placed in some form of temporary housing. But between 75 and 100 families are currently housed in unsupervised motels. The families are jammed into one room with no cooking facilities, frequently far from shopping centers, with no room for children to play or study. Most critically, the cost of these motels is considerably higher than rent for a luxury apartment or a house. The Best Eastern in Southampton, one of about 11 motels used in Suffolk County, costs \$4500 per month or \$54,000 per year.

From January 2000 to April 2001, Suffolk County spent more than \$4 million on motel rents for the homeless. With the number of homeless rising from 221 families in 1997 to 385 families in 2001, we have examined the feasibility of converting empty industrial or commercial buildings into housing units. This would save the County money and avoid the opposition of local home owners who are wary of placing homeless people in their communities. This is just one of the

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solutions we are looking into.

Our Health Committee has been working on two main issues; osteoporosis and heart disease. Osteoporosis affects over 25 million people each year. One in two women are affected, and one in eight men over 50 will have an osteoporosis related fracture in their lifetime. There are drug therapies available to prevent bone loss and even rebuild bone loss. However, first osteoporosis has to be diagnosed. We are very happy to see the Resolution of 640-2001 introduced by Deputy Officer -- Deputy Presiding Officer Postal and Legislator Carpenter, Legislator Fields, Legislator Fisher, and Legislator Crecca, and approved by Suffolk County Executive Robert J. Gaffney. This resolution, as you know, provides for bone mineral density testing and an awareness campaign concerning osteoporosis and the availability of this testing. This is truly a proactive resolution showing how, once again, Suffolk County is a forerunner in leading a campaign for awareness and testing, especially for the women of this County. We think that this is a great beginning and would like to see this extended to dexter scanning. And we do appreciate all the work that has been done in this area.

Heart disease was the number one killer of women in Suffolk County. One out of every two female deaths is from heart disease or stroke. Women's symptoms of heart disease are different from men's symptoms, and women tend to experience heart disease ten years later than men. These factors make women and their doctors more lax about treating

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their heart disease. There are many risk factors for heart disease, including smoking, high blood pressure, high cholesterol and physical inactivity. Many of the risk factors can be modified, treated or controlled to lower the risk of heart disease. Women need information to understand the facts on heart disease and stroke. We would like to ask you for your support of the resolution introduced by Legislator Fields designating February 14th as Women's Healthy Heart Day and February 10th through February 17th, 2002, as Women's Healthy Heart Week within the County of Suffolk, for the purposes of creating awareness and disseminating information to women and their doctors.

Our final committee that we will discuss today is the elderly. We are identifying problems and working on solutions. The good and bad news is that we are all living longer. In 1990, there were 3 million people over the age of 85. By 2020, there will be 18 million people over the age of 85. We have to look at the problems of the elderly as not just for our parents, but also for ourselves.

The most crucial area facing Suffolk County seniors is lack of affordable housing, difficulty in finding home health care aides, the cost of drugs and adequate transportation. These areas are all areas we are looking into. We know that a lot of wonderful work is being done by the Joint Executive Legislative Task Force on Transportation Issues in Suffolk County, and an in-depth report it was issued on April 2nd. There is a need for demand response initiative, where a client could be serviced in a more timely and cost effective fashion. We support the work that has been done and look forward to working with this group to try and solve these transportation problems.

I would like to thank you for your time today. Time has not allowed

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me to discuss other issues that we have been working on, and there are so much more that we would like to do to spread awareness of women's issues in Suffolk County. We would like to have a public awareness conference to find out what women need and to inform women of all the services offered by Suffolk County. For all these, we need money. We would like to thank Legislator Ginny Fields for her funding of \$1000 and Legislator Crecca's pledge of \$1000, and welcome your monetary support of your Advisory Commission. We would appreciate receiving copies of pending legislation so that we don't duplicate the process. Our end of year report will follow in December. And once again, we thank you for your time and support.

D.P.O. POSTAL:
Thank you. Legislator Alden.

LEG. ALDEN:

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Hi. Thanks for coming down. My first question is I noticed that Councilwoman from the Town of Islip, Pamela Green, is here. What other members of your Commission are actually here today?

MS. GERSHOWITZ:

Okay. As I said before --

LEG. ALDEN:

No. A lot of them weren't introduced.

MS. GERSHOWITZ:

Barbara Schwartz and Legislator -- I'm sorry. Pamela Green, Legislator Field's appointment.

LEG. FIELDS:

Can you use the microphone, please.

LEG. BISHOP:

Barbara Schwartz is mine.

MS. GERSHOWITZ:

I'm sorry. Barbara Schwartz who is Legislator Bishop's appointment. Pamela Green, you are appointed by?

MS. GREEN:

Legislator Fields, from the 9th District.

MS. GERSHOWITZ:

Thank you. Kathleen --

D.P.O. POSTAL:

Would you say that on the mike, please. That's Legislator Field's appointment from the 9th District.

MS. GERSHOWITZ:

Pamela Green, Legislator Field's appointment, Barbara Schwartz, Legislator Bishop's appointment, Kathleen Casey, Legislator Cooper's appointment and Marcy Meehan, Assistant Director of Women's Services.

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LEG. ALDEN:

I have a couple of questions and maybe it's for the Health Committee, but maybe you can answer it too.

MS. GERSHOWITZ:

That would be addressed to Jeanne Heath, please.

LEG. ALDEN:

Okay. While you're coming up to the microphone, I remember reading articles years ago about increasing amounts of smoking by adolescent females, and actually, that was one of the like largest growing populations of people that were targeted by the tobacco companies. Are you going to address that in your committee?

MS. HEATH:

Well, we have addressed several issues. Smoking was one of the ones that we had discussed. However, one of the things that we're trying to do is to not duplicate certain areas that are being addressed. It's not that it's not an important issue, it's something that we've discussed at length. But as Pamela has pointed out, we're trying to not reinvent the wheel or duplicate. Now, I understand that some issues you may seem to feel that they are being duplicated issues that we're addressing; however, it's our intent to address these issues with results, with end results, that we feel we can actually accomplish.

LEG. ALDEN:

Good because that was going to be a follow-up question. I know that in Suffolk County we have a problem with breast cancer, basically --

MS. HEATH:

Yes.

LEG. ALDEN:

You know, we do have a number of coalitions --

MS. HEATH:

Yes. One in Nine, there are so many wonderful organizations addressing that issue.

LEG. ALDEN:

So you're going to touch on it, but you're going to make sure that, you know, somebody is working on some of these other problems.

MS. HEATH:

Yes. These are all things that we've had in discussion in meetings. However, we felt that in order to actually accomplish something, which is what our goal is, to actually see some end results in our discussions, in our findings. Breast Cancer is an ongoing thing, osteoporosis, smoking, all of these issues are ongoing things, but it's our intent to find some solutions to some of these problems, but we will keep addressing them. Yes. Definitely.

LEG. ALDEN:

Good. Thank you.

MS. THOMAS:

Legislator Alden. Christy Thomas, Director of Suffolk County Women's Services. I just want to add to Jeann's comments that yes, we do know that there are other issues that we could have addressed. We've just chosen two that we could be a proactive committee. Women's Services does have an ex officio membership on the committee. Women's Services is addressing cardio vascular disease since that's number one killer of women. And we are working closely with the Health Department on the Tobacco-Control Program. So you'll be hearing that a little bit further in the year.

D.P.O. POSTAL:

Just before Legislator Carpenter takes the floor, just for the record, at the last meeting of the Legislature, I believe it was the last meeting, this Legislature adopted a resolution which directed the Department of Health Services to develop and utilize a program designed specifically to reach adolescent females to either stop them from beginning to smoke or helping them stop smoking with those specific gender related issues. Legislator Carpenter.

LEG. CARPENTER:

Thank you, Legislator Postal. And I'm glad you mentioned that resolution. Pamela, when you made your remarks, you thanked the Legislature. And I, for one, would like to thank all of the members of the Women's Advisory Commission, because having come to a couple of your meetings, I know how dedicated and sincere the members are, how seriously you're taking this charge. The one thing I would like to state on the record is that this is an advisory commission, and really is meant to be an advocate for women's issues and to give direction in some instances to the Office of Women's Services. And I think we can't lose sight of the fact that we do have -- and not all counties do have -- an Office of Women's Services that has been working on a number of these issues and have for the past number of years had the Women's Health Awareness Day in Suffolk County, and that is something that the Advisory Commission could lend some support to.

So when you talk about things like a conference and support for the commission, again, it's meant to be an advisory commission. And if you feel that monies have to be dedicated to some of these issues, I would urge that when the County Executive is putting together his budget, that you advocate for that kind of support to the Office of Women's Services, so that they have the support staff, that they have the resources that they need to implement some of the recommendations that are going to come out of the Commission.

MS. GERSHOWITZ:

Thank you very much. And I agree with you because as I said, we all want to work together because what we have found in doing our investigation is that -- and I must say very proudly as a resident of Suffolk County -- that so much good work has been done by the Office of Women's Services, Office of the Aging. And we don't want to reinvent the wheel, and we're very happy to see that. And, of course,

so much has been done by the Legislature. So we do want to work together. But we also, since our charge is also to define women's issues, we want to make sure that we are work in the right direction.

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LEG. CARPENTER:

Thank you.

MS. GERSHOWITZ:

Thank you.

LEG. CARACCIOLO:

Madam chair.

D.P.O. POSTAL:

I'll put you on the list. Legislator Fields.

LEG. FIELDS:

Thank you. I want to thank the entire group that showed up today, and those who could not make it. These are, for the most part, women who work and who have other things that are primary, actually in their lives, and they've taken a tremendous amount of time trying to make it work. If you recall this advisory committee or commission existed before, but for one reason or another, couldn't always get together. And they have worked extremely hard trying to accommodate each other for morning meetings, afternoon meetings and even evening meetings. And as far as I know, there are actually a couple of Legislators still who have not designated someone from their district to be on the Commission, so I would urge my colleagues to make sure that they do appoint someone so that they will be represented. And I can tell you that these women have, as you well have witnessed, produced a tremendous amount of information in a short period of time. They're a very serious group, and they work very hard and they -- Legislator Carpenter has worked extremely closely with the Office of Women's Services. They are at every meeting, they go into great depth with what the programs are, and the money that I have directed toward them is to do an internet and a letterhead and just kind of get themselves going a little bit more and advance the great work that they're doing. And thank you very much, ladies.

MS. GERSHOWITZ:

Thank you very much.

D.P.O. POSTAL:

Legislator Fisher.

LEG. FISHER:

Thank you, Legislator Postal. And thank you, Pam for being here. You always -- all of you work very hard you do a great job. I have a question for Judith Wishnea regarding the homeless, some of the statistics. It's not just because she's my appointee. Thanks for being here, Judith. Good to see you.

MS. WISHNEA:
Thank you.

LEG. FISHER:
There were some numbers which Ms. Gershowitz read; \$4500 per month at a motel in East Hampton. For what?

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MS. WISHNEA:
For each room.

LEG. FISHER:
For each room it's \$4500 a month?

MS. WISHNEA:
Yes. The figures come from Suffolk County Social Services.

MS. GERSHOWITZ:
150 a day.

MS. WISHNEA:
Yes. 150 a day at this motel. That's why we think we could do a better job financially, as well as physically, in trying to find other housing or create other housing for homeless people.

LEG. FISHER:
So the \$54,000 a year was to put one family in one --

MS. WISHNEA:
In one room.

LEG. FISHER:
-- more than one unit.

MS. WISHNEA:
Can you imagine. You could buy a house for that, not in Suffolk County.

LEG. FISHER:
Okay. I just wasn't sure of what you were talking about. That's such

a tremendous amount of money.

MS. WISHNEA:

Yeah. As we reported, in just a bit over one year, the County spent \$4 million on motel rentals.

LEG. FISHER:

Thank you, Judith.

MS. WISHNEA:

Okay.

D.P.O. POSTAL:

Thank you. Legislator Caracciolo was next. Thank you very much for your report.

MS. GERSHOWITZ:

Thank you for the opportunity.

D.P.O. POSTAL:

We're going to return to the public portion. Again, I'll just make the announcement that today at four o'clock, there's going to be an executive session on the selection of the MTBE attorneys. Our next speaker during the public portion is Eugene Roos.

MR. ROOS:

Good morning distinguished members of the Suffolk County Legislature. My name is Eugene Roos. I live in Mastic Beach, you probably know me, I've been here before. I'm here to speak about the bill -- about what's going on up in Farmingville. I believe I'm not in support of the bill, okay. I don't want to make criminalization out of American citizens. I believe this situation is a national problem, it should be handled on a national level. We should have our national Congressman Felix Grucci along with our President go into a federal court, get a Republican federal judge that's appointed by President for life, get a court order and rectify and remedy the situation that way. I don't see the fact that -- I don't see the fairness in hurting American citizens who are trying to make a living. These are our own fellows and women who use these day laborers to perform menial tasks. These people, these American citizens have high mortgages and they pay a phenomenal amount of taxes, property taxes are very expensive, and we have to watch our own in this country. And I would ask that the Legislature not criminalize American citizens by passing this bill. I understand it's a very serious consideration for the residents up in Farmingdale and Farmingville and Farmington, California and all around America.

I have a plan, and maybe you'd like to adopt this plan. I know that the \$80,000 hiring hall was turned down. But I think what a good thing to do would be to take the \$80,000 and have the County lend it, and have the hiring hall built, and you charge the day laborer \$2 a day, and you charge the contractor \$2 a day. That's \$4 a day, average of 50 laborers a day, brings \$200 a day into the County Treasury. After five days, that's a thousand dollars a week. At the end of the year that produces \$50,000 in income. After one and a half years, the hiring hall would be paid off, and this would help the situation on a -- would provide a clutch for the problem up in Farmingville. You would take the day laborers off the street, they would be given a place to go into a building and it would help the residents.

The other problem up in Farmingville is the fact that the Town of Brookhaven has not enforced the housing laws. You cannot have four -- more than four unrelated persons living in a dwelling. When we have 35 people living in a home, we're turning bedrooms -- turning closets into bedrooms and bath tubs into bunk beds. This is a serious concern and it should be handled on a town level. So it's a town problem, and more importantly, it's a federal problem. And I ask that the Legislature does not support criminalizing American citizens and hurting working families in Suffolk County. Thank you very much for your time.

LEG. CARACAPPA:
Madam Chair. Madam Chair.

D.P.O. POSTAL:
Legislator Caracappa.

LEG. CARACAPPA:
Thank you. Mr. Roos. Gene, right here. Thanks for coming down. I appreciate your comments.

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MR. ROOS:
Thank you.

LEG. CARACAPPA:
If you could, tell me what part of the bill criminalizes or what part of the bill you don't like, or could you explain the bill to my colleagues seeing that it's just in public hearing stages so we can understand what part of it you don't like.

MR. ROOS:
After the contractor is in -- is penalized and criminalized --

LEG. CARACAPPA:

Wait. Wait. Let's stop right there. How is he criminalized or penalized?

MR. ROOS:

It says after three strikes you lose your contractor's license.

LEG. CARACAPPA:

How do you get there, to three strikes. Could you tell us?

MR. ROOS:

You would have to be convicted of picking up a day laborer more than once, more three times.

LEG. CARACAPPA:

That's about as false as Santa Clause. Did you read the bill, sir?

MR. ROOS:

No, but maybe you could explain it to us.

LEG. CARACAPPA:

I certainly will, seeing that you've asked that question. What my bill does in its current form -- and this isn't a Farmingville issue, it's born out of the Farmingville situation, but not entirely out of the Farmingville situation.

D.P.O. POSTAL:

Joe, I know --

LEG. CARACAPPA:

I know. Let me give a quick --

D.P.O. POSTAL:

If you could just quick.

LEG. CARACAPPA:

Quick. A quick synopsis.

D.P.O. POSTAL:

And, you know, confine yourself to questions.

LEG. CARACAPPA:

Yeah. My question to him though was what's the bill say --

LEG. ALDEN:
He couldn't answer.

LEG. CARACAPPA:
-- and he couldn't answer. I would ask that, Mr. Roos, if you come to a Legislative session to talk about a bill pro or con, which I respect wholeheartedly, I've always respected my opponents on this issue, if your going to come to a Legislative meeting to talk about a bill, please know what you're talking about. Because obviously, you don't in this instance.

D.P.O. POSTAL:
Joe. Joe.

LEG. CARACAPPA:
Maxine, it's only fair.

D.P.O. POSTAL:
I do understand that you did ask a question, there was a response, but, you know, we're getting involved in a debate, and this is not the appropriate place.

LEG. CARACAPPA:
Well, it's not the appropriate place to come and speak about a bill you don't know about either, Madam Chair.

D.P.O. POSTAL:
I would ask that we move onto the next speaker, if there are no more questions.

LEG. CARACAPPA:
I have one more question. Mr. Roos, are you a licensed contractor?

MR. ROOS:
Yes, but my license is held in abeyance because I'm a political candidate. And I'm planning on winning in November, and then I won't need to renew it. I'd like to wish that gentleman, Happy Birthday, Legislator Cameron Alden. Happy 39th birthday, sir. I'm voting for the County Legislature, the 3rd District. I'm running against Fred Towle. Thank you. Have a great day.

D.P.O. POSTAL:
There's another question, please. Legislator D'Andre.

LEG. D'ANDRE:
Where do you live, sir?

MR. ROOS:
I live in Mastic Beach, sir?

LEG. D'ANDRE:
Mastic Beach. You don't live in Farmingville?

MR. ROOS:

No, sir, I do not.

LEG. D'ANDRE:

That's why you don't understand their pain.

D.P.O. POSTAL:

Okay. Next speaker is Judith Cruz. Is Judith Cruz here? Judith Cruz. Judith Cruz, last call. Next speaker is Patricia Shillingburg. Patricia Shillingburg.

MS. SHILLINGBURG:

Good morning.

D.P.O. POSTAL:

Good morning.

MS. SHILLINGBURG:

Is this working?

D.P.O. POSTAL:

Yes.

MS. SHILLINGBURG:

Okay. Thank you. My name is Patricia Shillingburg. I'm a member of the Ferry Committee on Shelter Island. The Ferry Committee consists of the Sag Harbor Post Mistress, the owner of our supermarket, a town assessor, Town Councilman, the supervisor, and myself. I'm very active in my community. I'm not only on the ferry committee, I'm on the Zoning Board, I'm Chairman of our Affordable Housing effort, I'm a Board member of the Chamber of Commerce, I'm the coordinator of the 350th anniversary celebration and I run the community website. So I have an opportunity to see lots of people and talk to lots of people about all the issues on Shelter Island. We have a rate increase vote today I understand. This has been a very long and tedious process. We held two hearings on Shelter Island and one in Greenport, which was particularly edifying.

I'm quite sure that following that meeting in Greenport, Mr. Caracciolo told the committee that he would support the fair increase. Subsequently, he sent out a survey. I was furious when I saw the survey. It's very unprofessionally done. It was ridiculous, and it got the answers that he wanted. You don't legislate by flawed surveys, but by what is needed to keep a community functioning and viable. This 8% rate increase is for salaries, benefits and to deal with escalating fuel costs. The surveys say, I understand, that North Ferry Service has not improved, and there has been a great effort to improve services. But, of course, service has not improved for

reasons over which the North Ferry has absolutely no control; the lines get longer and longer and longer because more people are coming to Shelter Island, more people are building on Shelter Island, and we need to deal with that issue, which is not something the North Ferry can solve. I ask people when they say to me that service hasn't improved, they always say, well, it's the ferry lines. So that's the issues we have to deal with. And I will welcome your questions, if you have any about the ferry increase.

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D.P.O. POSTAL:

Thank you. Thank you very much. Next speaker is Chris-- excuse me is Bridgford Hunt.

MR. HUNT:

Good afternoon distinguished members of the Legislature. My name is, as it says here, Bridg Hunt. And I'm a Captain at North Ferry, and I came here to talk about Resolution 1343, which would authorize us to -- North Ferry to increase our fares by 8% to cover increased costs due to increases in labor benefits and fuel. This translates into extra trips. Every extra trip we make costs more in labor and in benefits and in fuel. Why am I here? My jobs a simple simple one. I take people where they want to go. When they can get there quickly and they're happy, it's a pleasure to do my job. When they've been waiting a long time in line and they're unhappy, I'm the one who gets it. At this meeting, you have a chance to help me and help North Ferry Company keep doing something right.

We've been giving much better service. As you've heard we've added already over 1000 extra trips to our schedule. It's really made a difference in the morning. We used to have a huge quque that went up Wiggins Street, and we've cut that down by putting on three extra boats before six o'clock. We've got a great new general manager. She spoke before here, but the thing that's special is she really cares about us, and she cares about our customers. I think she's been refreshingly candid with you as Legislators, and she's also been very open with BRO. As we say in transportation, "let's keep things moving". I don't want to see the company reduce its expanded service and return to an adversarial relationship with you in the Legislature, especially when I'm at ground zero when people get upset. Bear with me here.

Let's talk about the money, that's really what this is about. Your job here as Legislators is to protect the ratepayers, the people who use our boats, not the people a mailing list, not the people that send in surveys that don't use the boats, but actual ferry riders, my customers. I just want to say that again your job is to watch out for

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the ratepayers, the people that actually use the boats, okay, those are my customers. Put yourself in their cars for a minute. Would you rather pay a dollar and wait a half hour less or have your fare be the same and wait a half our more? That's really the issue here. Would you like to have those, you know, early morning boats cut back and wait an extra half an hour, get up a half an hour earlier in the morning so you don't see your family or pay a dollar more and get up like everybody else and go to work? What's your time worth? All our extra trips cost money, but they have made a difference. Please keep the good faith that we're showing by funding our rate relief. And I appreciate your effort in that direction. Thank you.

D.P.O. POSTAL:

Thank you. Next speaker is Chris Smith.

MR. SMITH:

I would like to make some supportive comments to Resolution 1677, Amending Resolution for Number 1148. As you know, our shore lines are

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under significant and tense pressure, and our shoreline and wetlands provide significant habitats for local bird species that are very important to our eco systems. Some of these bird species play an important role in controlling some potential health factors. Some of the birds in these areas are predators for tick species that are conveyers and vectors of health problems. And also birds play a very important role in our areas eco system and quality of life. What we are proposing is a creation of a shore bird rescue facility and also an education facility, which would expand the presently owned Suffolk County facility at Cedar Beach in the Town of Southold.

Since I reported to you last month, we've been able to get some significant partners, including Delta Water Fowl, which is the oldest water fowling organization in the country, Ducks Unlimited and the Cornell Department of Ornithology and the Department of Natural Resources. This facility would also have an accompanying very important role in rescuing birds should there be an oil spill in our area. Our next speaker will address in some detail the situation regarding oil spill responses. He's a noted worldwide expert in this area. We would ask that you support the amending resolution. And I'm prepared to take questions if you have any.

LEG. CARACCIOLO:

Chris, could you just summarize our visit to Delaware rather, the Tri-State Bird Rescue and how would this program -- would this program be modeled after that? And just give us a quick summary of what it is they do and where they do and how they do it.

MR. SMITH:

Yes. Legislator Caracciolo and Mark Miller and myself was able to go to Delaware to visit the Tri-State Bird Rescue and Research Center, they are the largest group in the United States that respond to oil/bird situations. And they have indicated that they are very anxious to partner with us in this endeavor, and they actually are very excited the that they would have a local facility that they could actually bring birds, once they come to New York, to manage a rescue effort for those species. We are in the process of developing a partnership agreement with them where they would provide training and they would actually lead the response effort. We would provide assistance and help to them in a facility where they could actually clean oiled birds.

LEG. CARACCIOLO:

Is this a program that you feel -- Cornell feels is a worthwhile program to initiate here in Suffolk County? Is there a need essentially? I mean, the County provides substantial funding as you are aware to Cornell Cooperative Extension for its educational programs and others, and, I guess, for the benefit of Legislators who might raise the issue and that's a fair issue, why should Cornell, why should the County be partners in an activity like this when there are other agencies or groups like Tri-State that are available to assist?

MR. SMITH:

Well, in rescuing bird species should there be an oil spill, time is of the essence. And we all heard that message clearly, that once a bird is oiled that there's a time factor that very rapidly contributes

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towards the demise and mortality of the bird. Right now Tri-State has to return birds to Delaware and do a rescue effort there. We feel that having a local facility would enable the survival of many more species and numbers of birds. Cornell's mandate certainly has this. We presently protect and restore habitats in shellfisheries as we operate a commercial site shellfish hatchery, and we do a lot of habitat restoration, such as eel grass monitoring and restoration of the Peconic Bay System. So I think it's very clearly part of Cornell's mission. And we feel there's a distinct need to this.

LEG. CARACCIOLO:

In effect, it's a continuing of what Cornell is doing at the Marine Science Center.

MR. SMITH:

Yes.

LEG. CARACCIOLO:

Thank you.

P.O. TONNA:
Okay. Thank you.

MR. SMITH:
Thank you.

D.P.O. POSTAL:
Next speaker, Mark Miller.

MR. MILLER:
Good afternoon. My name is Mark Miller. I'm here to speak in support of Resolution 1677 as well. My background is in responding to oil spills on a worldwide basis. I am a founder of the International Response Corporation, and also the owner of Miller Environmental Group based in Calverton. I've had an opportunity to be on numerous oil spills and see the impact on oil to water fowl. We have -- over the many years we've been responding to these events, have seen that the largest problem associated with mortality of water fowl is the time factor associated with getting any kind of rehabilitative activity underway for the birds.

The next closest purpose built facility for wildlife rehabilitation is in Delaware. And, of course, that in itself is so far away that a field MASH unit would have to be set up for oil spills on Long Island, and that's not a very effective way to rehabilitate impacted animals. Long Island is one of the highest volume port areas for petroleum traffic in the United States, because of the port of Boston over in the Connecticut side and approaches into New York Harbor. And the probability of an oil spill occurring is for real. In fact, in since 1990, oil spill frequency is up 15%. And in order to be better prepared to deal with, not only the response to removing oil from impacted beaches, but to also dealing with the impacted wildlife a facility such as this would be ideal and perfectly suited for Long Island water fowl. Thank you.

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LEG. CARACCIOLO:
Mr. Miller, you are a constituent, but in addition to that, you are the one who brought this initiative to my attention along with Cornell, and you are the President of Miller Environmental. Could you identify what role your business would play in this effort? What contribution your business would make?

MR. MILLER:

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Miller Environmental Group in having dealt with Tri-State Bird Rescue, which is the facility down in Delaware, has come very close to the issue of supporting Tri-State over the many years and have seen that the best way that we can assist Cornell in a project like this being successful is to participate, in one aspect, on the commercial elements being sure Cornell would be reimbursed for their funds from parties such as Lloyds of London or the United States Coast Guard. We've got a lot of experience in going through the bureaucratic mine field in remuneration to these events, and I personally would be involved in being sure that Cornell would be reimbursed -- the County would be reimbursed for any funds expended during response activity.

There are provisions under the Federal Oil Pollution Act of 1990 to ensure that any funds expended for an activity such as wildlife rehabilitation would be fully recoverable, so this is not a drain by any means on the County. And I would be availing our services to assist in that, as well as underwriting certain portions of the training that would be necessary for the wildlife rehabilitators to be fully on board and a credentialed by the federal government.

LEG. CARACCIOLO:

So in effect your participation makes this a public-private partnership.

MR. MILLER:

Yes, sir. Absolutely.

LEG. CARACCIOLO:

Thank you.

MR. MILLER:

Thank you.

D.P.O. POSTAL:

Thank you. Okay. Next speaker is Russell Landeau. I'm sorry I thought he was coming up. Rich Couch?

MR. COUCH:

Legislator Postal, members of the Suffolk County Legislature, thank you for the opportunity to speak with you this morning. My name is Rich Couch. I'm the Regional Advocacy Directory for the American Cancer Society of Long Island. I'm here this morning on behalf of nearly 500 advocates to encourage you to support resolution 1496, which is a local law to extend the smoking ban to 50 -- to a 50 feet -- within 50 feet of an entrance of a county-owned building or all hospital hospitals in Suffolk County. We know that secondhand smoke contains numerous human carcinogens for which there are no safe level of exposure.

Each year 3,000 non-smoking adults die from lung cancer as a result of breathing secondhand smoke. Thirty-five thousand to 40,000 people who are not current smokers die from heart disease. Given Suffolk County's strong progressive record on tobacco control and clean indoor air initiatives, this proposal is the next logical step. No one should have to walk through the smoke screens that have been created as smokers have moved from inside the building to just outside building entrances. This proposed legislation as it pertains to hospitals is just good common sense. When you consider that secondhand smoke is responsible for 7500 to 15,000 hospitalizations each year to treat lower respiratory illness, doesn't it make sense that an institution that is devoted to caring for our societies most infirmed citizens have a healthy smoke-free environment, both inside and out?

Although we're not pleased and not completely thrilled with the amendment to this legislation which would limit the ban to only the public entrance of a county building, or of a hospital in Suffolk County, the American Cancer Society is made up of realists. We understand -- I understand the Legislative process and the need to compromise. Even with this amendment, this legislation is a step towards a healthier Suffolk County. So based solely on the terrible health effects of secondhand smoke and the scientific fact that there is no safe level of exposure, I would encourage this body to support resolution 1496. I would be happy to take any questions.

LEG. D'ANDRE:

I have a question. Your bill or this bill purports to keep these smokers 50 feet away from a building?

MR. COUCH:

That's correct.

LEG. D'ANDRE:

But they're not.

MR. COUCH:

It's been amended to include only the public entrances. So for example, if we can use the building we're all sitting in right now, which is a County building, the public entrance is the entrance right here, so it would 50 feet from that entrance.

LEG. D'ANDRE:

They are outside, are they not?

MR. COUCH:

They are outside, yes.

LEG. D'ANDRE:

You think smoke just hovers there and stays there?

MR. COUCH:

Smoke dissipates, smoke certainly does rise, I'll give you that. As

long as it's -- as long as it's in the area where you breathe your exposed to it. Scientifically speaking, there's no safe level.

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That's from a research point of view.

LEG. D'ANDRE:

No safe level for the smoker, for the nonsmoker to be polluted by that smoke is a far reach because it's outside. You know that.

MR. COUCH:

It's still exposure. It's still exposure, although, limited -- I'll give you that -- it's still exposure.

LEG. D'ANDRE:

It's reaching, you know. I mean, we have No Smoking Bills, which is very good. I had the first one in 1984.

MR. COUCH:

You're very good on our issues. Like I said. It is limited, I'll give you that, but it's still exposure.

LEG. D'ANDRE:

This is playing games with good intelligence. It's playing games. If your going to come up with a bill, come up with a good one.

MR. COUCH:

We didn't come up with this one, Legislator Carpenter did. The idea behind it is a good idea. Again, there's -- I'll leave you with this: All of you sitting at the horseshoe have to balance and make the decisions, but there is no safe level and that comes from the American Cancer Society based on our research.

LEG. D'ANDRE:

They're not inside, they're outside.

D.P.O. POSTAL:

Thank you. Before we continue, Legislator Fields has asked for a point of personal privilege.

P.O. TONNA:

And she'll be extended that. I'll ask all Legislators, please come to the horseshoe who might be outside. Can you just round up all Legislators, please? Okay. Ginny.

LEG. FIELDS:

I want to respond to a Newsday article yesterday in which I was grossly misquoted. I'll read a letter that I faxed over to Newsday

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immediately after hearing about the misquote. "Dear Editor, I wish to correct a misquote of a recent conversation I had with Valerie Burgher of Newsday regarding anti-immigration groups. The discussion concerned the Farmingville situation. The dialogue was about the Sachem Quality of Life Group, and I said, and I quote, they have allowed hate groups to infiltrate them and that turns everybody off. In addition I added because of the way that things happened in that whole Farmingdale -- Farmingville fiasco, a lot of people got gun shy and they retreated. I'm requested -- I am requesting that you print a correction of the quote that you printed in error. Thank you for your cooperation". We may disagree about some things in the Suffolk County Legislature, but I believe that we have addressed discrimination in a

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bipartisan manner, and I believe that we will continue to do so, and I hope that Newsday will print a correction of that misquote. Thank you.

P.O. TONNA:
Legislator Alden.

LEG. ALDEN:
As long as we're on corrections of the record, in that same article Newsday had me down as belonging to the Public Service -- no, the Public Safety Committee, and Legislator Crecca, I'm not a member of the Public Safety Committee. I've never voted on this measure in committee. There was one vote that I did make that was to not allow discharge at ten minutes of 12 of a bill that would have to age one hour, because I was not in support of extending the meeting past the 12 o'clock deadline. So in the past I have voted for this bill and have supported the bill and have had many conversations with the bill's prime sponsor.

P.O. TONNA:
Okay. Andrew.

LEG. CRECCA:
I just want to add. The other inaccuracy, as he said, I don't serve on the committee. The article also eluded to the fact that I voted against the against the discharge. I did vote -- I did vote to discharge the bill to the floor. I voted in the affirmative so that -- it completely states that I did the opposite. So apparently there were a number of inaccuracies set forth in this article, and I would just go to Newsday and say on the record that I did vote to discharge that that night.

P.O. TONNA:
I'd ask -- Dave said he was misquoted on TV Okay. Anyway, I've heard

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that from Bill Clinton also. Anyway, teasing, teasing, teasing. Joking. I feel your pain, I apologize. Okay. Let's get back to the public portion. We have a few more moments. Thank you very much.

D.P.O. POSTAL:
Elsie Owens.

P.O. TONNA:
Elsie Owens.

MS. OWENS:
Good morning . I'm Elsie Owens. And I'm here to speak of the Tussi Home Enterprise, but before I do that I would like to thank the Ways and Means committee for seeing fit to say no to the land being sold to Mr. Tussi in my community. I'm sure -- we came to the public meeting, I think, in sometime in August in Riverhead, and we talked about it extensively. So we are here today -- and I brought some people with me, some people couldn't come because they had go to work -- but they're here to ask this full body do the same thing as the Ways and Means Committee did and say no to the selling of land, County land, to Mr. Tussi. I just talked to some of the homeowners today and a lot of them called, they couldn't come. They are still disappointed. And as

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I said before, this was supposed to have been the American dream, but it's the American nightmare. So I would like to thank Mr. Guldi and his committee that seen fit to say no, and I would like to thank my Legislator Fred Towle and also my Legislator Caracappa in my community of the Health Committee.

So I'm asking you all to listen to what we are saying. Don't take a community that sometimes can't always defend itself and let somebody else destroy it when you can just say no to something that would make a dream a reality instead of a nightmare. And I want to thank you. And while I'm here I would like you to also to vote on the Human Rights Bill where we're talking about people have discrimination in housing and in jobs, and it's not down on the local level, it's done in -- some of us wait years before we could have that hearing. I would thank you all in advance for what you're going to do for us. Thank you.

LEG. TOWLE:
Legislator Postal.

LEG. CRECCA:
Legislator Postal.

D.P.O. POSTAL:

Legislator Towle and then Legislator Crecca.

LEG. TOWLE:

Thank you. What I'd like to do, Legislator Postal, is I know we've got real tight clock here, but so these folks don't have to come back after the public hearings, I wanted to make a motion to move 1676 --

LEG. CARACAPPA:

Second.

LEG. TOWLE:

-- out of Legislator Galdi's Committee for the purpose of the Legislature as a body taking a vote on it today.

D.P.O. POSTAL:

Second by Legislator Caracappa.

LEG. CRECCA:

On that motion.

D.P.O. POSTAL:

Legislator Crecca.

LEG. CRECCA:

On the motion. Am I correct in that we've -- that bill failed in committee?

LEG. CARACAPPA:

Correct.

D.P.O. POSTAL:

So the motion is to discharge the bill from committee.

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LEG. TOWLE:

For the purpose of the full Legislature taking a vote on the bill today.

LEG. CRECCA:

I would ask that if we're going to do that we go into executive session before we do that.

D.P.O. POSTAL:

Okay. Before we discharge it, may I just -- before we vote on that, you're intention would be to discharge it so it could age for an hour, is that your objective?

LEG. TOWLE:

I'd refer to Counsel, but if I could waive the rules on that, that would be great, if not, then I'd obviously do it to discharge. And I understand that we do have an executive session already scheduled this afternoon.

D.P.O. POSTAL:

That would be at four o'clock.

LEG. TOWLE:

We're not going to be able to vote on the bill unless we waive the rules now until after the public hearings anyway.

D.P.O. POSTAL:

There's a motion and a second.

LEG. TOWLE:

Before we take the vote, just maybe ask Counsel --

LEG. FOLEY:

Procedure.

MR. TOWLE:

-- what his procedural recommendation would be at this point.

MR. SABATINO:

We have three options. Option one is simply make a motion to discharge, and then motion to discharge could be defeated, in which case it has been defeated and hasn't gotten to the floor, that, I think, would express perhaps the goal you're attempting to achieve. The second possibility is to discharge it, let it mature the normal one hour, and then after we come back from the lunch break vote to defeat it on the merits of the legislation. The third possibility or option is to make a motion to waive the one hour maturation rule, make the motion to discharge and then vote on the merits. That would take three votes. You'd have to vote to discharge, vote to waive the rules and vote on the merits. Those are your three options.

LEG. CRECCA:

On the motion.

D.P.O. POSTAL:

If I could -- just to follow the question. The second motion, the motion to waive the rules, would that -- how many votes would that require?

MR. SABATINO:

Ten votes to waive.

D.P.O. POSTAL:

Okay. Legislator Crecca had the floor and then, I think, Legislator Guldi.

LEG. CRECCA:

I was just going to reiterate to my fellow Legislators that this bill did fail in committee, it didn't get out, and I would say to the speakers there -- this is on the motion -- the public speakers that once -- if it fails in committee, if it's not discharged here today, it's not before the Legislature for a vote today, and will not be voted on. It remains dead for all intents and purposes in committee and that's -- it will not be -- come before the Legislature unless someone decides --

LEG. ALDEN:

Legislator Crecca, would you suffer one interruption?

LEG. CRECCA:

Absolutely and then I would yield to Legislator Guldi also.

LEG. ALDEN:

An explanation from legal Counsel also that once a certain time frame passes, the bill is completely dead.

MR. SABATINO:

Well, there's a six month rule. I mean, there is an advantage in the Legislature as a collective body, you know, voting down in some kind of an affirmative way. It's not a conclusive advantage, but it certainly would be -- it would put to rest the notion that the bill has some life even though the six month rule will keep it alive until the end of the six months, which -- the six months don't expire until the end of the year, so it's not a -- you know, it would not be an irrelevancy to deal with the issue by the full Legislature, but it's not a necessity. So I really give you that choice. It's not necessary, but it's also not a redundancy.

D.P.O. POSTAL:

Legislator Guldi.

LEG. GULDI:

Yeah. Counsel, before I add my remarks, just point of clarification. I don't see the distinction between a bill being killed in committee and the bill being killed by the whole Legislature since, if the bill was killed by the whole Legislature, it could as easily be reintroduced.

MR. SABATINO:

Being killed by the whole Legislature does two things, one, a

municipal corporation can only act through a resolution through the collective will of the Legislative body. So quite frankly, the full Legislature voting is a stronger measure than just the committee voting, number one. Number two, if it's defeated on the merits today then it would take a motion to reconsider by somebody on the prevailing side at the next Legislative meeting, not -- only at the next Legislative meeting. So it puts some kind of a time line or parameter on it, otherwise, what is a six month rule, which would let the bill flow through until December 26th. So I'm not saying that it's an absolute necessity. I think what the committee did, you know, is certainly a very strong and effective and powerful action that was taken. But if there's a desire to have a little bit more conclusive necessary or finality, there's an advantage to having the full Legislature vote.

LEG. GULDI:

You didn't address my question. Even if -- even if the Legislature defeated a resolution, any resolution, can that subject not be readdressed by new legislation albeit in a slightly different form on every occasion that this Legislature acts?

MR. SABATINO:

It can be done in the identical form.

LEG. GULDI:

It can be done in the identical form. So that -- so that in essence, there would be no finality, no greater finality, by a full act of the Legislature. The concern I have is multiple. First of all, in order to do this the committee spent hours, I think, by the time we took testimony, examined witnesses and had an extensive discussion in executive session with Counsel, who were prepared and asked to be there for it. That act is not just an act -- that committee is a committee of this Legislature, and its actions were as final as or as much an action of this body as an act of any committee. Unless we're going to create a precedent where we start reviewing every defeated bill in committee by a committee of the whole, I think it's a dangerous unproductive precedent, firstly. Secondly, I want to point out that at the vote after the executive session, because of the nature of the claims or potential claims, there was no debate by any of the members of the committee, including myself, Legislator Crecca, Legislator Alden, Legislator Fields and even Legislator Foley, who attended the -- who attended the executive session with us.

LEG. TOWLE:

That alone is an accomplishment.

LEG. GULDI:

Thank you. And I urge you that if -- I mean, we don't tread lightly here, if we do this, we must be extremely disciplined, it's an extremely technical area and we would have to advise Counsel and have

it brought forth. That's the downside, the downside is potentially huge. The up side is technical and hollow at best because it doesn't change the ability of these Legislature to second guess itself in any other form at a future date. Ultimately, I think what I have to do is urge my colleagues to -- the bill is dead in committee -- that should be the end of it. Let's not did redo all of the work that was done in

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committee here with all of the Legislators.

LEG. CARACAPPA:
Roll call.

APPLAUSE

LEG. TOWLE:
Legislator Postal.

D.P.O. POSTAL:
I'm sorry. Is this roll call?

LEG. TOWLE:
Legislator Postal.

MR. SABATINO:
Motion --

D.P.O. POSTAL:
Legislator Towle. I'm sorry.

LEG. TOWLE:
Just to address Legislator Crecca's concerns, and I know what they are because I've had a very similar conversation with Legislator Guldi. I do think the fact that the Legislature takes a vote here today is important, and I'm not going to withdraw my motion to do that. I have no intention of debating the bill unless that's something that we do decide to do in executive session, which I don't think needs to do at this point, because I think the issue has been a very public issue that everybody's had an opportunity to learn about. I don't think any of us are living under a rock at this point and are not aware of what's transpired. I think it's important for the community to understand that we're all behind them, and that that's what this is all about, and that's why my motion's going to stand.

APPLAUSE

LEG. ALDEN:
On the motion.

D.P.O. POSTAL:
Legislator Alden.

LEG. ALDEN:
Paul Sabatino, I have a question. Would a procedural motion to affirm the action of the committee be appropriate?

MR. SABATINO:
It's a motion that would be eligible for consideration, yes.

LEG. ALDEN:
I'd like to make a procedural motion to affirm the action taken buy the Ways and Means Committee in regard to this bill.

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LEG. FOLEY:
Second the motion.

LEG. FIELDS:
Second.

LEG. FOLEY:
Second the motion.

LEG. CARACAPPA:
What was the motion?

D.P.O. POSTAL:
Legislator Towle.

LEG. TOWLE:
Thank you, Legislator Postal. I've got to say that's a new one on me, even Legislator Guldi was stunned that we've never heard that in all the years that we've sat here. So, Counsel, could you explain what that might mean in English.

MR. SABATINO:
It's a procedural motion which is going to ratify and affirm the actions that were taken buy the Ways and Means Committee. It's a legitimate motion, it speaks for itself. It would ratify and affirm the zero for rejection of Introductory Resolution 1676 of 2001.

LEG. TOWLE:
Not a problem. I think that very sounds reasonable, Legislator Alden. I'll withdraw my motion and support your motion as well.

D.P.O. POSTAL:

Excellent. We have a procedural motion buy Legislator Alden, I think that was seconded --

LEG. FOLEY:

Seconded --

D.P.O. POSTAL:

Roll call.

MR. SABATINO:

Just to make clear -- make it clear on the record, it's a motion to affirm and ratify the 0-4 vote that took place at the Ways and Means Committee on Introductory Resolution 1676-2001.

D.P.O. POSTAL:

Roll call.

(Roll Called by Mr. Barton)

LEG. ALDEN:

Yes.

LEG. FOLEY:

Yes to ratify.

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LEG. COOPER:

Yes.

LEG. BINDER:

Abstain.

LEG. BISHOP:

(Not Present)

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yep.

LEG. CARPENTER:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
(Not Present)

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

LEG. BISHOP:
Yes.

LEG. CRECCA:
Legislator Caracciolo is in the room.

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LEG. CARACCIOLO:
Yes.

MR. BARTON:
17, 1 abstention.

P.O. TONNA:
Okay.

LEG. ALDEN:

I think that sends a very strong message.

P.O. TONNA:
Congratulations.

LEG. HALEY:
Thank you, Elsie.

P.O. TONNA:
Okay.

APPLAUSE

MS. OWENS:
Thank you all so very much.

P.O. TONNA:
Okay.

MS. OWENS:
Thank you for saving a community.

P.O. TONNA:
I would ask all Legislators, please, to stay. We're going to take one picture and then we're -- we're going to have a recess until 2:30. Thank you.

(*THE MEETING WAS RECESSED AT 12:30 P.M. AND RESUMED AT 2:45 P.M.*)

D.P.O. POSTAL:
Will all Legislators please come to the horseshoe. Roll call.

(ROLL CALLED BY MR. BARTON)

LEG. CARACCIOLO:
Here.

LEG. GULDI:
Here.

LEG. TOWLE:
Here.

LEG. CARACAPPA:
Here.

LEG. FISHER:
Here.

LEG. HALEY:
Here.

LEG. FOLEY:
Here.

LEG. LINDSAY:
Here.

LEG. FIELDS:
Here.

LEG. ALDEN:
Here.

LEG. CARPENTER:
Here.

LEG. CRECCA:
(Not present).

LEG. D'ANDRE:
Here.

LEG. BISHOP:
Here.

LEG. BINDER:
Here.

LEG. COOPER:
Here.

LEG. POSTAL:
Here.

LEG. TONNA:
(Not Present).

MR. BARTON:
15. A quorum is present for the public hearings.

D.P.O. POSTAL:
Before we begin the public hearings I'd like to ask everyone to please stand for a moment of silence. Ann Schmidt was a former secretary to Presiding Officer Michael Grant from 1972 to 1975, and then was in LADS until her retirement in 1988. She passed away suddenly last Friday, and I'd like to have a moment of silence in the memory of Ann Schmidt.

MOMENT OF SILENCE

D.P.O. POSTAL:

Thank you. Mr. Clerk, have the public hearings been advertised?

MR. BARTON:

Yes, they have, and the affidavits of publication have been filed.

D.P.O. POSTAL:

Thank you. Public hearing regarding Introductory Resolution Number 1490, a Local Law to establish healthy bottled water labeling law. There are no cards for this public hearing, is there anyone who would like to address the Legislature? Hearing no one, Legislator Alden?

LEG. ALDEN:

Motion to close.

D.P.O. POSTAL:

Motion to close. Seconded by myself. All in favor? Public hearing on 1490 is closed. Public hearing regarding Introductory Resolution 1790 a Local Law to establish lamp light conservation policy to conserve energy. The first speaker -- and each speaker has ten minutes -- is Rose Cianchetti. Rose?

MS. CIANCHETTI:

Yes. Cianchetti.

D.P.O. POSTAL:

Oh, sorry. Cianchetti. You have ten minutes.

MS. CIANCHETTI:

Thank you. My name is Rose Cianchetti, and I reside in Wading River. And I'd like to address all of you and thank you for passing a bill to enact legislation to regulate outdoor lighting. Unfortunately, I was not aware of the intensity of the light pollution problem until recently when it became my personal problem. So I'm asking that for a brief moment you try to imagine yourselves in my shoes and imagine this as your personal problem as well. I am a resident of Wading River for over 30 years. A new neighbor moved into the house next door about a year-and-a-half ago. Our homes are very close in proximity, placing the problem light beam just about 40 feet away from my bedroom window. Some months ago, I was sharply awakened from a deep sleep with the sensation that a bright flashlight was beaming in my eyes, I was startled and my heart was pounding. I soon learned that my neighbors high intensity flood lights were targeted directly at my bedroom window, lighting up the entire room. In fact, I have some photos that I took from my bed showing the direction of this light beam.

This went on intermittently until the invasion became more frequent and necessitated my calling the neighbors to inquire about it. My message on there phone recorder was never acknowledged. By Monday, August 5th, the light beam began striking at dusk and continued through the night. Only this time it almost seemed to be programed to go off precisely every five minutes on and off all night long. Now, I don't know if it's possible to program a light like that, but it seems strange it was precisely every five minutes. I called them about 3:15 am to plead with them to check the light or turn it off so that I can

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get some sleep. Again, I left a message on their answering service and again received no response. By the way, I very politely bring this to their attention and thank them each time for addressing the problem.

On Friday, August 10th, just this month, the light beams got even worse. They began at dusk again, only this time at one and two minute precise intervals. The sharp beam continued throughout the entire night relentlessly until dawn around 5:45 a.m. on Saturday. I didn't call this time since they haven't responded to previous calls, but in total frustration and exhaustion, I visited the Riverhead Police Department on Sunday morning hoping get some helpful information on how to address this problem and how to resolve it. I spoke with Officer James who offered exactly zero hope. With bloodshot eyes, I tried to make him understand my dilemma. He repeatedly referred to the rights of the neighbor who have every right to light up their property as much as they please. He did not address the fact that the lighting up -- that the light was lighting up my property as well and my bedroom, in particular. With his -- in fact, he emphasized his point, demonstrating by swinging his arms around, moving them in a circular pattern and firmly saying to me, if they want to light up the whole perimeter of their house with as many flood lights as they choose, they have a right to do this.

Feeling very dejected, I drove home, but I vowed I would find a law that protects the abused victim. The very next day, I read in Newsday the article about legislation to protect people like myself, and that's why I'm here today. Because my neighbors choose to ignore my pleas, I can only conjecture what their need for such bright lighting might be. I know their home is equipped with a security system. In the 30 years I am living in Wading River, every house that has been broken into, to my knowledge, has been during daylight hours. In fact, including my own home a couple of times. I urge you to do everything in your power to help the victims of this incorrigible invasion that robs innocent people of a nights sleep. My blood pressure has soared, and my health is threatened.

Please consider the fact that I am self-employed, I work at home, my most productive time is early in the morning, 6:30 to 7:00 a.m., and after losing a complete night of sleep, I'm in no shape to start writing articles, which is what I do. I intend to follow-up today's meeting with a letter campaign to thank Senator Mike Balboni of East Williston, who sponsored the bill and others who are pertinent to this issue, including a letter to Governor George Pataki. I might add that a letter to Assemblyman Steve Levy from Holbrook, who voted against the bill is also in order. I want to thank you for the opportunity to allow me to speak today and hope that we can resolve this real soon. Thank you.

D.P.O. POSTAL:

Thank you. Legislator D'Andre has a question.

LEG. D'ANDRE:

Young lady. One thing is sure, a bad neighbor is a bad neighbor. And you're not going to make them better, unfortunately. When you direct lights like they did in this case as you describe it to your window,

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that's somebody looking for trouble, and I don't know how you can --

D.P.O. POSTAL:

Mike, question.

LEG. D'ANDRE:

-- any legislation can change this. Do you have any reason that you can nullify this or stop this?

MS. CIANCHETTI:

Actually, no. And I wouldn't even refer to them as bad neighbors, because I feel that I've been so fortunate to have these neighbors. They've improved the property, they're especially diligent about, you know, keeping the property up and neat and clean, and they are people who keep to themselves. Although, I did make an effort to be friendly with them, when they moved in, I went over welcome to the neighborhood and brought them a little house gift and everything seemed to be fine. So what's happening now, I have no -- I just can't imagine. I have no inclination at all. I know that during one of those phone calls I made, because the house is so close, I can look right into their kitchen window, and I see them there when I'm making the phone call, and they're not picking up. So I know they're receiving these calls, and for some reason, I guess, they feel that the patrolman did, that they have the right. Their backyard is only 20 feet, so the light is incredible, it lights up all of my property, as well, but the biggest -- I could almost appreciate the fact that we have bright lighting

back there during the night for protection, but it's in my -- it's in every window on that side of my house.

LEG. D'ANDRE:

Well, I live on an acre, and I have Long Island light --

D.P.O. POSTAL:

Mike.

LEG. CRECCA:

Mike, use the mike.

LEG. D'ANDRE:

I have Long Island light --

D.P.O. POSTAL:

Please, a question.

LEG. D'ANDRE:

I'll get to the question, young lady. My new neighbor moved in, needless to say, I got a real pain in the neck. They got a horse, she complained about my light, and this is a light from Long Island Light LIPA. So the worker or the man they sent out for the complaint said to me, do you mind if we tape the back of it. I said, no, she don't want light in her yard, fine. I resolved the problem.

MS. CIANCHETTI:

That's what you would expect.

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LEG. D'ANDRE:

But there was over 100 feet away. You know what I'm saying? So there are some people who complain for the sake of complaining. There are some like yours, where they are very close where you got to watch everything they do. But in the street, those lights are in complete -- in a lighting district. We pay separately for those. It's not a -- town doesn't pay for that, we pay for it, we're in a lighting district that they created just for that. So you have a problem there.

MS. CIANCHETTI:

Well, I have a serious problem. I'm at a loss as to how to handle it, how to reach them.

LEG. D'ANDRE:

I personally like lights. I think they're a big deterrent.

MS. CIANCHETTI:

Well, you know, when I moved into Wading River 30 years ago the only street lights in that whole area were on my road. I was grateful for it because the neighborhood would be totally black and dark. But that light is not affecting me in my bedroom.

LEG. D'ANDRE:

Well, that is a separate individual problem.

D.P.O. POSTAL:

Mike. Mike. Michael. Can I ask you to please yield to Legislator Haley. Legislator Haley has a question. Thank you.

LEG. HALEY:

Thank you, Mike. Those neighbors had moved in -- over here.

MS. CIANCHETTI:

Oh, there you are.

LEG. HALEY:

Those neighbors -- too much light shining in your eyes? If those neighbors had, in fact, moved in and did the opposite of improved their property and started to do things like not mow the lawn and leave junk around and became very unsightly to you and you may have even thought it could of adversely affected your ability to sell the house, would you support a bill that would require that they maintain their house in such a fashion --

MS. CIANCHETTI:

I wouldn't think of it in that way, no.

D.P.O. POSTAL:

Could you use the microphone, please.

MS. CIANCHETTI:

I might offer to help them. I don't know. I've never had that consideration to make.

LEG. HALEY:

Thank you.

MS. CIANCHETTI:

There's never been that problem.

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

MS. CIANCHETTI:
Thank you.

D.P.O. POSTAL:
Next speaker is Frank Schiralli, Junior.

MR. SCHIRALLI:
Good afternoon everyone, and thank you for this opportunity to address the panel. First I'd like to thank Jon Cooper, the Legislator from my district, the 8th district for sponsoring this legislation, which I think meets the needs of all of your constituents. Also I'd like to point out that I bear with me today a petition that authorizes me to speak on behalf of 26 additional people who found that this was a forum inconvenience, in that it was occurring during business hours, and I have ten copies to present to the Legislature with respect to that.

I'd like to begin, and it seems to be my lot in this presentation to summarize the problem, and the problem really began in 1882 when Thomas Edison invented the light bulb and oversaw the installation of the first electric lights on Pearl Street in New York City. Ever since that time, there has been an insidious increase in the number and the brightness and the misdirected lights that have been installed throughout the State of New York. As a resident of Suffolk County for over 20 years, it -- I'm very dismayed at the increase in the ambient light level in my neighborhood. This is a direct result of dusk to dawn lights that are in many instances quite unnecessary as they shine on empty parking lots, closed businesses, they illuminate dumpsters. They seem to have virtually no purpose. And it's become a danger to my community, and it's gaudy, and I'd like to address each of these things in order. But clearly, it's reached a crisis proportion in my lovely community of Northport, New York.

First and foremost, I'd like to say that I don't want to live in Queens. I want to live in Suffolk County. I don't want Suffolk County to look like Queens. I don't want Northport to look like Queens, meaning no disrespect to Queens. The gaudy trashy appearance of unshielded lights harm the appearance of my community. They ruin the quaint ambience of my lovely town. In addition, many of these lights create hazardous road conditions in that they shine directly into oncoming traffic, and it's like trying to drive into the westering sun. And that's after dark. These lights could be properly directed, they could be properly shielded, they don't have to be removed necessarily. In some instances, I would suggest to you that an additional remedy might be to lower the wattages of those bulbs because it's just excessive -- it's just excessive. The excessive use of all of these unnecessary superfluous lights, because I'm referring

now, Mr. D'Andre, to lights that are not illuminating the streets. I'm referring, for instance, to businesses, and the LIPA installed night lights which are dusk to dawn lights, those 1,000 watt -- I like to refer to them night-blights that come on at dusk and stay on all night long. And, as I already indicated, very often shine on empty parking lots and closed businesses. These lights are often misdirected and illuminate the streets, and they're incredibly dangerous for people like me, who are passed the age of 40, who wear glasses and who have things in their eyes called inclusion bodies, which, whether you realize it or not, you have, because they scatter a great deal of light in the eyeball. It makes driving at night very hazardous.

I don't need to tell this esteemed panel that the Long Island populous is ever aging, and they're out there driving cars because we need to. So that there is a truly hazardous condition that's been unaddressed for quite some time, and I'm thrilled that Mr. Cooper has seen to it that this legislation has been brought to your attention and put on the table and will subsequently go to committee for some punching up. I can't tell how impressed I am with his responsiveness to my community and our needs.

I'd also like to point out that these unnecessary and superfluous redundant lights, each one of them requires not only an infrastructure, a pole and the light itself, but each one of them burns fossil fuel. For every unnecessary kilowatt of hour that we are illuminating lights in our community, we are contributing two pounds, two pounds of carbon dioxide, a notorious greenhouse gas, it's being emitted whether we like it or not. Also, we're burning fossil fuels with a result of sulfur being emitted unnecessarily. That contributes to acid rain. So we're ruining our lakes, we're ruining our streams, we're ruining our fisheries, we're ruining our communities because we're using old technology. Now, we're not here to say to you don't illuminate the night, we are here to say to you there is a technology, it's called full cutoff lighting, that is and can be used, it's being used in Arizona and many other states, and it out to be used here in New York.

It's efficient, it's attractive, it gets the job done because it puts the light on the ground rather than into the horizontal plain where it can enter your eyes and up into the sky where it can cause that ubiquitous sallow yellow color that we have now given up the night sky in lieu of. When you look at night -- and my daughter is going to discuss this, and I hope that she'll be next -- when you looked up at the sky at night, 40 years ago, when I was a child here on Long Island, you actually saw stars. Now, all you see is this sallow yellow color from the high humidity trapping the misdirected light that is just so prevalent here in our community. So we have also lost the beauty of the night sky. And if you don't think that's a treasure that needs to be preserved, then I think you need to go up to the Adirondacks like my daughter does for two weeks every year and see what you're missing, see what you've lost and see what our children

are no longer seeing. The thrill of that when I was young caused me to be interested in science and medicine, and to this day I'm grateful that I had that sky to look at, but my child doesn't have that anymore. Sorry.

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Also, there will be others who will come behind me who will discuss the findings of photobiologists, who have shown beyond a reasonable doubt now that high nighttime ambient light level contributes to a reduction in melatonin production in humans, thus leaving us air to the possibility of increased breast cancer and prostate cancer. I don't think I have to tell this esteemed panel that that's a very common problem here on Long Island. And we've been searching for a long time for a rational and a reason why it should be so, and perhaps this is one of them, because if you take a glance at this map on your right, it's not at all hard to pick out Long Island. And can see that it is the heart and the soul of the problem, and therefore, it should be the heart and soul of the solution. And the solution lies with you. You are our representatives. We are here to tell you that we've realized that there's a problem. We are here to demand that you do something about that problem. We are also here to tell you that there's very little downside to this problem, and that your constituents will be very, very pleased with you if you find it in your hearts to make the time to pass this legislation. Now, I know that my time must be growing a little short at this juncture, so what I'd like to do is take -- bring my daughter Amanda up here who filled out her card and have her be next so you can hear from her in her own words.

D.P.O. POSTAL:

Mr. Schiralli, she is next.

LEG. D'ANDRE:

Madam Chairlady. You've got to understand one thing, and you made no allowance for that. When you pack over a million people in Suffolk County, needless to say Nassau County, you got problems, not the lights, we got people pollution from one end to the other. That's your problem.

D.P.O. POSTAL:

Michael, questions please.

MR. SCHIRALLI:

Mr. D'Andre, that's not what we're here to discuss, first of all.

LEG. D'ANDRE:

I understand that, but you're speaking broadly about the universe out

there almost. You've got to understand, attack the problem where it's at, and that's overpopulation.

D.P.O. POSTAL:
Michael. Michael. You need to --

LEG. D'ANDRE:
Carbon dioxide, you don't know all the answers to that.

MR. SCHIRALLI:
Perhaps I know more than you, Mr. D'Andre.

LEG. D'ANDRE:
Maybe you do.

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D.P.O. POSTAL:
Michael. Mr. Schiralli.

LEG. D'ANDRE:
If you plant trees, you cut down the absorption carbon dioxide.

D.P.O. POSTAL:
Michael. Michael, it's a public hearing. Let's hear from the next speaker.

LEG. D'ANDRE:
I understand, but this is a big problem.

D.P.O. POSTAL:
I understand it is.

MR. SCHIRALLI:
Does anyone have any questions with respect to anything I've said?

D.P.O. POSTAL:
Next speaker is Amanda Schiralli.

MR. SCHIRALLI:
That being the case, Amanda. We're going to have to share the microphone a little bit. Is there something you'd like to say to these people?

MS. SCHIRALLI:
I go up to Adorondacks for two weeks every summer, and what I see up there is not what I see down here. All I can see down here is a bunch of yellow stuff, which is the light pollution. Up there, I can see

everything, it's so beautiful. And it's really sad that I can't see from my property the beautiful things that I can see up there.

MR. SCHIRALLI:

Honey, let me ask you something. Are there any street lights in our neighborhood?

MS. SCHIRALLI:

No.

MR. SCHIRALLI:

Is it really, really dark in our neighborhood?

MS. SCHIRALLI:

No -- yes.

D.P.O. POSTAL:

Mr. Schiralli, she has ten minutes to testify.

MR. SCHIRALLI:

She's also 12 years old.

D.P.O. POSTAL:

We understand that. You know, those are the rules, that each speaker

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gets ten minutes.

MR. SCHIRALLI:

Okay. We'll make it one minute, let me make a point. You know, so from our house at night, which is an otherwise dark neighborhood, what do you see?

MS. SCHIRALLI:

All I can see is a bunch of yellow stuff, the light pollution from lights that would be better off faced down at the ground or not used at all.

MR. SCHIRALLI:

Okay. Anything else you want to say?

MS. SCHIRALLI:

That's it.

MS. SCHIRALLI:

Okay. That's fine. Thank you.

D.P.O. POSTAL:

Thank you. Next speaker is Gary Citro.

MR. CITRO:

How do you do? I wanted to start out by saying I think it's interesting we're talking about light pollution. Something that's not in the law that you presented is something that bothers me every day that I encountered on my way here and that's you go a couple of miles east on Veteran's Highway, I saw a string, a broken string, at random of about nine different street light that were burning away. Now, if that's not light pollution, you tell me what is? And a lot of people aren't sensitive to that. If you take a look around while you're driving your car, you'll notice that there are lights burning all over the place in broad daylight. What we need them for, I don't know.

This picture over here that was in Newsday yesterday that Mr. Schiralli said, yeah, Long Island is a big blob right there. That's us. We're easy to find. And every bit of light that you see over there represents completely wasted energy, light that's going up in the sky that's not being used for any useful purpose, which you should also know that that picture was taken quite a while ago, a couple of years ago, at least. And I know personally that the problem has gotten dramatically worse in the ensuing years, in just the last few years. I know this because I'm an amateur astronomer. A number of people here are amateur astronomers, but this is the way I was introduced to the issue, that's all. I have seen in my telescope some distant objects that have just faded over the last few years. We have two very large astronomical clubs on Long Island; one is the Amateur Observer Society of New York, and another one is the Astronomical Society of Long Island, and we also have the Custer Institute, which I'm going to refer to in just a moment. They have found that they have had to do their observing sessions further and further east on the island, and really the Amateur Observers Society used to observe at Jones Beach because it's all of New York, they represent all of New York then they had to move all the way out to Robert Moses Beach,

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which is a lot further. And now Robert Moses Beach is a complete waste of time, and now they're finding that they go all the way out to Custer Institute.

Now, Custer Institute -- the president of Custer is here to speak -- they do public observing programs on Saturday night, they've got a big jamboree that happens once a year that a lot of people go to, they're turning kids onto science, they're turning kids onto astronomy. Anything we can do to turn children onto astronomy and onto science is something that's worth while that needs to be saved. What we need to remember is that those stars that we see up there, few in number now, for thousands of years human kind has studied the stars and has gazed

upon them for those thousands of years, and it's really only in the last 50 or less that they've begun to be gradually erased. You cannot see the constellations you should see in the night sky when you look up in the sky at night now, you don't seem it. And this is a real tragedy.

And I hear about other environmental initiatives like, for example, dredging the Hudson River, which will cost millions and millions of dollars. Here's a way that we can restore the night sky, we're going to save money while we're doing that, we're going to save money, because we're going -- we're not asking to get rid of lights. We're asking to direct the lights down where they're. The technology is there, the fixtures are there. Some people are concerned because we talk about lowering wattages sometimes. Well, the fact of the matter is when you use the type of lighting that we're talking about that focuses down, you're eliminating the glare. Glare does a lot of really bad things to your eyes when you're trying to drive or when you're trying to see. When there is glare in your eye, you don't see the ground, the ground is not as visible as it can be. You don't have to listen to me. Tonight, go up to a set of street lights, cover up the street lights with your hand, look down and see what is illuminated on the ground, and then take your hand away and look at the ground again. You're going to see less because the glare is shining in your eyes.

LEG. CRECCA:

You'd have to let us out of the meeting though to go do that, so it's --

MR. CITRO:

I meant tonight.

LEG. CRECCA:

We'll be here we'll -- we'll have to do it about two in the morning.

MR. CTIRO:

Okay. On your way home. You'll get a little break to see the day burners over on Vets Highway, though. I'm nearly finished, let's see. Mr. D'Andre mentioned the overpopulation as being a problem.

LEG. D'ANDRE:

Big problem.

MR. CITRO:

Well, it is a big problem. Okay. Tucson, Arizona's a city of 500,000

people that have been using full cutoff lighting for 30 years. You can stand in the center of Tuson, Arizona and look up and see the Milky Way. You're not going to do that here.

LEG. D'ANDRE:

It's not Long Island, it's not Suffolk County with over a million people, it's not Nassau County with over a million people. We've got people pollution, not light pollution, people pollution.

MR. CITRO:

That's why it is our job or should I say your job, it's everybody's job to change it. It's our job to work on it. There's no downside, none, zero downside to using the type of lighting that we're talking about. You're going to save money, save energy and illuminate the ground better than you're doing it now. So there's --

LEG. D'ANDRE:

We're hearing one side of that argument.

D.P.O. POSTAL:

Mike.

MR. CITRO:

Well, if there is another side of that argument, I hope it comes out. I'm ready to defend it completely. I've been studying it for years now. That's all I have to say. Is there anyone who needs to address me?

D.P.O. POSTAL:

Thank you. Question, Legislator Cooper.

LEG. COOPER:

Quick question. Aside from Tuson, do you know of any other municipalities around the country that have implemented similar policies --

MR. CITRO:

Yes.

LEG. COOPER:

-- and are using full cutoff lighting?

MR. CITRO:

Ketchum, Idaho, Clinton, New Jersey, I believe, the whole State of Maine. There are six -- there's a state bill -- Flag Staff -- there's a state bill under consideration now from Senator Balboni and Assemblyman Grannis, and that bill, by the way, is being supported -- I'm going to hand this out to everyone in the Legislature from Mr. Balboni -- that's being supported by the New York City Audobon Society because there are environmental effects that we are going to hear about coming up and supported by the American Lung Association. These are for you, these are for you and these are for you and that's for everybody. There are six other states that have adopted light pollution laws. Maybe I can name them offhand; Colorado just got one,

Washington State, Arizona, Connecticut, Maine -- Connecticut just adopted a very stringent law. Okay? So I talked about other things.

The astronomy is how I was introduced to the issue, but the more people that are affected by the things that the first speaker spoke about, Ms. Rose Marie, who I never met, the light trespass, light shining into your bedroom window. That is a very common problem, and most people have it and they don't know what to do about it. They don't know to come to the County Legislature meeting. They don't know to write to their representative. We saw a couple of weeks ago in the paper somebody wrote to Dear Abby about it because they don't know what to do. All right? A lot -- that's a very common problem. When I talk to people about light pollution or I talk about light trespass coming into their window, boom, they all know about it. It's happened to many people -- it's happening to me right now. Okay. Thank you very much.

D.P.O. POSTAL:

Thank you. Next speaker, is Gail Clyma.

MS. CLYMA:

As you consider the very significant resolution that Legislator Cooper has introduced, you're going to hear a number of reasons why Suffolk County should begin to limit light pollution. You've already heard some of them; money and energy are being wasted, light trespass is invading resident's yards and homes and the stars are disappearing as our nighttime sky is no longer really dark. In addition to these very important issues, I would ask you to consider one other fact, dark is the natural and normal state of the world after sunset. We all know this, of course, but I direct your attention to the thought, because we've tended to lose sight of the fact that all of nature's creatures have developed over the eons in accord with that reality.

But as light pollution has become more and more pervasive, we're beginning to discover that loss of night's normal darkness is having unintended effects. I'd like to give you two examples. The first concerns the lowly plankton, which is toward the bottom of the aquatic food chain. In January of this year, the American Scientists Magazine reported on research into the impact of light pollution on the daily vertical migration of a species of fresh water plankton. For this experiment two types of enclosures were built in a lake in suburban Boston. One type was covered with black plastic to keep it dark and the other was covered with clear plastic to emit whatever sky glow and stray light was present in the neighborhood. The researcher found that there was significantly more movement of the plankton in the darkened enclosure, both in terms of the number of individuals and the distances they were traveling up and down in the water. Why should you care? Because reduced movement of plankton means increased

amounts of unconsumed surface algae left on the water. And if you know anything about the brown tide that has afflicted Suffolk County waters in recent years, you know that excessive amounts of algae can be devastating. Of course, the brown tide is a complex phenomena and there may well be a number of factors involved, but shouldn't Suffolk start now to limit the light pollution that appears to interfere with the natural control of algae that plankton provide?

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It is not only plankton and algae, however, who's life is affected by light pollution. This is so, as Frank has mentioned because the hormone melatonin is present in all living organisms, you and included. For all the eons until Edison invented the light bulb, humans used sleep and darkness as a time for rest and repair, and it is at night that the body produces melatonin. Melatonin induces sleep, has antioxidant properties and boosts the immune system. And it has been known for sometime that melatonin indirectly controls the human endocrine glands, meaning the adrenals, thyroid, ovaries and testes. One of the specific effects of a normal melatonin level is to produce reduction of estrogen. This suggested to researches that chronic suppression of nighttime melatonin levels as occurs when one's bedroom is not truly dark at night could increase incidents of estrogen related malignancies, such as breast cancer.

Over the past decade or so, a number of studies have investigated the link between light and breast cancer. Several Scandinavian studies showed that blind women had lower risk of developing breast cancer than women with normal vision. Another study showed that women who work at night, thereby disrupting the normal nighttime cycle of melatonin production, were at higher risk for developing breast cancer than others. Laboratory experiments meantime have produced quite startling results. In one study, human breast cancer cells were implanted into two groups of laboratory animals. One group was kept in total darkness at night, while another group was exposed to a very small amount of light. The animals exposed to even this bit of nighttime light showed both a drop in melatonin levels and much more growth in the breast cancer cells.

Satellite photos show us that light pollution on Long Island is similar in severity to major urban centers, and as I'm sure everyone in this room is aware, the incidents of breast cancer on Long Island is abnormally high. Does the one cause the other? We don't know that with certainty, because the research is not conclusive. As with the brown tide, cancer is a complex problem, but it's a fact that medical science is seriously investigating the possibility of a cause effect relationship. Two things we do understand right now, one is melatonin's role in regulating estrogen, the other is that there are a

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few places remaining in this County where one can sleep in total darkness without taking extraordinary steps to block the ubiquitous light pollution. I'd like to suggest that Suffolk County not wait until the last research study is completed before we add melatonin suppression to the list of reasons we need to bring light pollution under control.

I have some articles on the plankton and on the breast cancer that I will pass out, or somebody will pass out. Any questions? One thing I did not mention is that the melatonin issue was picked up and the effects on health was picked up and reported by Peter Jennings on the World News Tonight back in May. I don't know if any of you have seen that, but a copy of that script is there also.

D.P.O. POSTAL:

Thank you. Our next speaker is Susan Harder.

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MS. HARDER:

Hi. I'm Susan Harder. I live in East Hampton, Long Island. I was actually in this room about a month-and-a-half ago and I was displaying this poster right here. It shows the greater problem. This is a worldwide problem. Light pollution is a worldwide problem. This map shows the Earth at night, and you can see all the populated areas, and it measures -- the satellites are actually able to measure the intensity of the light that is sent up that we are paying for. We're wasting this light, in the same way that Rose's neighbors are paying to light up the inside of her bedroom.

I think that what's happened is, like many things, we've taken bad lighting for granted, and there is a solution. And like the people before me, this is a no net sacrifice to switch our bad lighting over to good lighting.

Like I said, I was in this room and I was part of a group called the Citizens Energy Plan. I'm on the Conservation and Efficiency Subcommittee working on the issue of light pollution. One of the recommendations is that this group pass a comprehensive light pollution bill, which will help enormously with energy savings, because this map of the United States, the estimates that we have for our energy savings are in the billions. If we simply change the lighting so that we're lighting up what needs to be lit up, and the amount of light that needs to be used for that task, and at the times that it's needed.

I want to thank Representative Cooper for bringing this extremely

important issue to this Legislative body to be voted upon. This is an issue that would meet -- would reach this body at some point in the future, in the near future, and better now than later, because that's that much more money that your citizens are wasting, and that much more pollution as a result of this wasted energy that is in our air and in our water.

I am a full-time advocate for the elimination of light pollution. I've been working in my local community, I've been working on the State law. I'm a member of the International Dark Sky Association. In my effort to work on this State bill, I have very -- it has been a very easy task for me to go before groups and to secure their endorsement, which I have from the Group for the South Fork, the -- you've heard about the environmental advocates, the American Lung Association, the Audubon Society. I've also gone to civic organizations, the Acabonack Protection Committee, the Concerned Citizens of Montauk. I mean, this is a very easy issue to get an endorsement for its passage, because I just don't -- I don't think that you realize how many people suffer in silence, as Rose has not today. Rose came to the podium and I'm really proud to hear what she had to say, because I think a lot of people just don't realize that it's something about which something should be done.

And I want to apologize for wearing a tee shirt to an important meeting, but I did want you to see the bottom of this shirt. Yesterday in the Newsday, they published the top, which says, "Stars Up," but the bottom says, "Lights Down." And in the article, which I passed out to you, it says -- it says, "Turning the Lights Out." Now

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we are not -- no one is asking anyone to turn the lights out, we're asking them to turn the lights down onto the ground rather than shining up in the air or into Rose's bedroom or into my bedroom, because that is how I also got involved in this issue, is I had a neighbor who turned on their light, a 250 watt -- two 250 watt lights for a quarter of an acre and I looked up and it looked as if a train was coming towards my house.

I also gave you an article that was published in the New York Times by John Rather, which also I think rather accurately captures the topic. I've also given you some information about what the definition of a full cutoff fixture is, which means, you know, 100% of the light goes down. I've also given you a sheet that was -- has been distributed to -- the electricians, I believe, receive this sheet to tell them which fixtures are allowed and which are not in Connecticut.

I do know that some of the concerns that people have been talking about have to do with security. They usually say, "Well, we need

lights for security." And that may be, that lighting up an area, you would be able to see a vandal. This means that someone has to be there in order to see the vandal either committing the graffiti or a vandal climbing into a window. Otherwise, the lighting just simply let's the vandal know, you know, where the closest window is. So I don't see -- I don't see lighting necessarily as a weapon, unless you want to put those lights on a sensor, a motion detector. That may, in fact, be a way of deterring activity in a certain area, because, at that point, the neighbors would at least be able to see the lights popping off and on.

There is another concern about safety, and one of the -- one of the issues about light pollution is overlighting. Even if the light is directed down, you don't need to light up an area with the intensity to -- of a surgical theater. They do have booklets which are published by the Illuminating Engineer Society of America where they tell you exactly how many foot candles are needed for any one particular task. And they do have this for situations like gas stations, which, unfortunately, many gas stations will get into sort of a competition with each other to see who can light up their service station the most for an advertising, as if people are moths drawn to a flame. But, in fact, you can very beautifully light up a gas station completely and fully without glare and without overlighting it, and there's a perfect example of this. Please drive out to East Hampton, not on the weekends, you won't be able to crawl through the traffic, but there is a station in Wainscott, it's a Hess Station. It is inviting, it is well lit, and there is not one bit of glare. It's easier to pull into that gas station than it is to the Mobile Station, which is in Southampton, where you have two big bulbs right in your eyes. I mean, you cannot safely enter the Mobile Station in Southampton. Someone could be standing anywhere underneath that light and you would hit them. So, please, I welcome you, and anyone who has any objections about light levels and glare or anything, please see this Hess Station that's in Wainscott. And that was done as a part of our Planning Committee.

Now East Hampton Town and Village do not have adequate light pollution laws. They lack the definition that this -- that the law that's

before you contains, which is to say, you know, trespass is defined, you know, cutoff is defined. These are the things that we lack in the municipal ordinances around Long Island, even when they do exist. So this law would go a long way, because, primarily, it's a matter of education. I mean, I think once people find out there's a law against this and this is the alternative, I don't think it's a big -- I don't think you're going to have, you know, a jail full of light polluters. I do think people do -- they need to be told, you know, "You're not

allowed to shine a light into my bedroom."

And I brought along two very easy demonstrations. And I'm not going to plug these in, because I've electrocuted myself already once before doing that. This is your regular ordinary security light. There's -- this light, even in this position, this light will shine light up. This is probably the light that shines into Rose's bedroom. Is this it? So, as you can tell, if this is on somebody's house, it's not shining light back into the house upon which it's attached, it's shining light out, away from the house. So the people who installed this light are sleeping just fine. The alternative, and one that is -- that costs practically the same, is a shielded fixture, and this is the exact fixture in a different color than the one that you'll see that I'm standing in front of at the Newsday article.

D.P.O. POSTAL:

Mrs. Harder, you need to sum up, your time is up.

MS. HARDER:

Okay.

LEG. GULDI:

I have a question.

D.P.O. POSTAL:

Legislator Guldi has a question for you.

LEG. GULDI:

Yeah. I'm looking at the examples that you handed out from the Town of Branford, Connecticut, with the acceptable versus the unacceptable figures -- fixtures. And the question I have is -- really, it's a two-parter. You know, has anyone done an analysis of the cost of replacing all of the existing light fixtures that are not in compliance with this, the cost of doing that, or is this proposed law grandfathering those fixtures and asking for a replacement on age out? And, in any event, what's the cost differential?

MS. HARDER:

Well, I'll tell you what's been my experience. My experience is, and think of light like sound, if you capture it and direct it where you want it to go, you can turn it down. The -- and anything that I've seen that -- with respect to shielding fixtures, in fact, I read a brochure last night about a big -- we have a lot of sports lighting in East Hampton, and we have the companies coming in and they're going to install shields, they're turning it down. They can lower the wattage. Now, you will be saving money. The sooner you do it, the more you're -- the quicker you're going to be saving the money on it. So grandfather clauses should be shorter and certainly not longer in

order to accomodate that savings right away.

LEG. GULDI:

Well, I understand there will be a cost savings from lower light levels. The question is what's the cost of fixtures and their installation going to be?

MS. HARDER:

Well, you know, that's going to depend. I have not seen these fixtures that -- the fixtures are not that expensive. If you spend \$100 on a fixture, I mean, you're going to be able to save that pretty quickly. It's like old refrigerators. Remember when they told us about refrigerators, they said if you've got a refrigerator that's 20 years old and you replace it with a brand new one, you'll pay for it in savings in what, two or -- it was like two or three years, something like that.

I went around last night with the Chairman of our School Board, and we went around -- actually, it was during the daytime even. We had day-burners going on. This is a tiny little school, 500 people. And he had -- he had six 1,000 watt fixtures that he didn't even need. Now that's 600 watts, 365 days a year, dusk to dawn that he doesn't need to have on anymore. And you know what, it's not the light levels so much that are going to be needed to be changed, it's the light direction, and it's the type of shielding on those fixtures. Oftentimes, it's just a piece of sheet metal that you can have, you know, a local -- you know, even your handyman can do that.

So I plead with you to pass this law. I think it's a very impressive piece of legislation, and I know it will be dearly, dearly appreciated by those that suffer in silence in their limit bedrooms at night, so thank you.

D.P.O. POSTAL:

Thank you. Next speaker is Robert Vanson.

MR. VANSON:

Hi. My name is Robert Vanson, and about a month-and-a-half ago I was elected as president of the Custer Institute in Southold. I've been a member there for a good number of years, as well as some of the other people that are here. Custer is the only observatory on all of Long Island. There are a number of planetariums, there are no other fixed permanent observatories around. It was built, or the organization was started around 1924, and the facilities started to be built around 1938 and 1940. It is in that area, in that part of the Southold, as you have heard some testimony, too, the last of the dark skies on Long Island when it comes to wanting to do any kind of astronomical photography or good viewing. We share our facilities with any organization that wishes. We are a not-for-profit corporation, educational corporation, and several Long Island astronomy groups, on a somewhat regular basis, utilize the facilities in order to do some serious viewing.

Fortunately for Custer, and one of the reasons it's one of the last of

the dark skies on Long Island, is that quite a number of years ago, both Custer's members and the Town of Southold did manage to get the

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Town of Southold to pass some light pollution rules, which have been pretty much adhered to. Such things as after a business closes, for 30 minutes, it's got to turn off its signs and the neon lights, and things like that, because there's no need to advertise, you're closed, so nobody can do any business there anymore. And having advertising at two in the morning when there's nobody on the road for a gas station, or something like that, is an absolute waste. You know, everybody knows where the McDonald's is because they pass it during the daytime, not because they want to pass it at two o'clock in the morning, and then say, "Gee, I want to go there tomorrow."

We had a very serious concern for the last several years in that a six -- approximately six-and-a-half acre farm surrounding the Custer Institute and its properties, which is a rather small area, were up for sale as part of an estate that was being settled. And, fortunately for us, and fortunately for you and the public who are interested in this, the Town of Southold last year was able to purchase the property, protecting us and you from it being used either for commercial or home development, which would have absolutely destroyed the Custer Institute at that point. The lighting would have just ruined us. We may as well close our door and leave and just sell off whatever we can. The second thought to that, and actually, I should say really a primary one, was that Southold was willing to consider establishing an astronomy park. As far as I know, it would be the only one in the State of New York, certainly, the only one on Long Island, dedicated to the outdoor use of area for astronomical purposes.

I have been an amateur astronomer for a great number of years, and also am into radio astronomy, something we also happen to do out there, and that brings a point. Five years ago or so, I heard the first number, that roughly by the Year 2025, the only place in our solar system that you could possibly do radio astronomy would be on the dark side of the moon, because we would have so much radio pollution on the earth that doing it from the surface of the earth would be virtually impossible, and this is coming to pass, especially with things like personal communications and all just growing by leaps and bounds. There is a similar problem with optical astronomy, telescopes, that kind of thing. Though we build some huge telescopes on Earth now, multimirrored seven meter monstrosities and so forth, the best pictures are being taken by the Hubble, with its much smaller mirror, because it is outside of our atmosphere and outside of that sky light pollution that is going on. And it probably won't be, I don't want to guess how many years, but certainly at the rate we are

expanding light pollution now, in 50 years, you're not going to see anything. Now, all that wonderful history of the Greeks and the Romans and their gods and that all pertained to the sky and the things that they watched night after night is gone. Nobody will ever see that again. We'll read it in books, but we'll never see it.

I am just as concerned, both at Custer and personally, over the matter of security and the need for a certain amount of lighting to help minimize problems in the security realm, but we're not asking that lights be turned out. We're asking that lights be directed and redirected, and that in some cases, fixtures be changed. How and what kind of a timetable, that to yet be determined how this will be done.

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You take a look at somebody who puts up a 100 watt light bulb in their backyard to light up their yard and 50% of the light goes down, 50% of the light goes up, and if they could only direct it all down, they could replace it with a 50 watt light bulb and get exactly the same amount illumination on the ground. After all, what we are trying to light is the ground, the roads, the parking lots, the other areas where people frequent, it's not the sky. So everything that's going up, as that picture shows, and it's amazing, because New York City is just as bright as Long Island on there, though for area, we have a lot less people than New York City proper has, or Washington D.C. that's on there. We got a lot of pollution, there's no two ways about it. We are one of the brightest things, if not the brightest thing, that is seen from space when looking down on earth.

With some proper choice of fixtures and proper ways of installing them and directing the light, major changes can be made. Again, nothing is being said about turning off any lights.

With respect to how to monitor this, I noticed, I think it was in the Newsday article some mention about possibly needing another bureaucracy in order to see that all of this is done and so forth. I beg to differ. If the types of lighting are properly and unambiguously defined in Suffolk County Building Code laws, in Suffolk County electrical wiring codes, and so forth, then the inspectors who go there now to inspect the construction will just inspect one more thing. They will look at the lighting in the parking lots or the lighting outside the building, or whatever, and say, "That fixture isn't according to code, change it," or it is and they won't bother with it. You know, this is not another bureaucracy that needs to be created.

There apparently, I've just learned -- I should preface part of this by saying last Thursday while on vacation, I got an E-mail that made me aware of what was going on here, and this is the first that I had

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heard that there was anything going on. I must thank Representative Cooper for bringing the issue up. It's one that we've had for ages, and, finally, maybe now something will formally happen to help stop it from increasing. And, boy, wouldn't it be great if we could actually reverse some of it?

I was one of the kids who used to lay on his back on the grass in Central Park and look at the sky as a young kid. I was born in Manhattan, moved out to Long Island in the 1950's and I've been here ever since. And in those days I could see the Milky Way, and so forth. I haven't really done that much in a long, long time. It takes an exceptional one or two days a year, even at Custer where we can do this.

D.P.O. POSTAL:

Thank you, Vanson, your time is up.

MR. VANSON:

Okay.

D.P.O. POSTAL:

Next, Ken Greene.

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MR. GREENE:

Hi. My name is Ken Greene. I'm probably the one everybody is not going to like, because I'm a lighting fixture manufacturer. I read the article in Newsday yesterday. I make lighting fixtures here in New York. You've seen my lighting fixtures all over New York. I make the fixtures in Central Park. I'm doing the upper level of the George Washington Bridge right now. A lot of the things these people are saying, I agree with them. Part of the thing that I run into over and over again, and cost is a major issue, is lighting fixtures that have light that pollute. When a lighting fixture is designed, it's designed using a number of elements. I know you've all been talking about what they call cutoff fixtures --

D.P.O. POSTAL:

Mr. Greene.

MR. GREENE:

The cutoff or downlight fixtures.

D.P.O. POSTAL:

Mr. Greene.

MR. GREENE:

Yes.

D.P.O. POSTAL:

It's very difficult for us to hear you if you don't speak into the mike --

MR. GREENE:

Okay. All right. I'll try that direction.

D.P.O. POSTAL:

-- and face this direction.

MR. GREENE:

Okay. Most of the people are talking about cutoff fixtures, and cutoff fixtures are designed, obviously, to project light down to the ground. The problem is that we as human beings don't really look at the ground to be lit, we walk around vertically, we have cars, we have houses, we have all these objects that are getting in the way of the light and that's what we're attempting to see. We're not trying to see the ground. When you drive a car, what you're trying to do is to see the car in front of you. You've got to be looking four to five hundred feet in front of you. You want to see overhead signs to make the correct judgment call. There's a lot more to this than just projecting light to the ground. That's not the total answer.

And I'm a lighting designer by trade, other than owning a company that manufactures these fixtures, and it's not just a simple answer. I mean, I could give the woman who has a problem with light in her window, I could give her an example of how to solve the problem; put a shade up. She may not want to do that and I understand the problem. Each of us have our own individual agendas here, I've listened to a few already. Astronomy is something that -- I mean, I'm not into

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astronomy per se, but I can understand the beautiful skies when they're well lit. I also have a problem if it's a well lit moonlit night and I get light in my window. Does that mean we shut off the moon? It's a situation where you've got to address the issues, but they have to be addressed realistically.

Just to give you some idea, the best lighting that -- when I do a lighting job and I do a lighting layout, for instance, a road in Manhattan or the George Washington Bridge, for example -- I did the toll plaza lighting at the George Washington Bridge. Let's just take that as an example. Three thousand feet of roadway, cars coming in from all directions, there's twelve lanes of roads there. How are you going to get a shoebox fixture downlight to light that area? You can't. A problem occurred at the toll plaza, oh, I guess a couple of

years back where an officer was shot by another officer because there wasn't enough light to identify that person. Okay? It happened, it's not something I'm making up. The point is that each of the specific situations have to be addressed.

I certainly don't want to waste energy by putting light up in the air, but, on the other hand, if you go with lower wattage fixtures, you're, obviously, going to have to put in more poles, more fixtures, more maintenance, because every lighting fixture -- most of the people have only addressed lighting fixtures as lighting fixtures, they haven't identified the light sources. You're dealing with high pressure sodium, metal halide, mercury, and incandescent, and some low pressure sodium. You go to the Town of Oyster Bay, when they first put up their low pressure sodium all over the place, the main reason they put that lighting up, Bernie Braun out there put it up, was because he wanted to save money. That was the main objective is to put up a lighting fixture with 180 lumens per watt. That was the objective. When they started to realize that the traffic lights and the orange color of the traffic lights look the exact same color as the high pressure -- low pressure sodium, they started to have reservations as to whether or not it was right. They left them up because they had spent the money, they weren't going to take them down.

I've gotten involved and I don't -- this young lady here, I think I've met her before. I was brought out to Montauk by Tony Bullock. Oh, it's a bunch of years back when they changed the lighting in Montauk, and they asked me to redesign the lighting for the streets of Montauk. We put a decorative fixture with some light control built into it, and from what I'm told by a good number of people, it served its purpose, and it did it in a low level even distribution of lighting. I'm sure there are people who didn't want any lighting, I'm sure there are people who wanted more lighting, but everybody has their own opinion and their own agenda. I have no objective -- no objection to designing lighting fixtures that have good cutoff and direct light down to the ground. One of the biggest problems you find is when specifications are written up, they don't address those issues. Specifications coming through architects, engineers, people that counties, towns and cities hire, they have to address those issues, and in those cases, you can address some of those light pollution issues. The question is how high is -- well, the terminology of light shooting down, when it directs -- directly down, that terminology is known as nadir. As you come up from nadir to a given angle, I've

heard things like 45 degrees is the maximum angle to which they want light to come out. Realize that all you've got to do is take a protractor and a piece of graph paper and start to figure out how many fixtures you got to put down to maintain an even lumen level of light.

Now, if raise the pole higher, which you can obviously do, light reduces by the square of the distance, so if you raise the pole high enough, you're going to increase the wattages.

I mean, you've got to decide what you're trying to accomplish and where you're going to go with it. I mean, I can answer a lot of the questions that were raised here, like why did the fixture go on and off. Well, that was probably a high pressure sodium fixture that was cycling. What happens is when the tolerance of the lighting fixture components are out of whack, it goes on and off, on and off, on and off. So if that woman wanted to know, whoever that was, wanted to know, that's probably the reason that happened. Or a photocell that was defective, that's possibly an issue.

The thing that you're effecting here are what about in ball fields, what are you going to do with a ball field? You're only going to tell the ball to go up a hundred feet when a batter hits it? If you don't light it up high enough into the air, when that ball goes up in the air and the fielder loses it because he can't see it, what are you going to do, tell him that's -- it can't go any higher than that. You've got a bunch of issues. I know there's flag lighting and there's church steeple lighting. I have on my desk right now a job to light up a steeple somewhere in Idaho. They want to light it up, they don't know how to do it, because they can't shoot up, they've got to shoot it down. What are we going to put it on, sky hooks? I don't know. I mean, I don't mind designing fixtures that will do the job, provided there's a way to do it, and the money is funded to do it.

A good friend of mine is the Deputy Director of Street Lighting for the City of New York. Okay? I'm not going to mention his name, because I don't think it's appropriate here, but he was brought in for this New York State project and he was reporting directly to Rudy Giuliani. He's estimated that of the 300,000 fixtures that the City of New York uses, they will probably cost him to change over to this kind of lighting, and he doesn't even know how well it will work, well over a billion and a half dollars. Now that has nothing to do with the cost of the energy. And I'm not saying it's not practical to do it's, not my money, but that's something that has to be decided.

AUDIENCE MEMBER:
Not Suffolk County.

MR. GREENE:
Understandably so, but I was told that the energy levels on the map are the same for New York City as they are for Suffolk County, so --

D.P.O. POSTAL:
Can I --

LEG. FOLEY:
Mr. Speaker, could you please direct your comments to the horseshoe?

D.P.O. POSTAL:
It's the speaker's time.

LEG. FOLEY:
Madam Chair, could you please remind the speaker --

D.P.O. POSTAL:
I will, thank you.

LEG. FOLEY:
-- speak to the horseshoe.

MR. GREENE:
Okay.

D.P.O. POSTAL:
And to the public, please, this is the speaker's time. Speaker, this is your opportunity.

MR. GREENE:
One of the things you have to do is to deal with visual acuity. As our population ages, people have more difficulty seeing. Visual acuity is a very important issue. A lot of people have diabetes, they have aging problems, their vision goes, there's all kinds of reasons. Everybody has their own little thing that they want to have for themselves, but one of the things that I object to is when safety issues can affect me specifically on roadways. I want to be sure that somebody can see me and see me clearly. I don't want to have someone driving a car -- if you notice, there's a section along the Long Island Expressway where they have no lights and there were enough people there to force the issue. They have more problems in that area with accidents than any other area, partly because they go from a lit area into a darker area. But if anybody remembers back in the '70's and '80's where the oil crisis occurred, they reduced the lighting level in New York City. They took out every other lighting fixture and reduced the lighting fixtures on expressways and parkways from 400 watt high pressure sodium down to 250 watt high pressure sodium. They increased the number of accidents and, in turn, now all the fixtures are back on.

I'm not saying you can't reduce the levels, the key lies in the uniformity of that distribution, and in order to make the uniformity, the answer is not just reflecting light down to the ground. Because the one thing that no one seems to have addressed here is what happens when you direct it down to the ground? What do you think, it goes into the ground and disappears? It reflects back up. Go back to your basic physics.

D.P.O. POSTAL:
Mr. Greene.

MR. GREENE:
Yes.

D.P.O. POSTAL:
Your time is up.

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MR. GREENE:
Thank you.

D.P.O. POSTAL:
Thank you. Next speaker --

LEG. COOPER:
I just had a quick question.

D.P.O. POSTAL:
Oh, quick question, Mr. Greene.

LEG. COOPER:
And, by the way, before you leave, if I can get your card, because I'd like to --

MR. GREENE:
Sure.

LEG. COOPER:
-- speak with you. I'm not sure if you're aware, I don't know if you've read the resolution in detail --

MR. GREENE:
I haven't been given that resolution.

LEG. COOPER:
All right. I'll give you a copy before you leave. But just for your information, and to address the question that Legislator Guldi had asked, all lighting fixtures that were lawfully in place before this law goes into effect will be grandfathered in. The only exception will be, and I quote, "Grandfathered luminaries that direct light toward streets or parking lots that cause disability glare to motorists or cyclists shall be either shielded or redirected with 90 days notification, so that the luminaries do not cause a potential hazard to motorists or cyclists." But all other lighting fixtures will be grandfathered in, so I just wanted to state that for the record.

D.P.O. POSTAL:

Thank you. Next speaker is Sean McCorkle.

MR. MC CORKLE:

Esteemed Legislature and Legislators, thank you very, very much for giving me a voice to express my concern about this, which strikes me to the very core of my soul. I am a very, very, very, frustrated and angry amateur astronomer trying to -- trying to see the night sky on Long Island, and just watching conditions get worse, and worse, and worse, and worse, and worse, and worse, and worse. I have volunteered on my own time to work with a park ranger at the Smith Point Beach to run an observing program. That was also in conjunction with Tom Carey, formerly of the Vanderbilt Planetarium. Tom gave up far earlier than I did. This ranger and I tried to stick out this program for one year once a month, opening up telescopes, taking my telescopes to show kids and passersby various night objects, and we fought clouds, we had to work around the full moon. And, finally, the light pollution just got

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to the point where next month we're just cancelling, we're giving that up. And that is on the edge of Long Island, the very, very darkest part we could find in the middle part of Long Island.

Now, you know, it's frustrating. In fact, I almost didn't even come today, but since I saw such a nice article in the newspaper, I decided, well, I should come in to put in my two bits.

This legislation for light pollution -- let me just preface this a little bit. I understand that you have to do -- in your daily work you have to make very, very difficult calls in passing laws. You really have to decide and evaluate pros and cons for some tough issues. This is not one of those. This is a no-brainer. There is little cost in passing this legislation. All we are asking for is that light not go up into the sky, that's all. It's doing no one any good. That's all we want to see.

Let me just point or direct your attention to this very, very excellent U.S. map, which I've studied quite a bit over here. If you take a look at it, I think it's pretty clear that the East Coast is massively more illuminated than the West Coast, yet there are major population centers. I think the figure you quoted for Suffolk County was a mill people.

LEG. D'ANDRE:

Over a million. Over a million.

MR. MC CORKLE:

Okay. May I move the map here? Gee, I can't quite do this. Would you --

LEG. COOPER:

Take the mike out.

MR. MC CORKLE:

Oh, neat. Oh, great, excellent. That's so much better. That's so much better. Thank you.

So Suffolk County is lit up so much that you can see the entire Island in outline, one million people. This dot here I believe is Albuquerque, New Mexico, one million people. It is far less illuminated than Long Island. The figure for Tucson, I think, was a half a million people. Why is that not as bright as this is? For Pete's sake, Los Angeles is nearly as populated as Manhattan. Why is that so much fainter. Why is that? Because they use their noodles. All we're doing is we're asking for you to use your noodles and not light up the night sky.

D.P.O. POSTAL:

Mr. McCorkle.

MR. MC CORKLE:

That's all there is to it.

D.P.O. POSTAL:

Mr. McCorkle, can I just ask you, we love you to speak into the mike,

but can you just told it a little distant from --

MR. MC CORKLE:

Oh, I'm sorry, I'm very, very sorry. I get very passionate about this. I'm very -- I'm getting carried away, I understand.

The costs are minimal. The benefits, well, actually, the negative benefits is what you need to look at. What happens, what will happen, what are you taking away if you allow led pollution to get worse and worse and worse? I argue that you are taking away our heritage of western civilization; that we sit here comfortably using fancy electronics, using powerful lights because of a body of science and technology that has been developing for the last 400 years since the Renaissance, which in large part was triggered when Galileo Galilei first turned his telescope to the night sky and challenged -- found facts that challenged the existing doctrine at the time, that the sun does not go around the Earth, that the planets do not go around the Earth. By doing this, being the first person to do this, he started this whole -- this whole civilization, that just made our civilization for us. Every -- it is the heritage -- it is the divine right of

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every child, every man, woman and child on Long Island to be able to see this night sky. Maybe, I mean, it's asking too much to take it back to the levels that Galileo saw, certainly no one sees the night sky like he did, but it is part of their soul.

I say this, when you -- I mean, I've had many experiences taking young girls and boys and pointing them to the eye piece of the telescope to look at the Orion nebula for the first time, and there's this pause while they try to get oriented, looking into the eye piece, to actually look at -- I mean, they see nothing at first. And I always know when it finally connected, because suddenly there's a gasp, and suddenly, you know, you've lit up their life just by pointing out these objects, the rings of Saturn, Nebula, the Andromeda Galaxy. And, I mean, if you take that away from them, there is no price tag on this. I mean, you talk about prices, what is the price of denying a young daughter or a young son, you know, the opportunity in almost their entire lives to see some of these nebula, to see some of things. It puts us -- it puts us in perspective.

So, you know, just to recapitulate, this is -- this should be an easy decision for you guys. I think that there are minimal costs and maximal gains for this. And thank you.

D.P.O. POSTAL:

Legislator Fisher has a question, Mr. McCorkle.

LEG. FISHER:

Actually it was a comment. It was a pleasure to listen to you. It's great to hear someone who's so excited about our connection, culturally, historically, artistically, scientifically, with our past. And thank you for coming.

MR. MC CORKLE:

Thank you very much. I'm sorry I wasn't more prepared. As I said, this was a last minute decision to show up here. Thank you, everybody.

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D.P.O. POSTAL:

Thank you. Nancy Manfredonia.

MS. MC ENTIRE:

I'm obviously no Nancy Manfredonia. She asked me --

MS. MANFREDONIA:

I'm here.

MS. MC ENTIRE:

Oh, you're here. I'm sorry.

MS. MANFREDONIA:

I didn't think I could stay, but that was very sweet. That's one of our members. Some of you may wonder why I'm here. I'm representing the Long Island Green Belt Trail Conference, which doesn't seem to be connected, but it is. We've been around for 23 years, and many of you know that we lead guided hikes. Every weekend year-round, we lead over 150 guided hikes. Some of them are at night. And when we first started 23 years ago, we led a number of stargazing hikes. We now just do full moon hikes at night, because we can no longer see enough of the stars. And that, as I believe

Mr. McCorkle, I'm sorry if I got your name messed up, but as he pointed out, even on the South Shore, even on Fire Island it's very hard to see the stars.

So, on behalf of our 3,000 members, we would urge you to do something about light pollution. We are very concerned about this issue. And it is, as Ms. Fisher pointed out and Sean McCorkle pointed out, a passionate issue for many people. And many of you who as children were able to see the Milky Way and look up now and you see very little, it's very discouraging.

The other thing, that this is not really something that is very difficult. There is the Illuminating Engineering Society of North America, which already has specifications. These are -- what's happened basically, as far as I can see, is that people have been ignoring some of the more logical specifications for lighting, and it makes absolutely no sense from an energy point of view or any point of view to light up the sky. And we'd appreciate, and we thank Legislator Cooper for introducing this, if you would all support this legislation. Thank you. And thank you.

D.P.O. POSTAL:

Thank you very much. Next speaker is Clive Mutschler.

MR. MUTSCHLER:

Hi. I'm Clive Mutschler, and I've been a boater here on Long Island for about the last, well, 30 years or so of my life, and I've been on boats and gone through some pretty hazardous waters here on Long Island, Plum Gut, Hell's Gate, Shinnecock Canal. By far the most dangerous body of water I've been on in Long Island is Huntington Harbor at night. Those LIPA lights they put up at all the businesses around the Harbor, most of them tend to be marine related businesses, too, I find it to be rather ironic, they tend to get a glare on the

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water so intense, you can't see where you're going. I cannot see the navigation lights of other boats. Last Thursday night, I was coming in with some friends aboard my boat. If the friend of mine hadn't seen this rather large cabin cruiser at the last minute, I would have had a head-on collision and I would have been a boating statistics because of these lights.

And I just heard that there -- there's certain things about some lights being grandfathered in except for parking lots and roadways, I haven't heard anything mentioning about lights on the waterways. This is an extremely hazardous condition in Huntington Harbor. It's not a fun place to go boating at night. And as a result, I've been cutting back my boating, so I get back in before it gets dark out. And it would be nice to see something done about that. Thank you very much.

D.P.O. POSTAL:

Thank you, Mr. Mutschler. Next speaker is Mark Serotoff.

MR. SEROTTOFF:

Resolution 1790, introduced by Jon Cooper, is another example of the Suffolk County Legislature being in the forefront in concern for safety, the environment, and quality of life. By codifying the design, operation, and installation parameters of the new generation of high intensity of lighting, our quality of life is preserved.

Little exists to guard a nearby neighbor or industry in installing lighting. A neighbor can install patio lights more appropriate for an airport runway. Some proposed power plants, Kings Park Energy, for example, would violate every aspect of this proposed law and disrupt residents living 200 feet away. In addition, studies have shown that the darker it is during the time you sleep, the more the body reconstitutes itself. It may even help marital relations. Maybe no.

Regulating usage will save energy and cut pollution, which is significant in our nonattainment region. I urge the passage of this law before new sources of light create more problems. Thank you.

D.P.O. POSTAL:

Thank you. Next speaker is Helen McEntire.

MS MC ENTIRE:

This time I'm myself. Nancy had asked me because she thought she was going to leave. I'm Helen McEntire, I live in Manorville in the Pine Hills section, and I'm a member of all three clubs that are here. I really started out first with the Greenbelt Trail, and then I joined the Astronomical Society of Long Island in '91, and the last couple of years during, I joined the Dark Skies Association, so I'm here urging you to pass this bill. I also get the National Parks and Conservation -- National Parks and Conservation Association magazine, and I've noticed in the last couple of years that they have started having articles saying that dark skies are also part of our heritage. And I would like you to consider that dark skies are something to be preserved, just as our historical buildings are.

And I would like to answer Mr. Greene on a couple of points he had about the ballpark. I know I called in Brookhaven because there's a

ballpark behind me, and it was on day and night. So, finally, I called and they said nobody was turning off the lights. Nobody is saying, "Don't play ball," but we are saying we don't need the lights on until 7 a.m. until the Town workers come in and actually turn them off. And since then, they have turned them off.

And one of the things he also talked about was visual acuity. And I agree, visual acuity, but so much of the lighting -- and he really sounded as if he hadn't been keeping up with lighting technology. As we're getting older, I noticed the glare is -- becomes a bigger factor. Now I have antireflective coating on my glasses, and I -- and some of the xenon lights are really a bother, because they're aimed at me. This is on the road. Those high beams coming from the top really are a problem.

So I do hope you consider this bill, not just for the astronomers, but also for our aging eyes, and for the heritage of our dark skies. Thank you.

D.P.O. POSTAL:

Thank you. Next speaker is Michael Bilecki.

MR. BILECKI:

I have a prepared statement. Good afternoon. My name is Michael Bilecki. I'm the Chief of Resource Management at Fire Island National Seashore. Thank you for the opportunity to speak here this afternoon. Fire Island National Seashore is a unit of the National Park Service. This national park is approximately 20,000 acres in size, and consists of 26 miles of Fire Island Barrier Island, including bay and ocean waters. The 615 acre historic William Floyd Estate in Mastic Beach is also a unit of Fire Island National Seashore. The seashore includes some of the most notable areas in Suffolk County. The Otis Pike High Dune Wilderness, the only federally designated wilderness in the State of New York, the Sunken Forest, Watch Hill, and the Fire Island Lighthouse are all a part of Fire Island National Seashore.

The National Park Service recognizes light pollution as a pervasive threat to the national parks, and it's interfering with the visitors' ability to observe the stars in the night sky. The Park Service has a national policy that requires parks to, and I quote, "Protect natural darkness and other components of the natural lightscape in parks. To prevent the loss of dark conditions and of natural night skies, the Service will seek cooperation of park visitors, neighbors, and local government agencies to prevent or minimize the intrusion of artificial light into the night scene of the ecosystem of parks."

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We know that in many national parks across the nation light pollution has effects on animals. Examples include leading newly hatched sea turtles astray towards sources of artificial light on the coast and away from the ocean and by confusing migratory birds. While we at Fire Island have no documented evidence of the diminishing night sky as it affects wildlife at the seashore, we know, however, that our night sky views have become seriously impacted. Seeing the night sky in its natural splendor is impossible in cities that fail to minimize night pollution and can be a problem in national parks exposed to the glare from nearby communities and development.

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The Otis Pike High Dune Wilderness Area Visitors Center used to have a number of weekly stargazing programs that were well attended by visitors from all over Long Island. We have had to cancel these programs due to a lack of the visible stars. At the Wilderness Area Visitors Center we only see about 20% of the night sky that we used to see. Light pollution from various sources is having an impact on the night sky of Fire Island National Seashore. The new golf course is lighted, the new marina at Smith Point is lighted, the DARE Program area at Smith Point County Park is lighted. We don't even notice the lights from Smith Point county Park anymore because of these new light sources.

We are also very interested in trying to preserve as much as possible the historic views in context of the William Floyd Estate. At Fire Island National Seashore we have not and will not install artificial lights in critical habitat areas. As we replace existing visitor facility lights, we will continue to purchase low voltage lamps with shielded fixtures, which are low cost and energy efficient. We utilize these types of fixtures to get light only at those facilities where it is needed and directing light down to the ground and minimizing the amount of light entering the night sky.

We'd like to take this opportunity to show our support for this bill and to emphasize that we are willing to work with the State, the County, and local municipalities to restoring as much as possible what used to be a fabulous night sky at Fire Island National Seashore.

Thank you again for the opportunity to speak here today.

D.P.O. POSTAL:
Thank you Mr. Bilecki.

Applause

Next speaker is Margaret Centabar. I don't know if I pronounced that

correctly.

MS. CENTABAR:
Centabar.

D.P.O. POSTAL:
Centabar.

MS. CENTABAR:
Close enough. Well, I will not take very long. I believe that a picture is worth 10,000 words, as they say, so I have brought some things for you. And if you'll just look through these, there's a letter in there from the Audubon Society. There's a lot information for websites. There's pictures of good and bad lighting, pictures of good sports lighting.

By the way, I'm from Legislator Carpenter's district, and I'm an amateur astronomer, but I am also a very avid environmentalist. I support the Nature Conservancy, the Group for the South Fork, and Southampton Environmental. I belong to a lot of groups. And when I

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see what is going on with the -- with these lights, how they are destroying the plants, the animals, the birds, it really breaks my heart.

And to address Mr. D'Andre's concern about all the people, I agree with him. And when I think of what's not going to be left for our children and grandchildren -- I have two fine grandchildren and they're not going to have the resources, they're not going to have the quality of life that we have, and much of it is due to these lights, too bright lights.

I can sympathize with the lady that spoke before about the light in her bedroom window. I have been observing the stars with my homemade eight inch telescope and a lesser telescope from before since 1953 in my backyard. I can no longer do that, because behind me, the two houses behind me, and the only ones on that street, are light crazy. They have a double spotlight. I went to the Town of Islip to check the code and that double spotlight is against the code. And they said, "Do you want to put in a complaint?" And I said, "No. I believe in talking to my neighbors first." So I have talked to them for the last six years and they've turned the lights down. And I said to them -- I suggested that they put the light on the edge of their property and shine it toward their house, and the woman said, "I don't want those lights shine on my window, " you know. And she said, "Well, it's nice to have" -- "everybody should have a good hobby." It's not just my hobby.

I have been working in Suffolk County for the Board of Elections for over 20 years now. I also hold down two other part-time jobs. I work for a C.P.A. during the tax time, and I fill in for maternity leave and vacations at another office. My greatest pleasure, and about my only real pleasure, is going out in my backyard with my telescope and just losing myself. And I have become an advanced amateur astronomer. I've earned certificates from the national group that I belong to and -- but, on the other hand, it's not just the astronomy. It just breaks my heart to see what happens happening to our environment.

And I'll tell you what I have at my house. I live alone. I have a motion light on the -- in the driveway and one on the side of my house that when anyone walks or I drive into my driveway, that light goes on, but the light is directed downward. It only shines in my driveway and on the side of the house over the garbage, nowhere else. I don't have a security system. I am not afraid of the dark. And there are ways of doing things that are not expensive and not ruining your neighbor's health and quality of life.

So I really hope that you will look through this material. There are websites in there that you can check out. And any questions or anything you need, I'll be glad to get it for any of you. So I thank you very much. Thank you, Angie.

D.P.O. POSTAL:

Thank you. Next speaker is --

MS. CENTABAR:

Oh, excuse me, one other thing. I want to thank the ladies in the

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Clerk's Office, because I did not have time to make my own copies of this, and they were busy, but they turned these out for us, so thank you very much.

D.P.O. POSTAL:

Yes. We think they're pretty terrific. Thank you. Next speaker is Bob Wieboldt.

MR. WIEBOLDT:

My name is Bob Wieboldt. I am a resident and voter in Suffolk County for the past five years. I represent the Long Island Builders Institute, which is headquartered in Islandia, New York. Unfortunately, I was camping out in Star Lake last night and looking at the Milky Way. That's up in the Adirondacks, about as far from lights as you can get. And I have a great deal of sympathy for the resolution and the desire to see night skies. In fact, I grew up in

Queens in Elmont, New York, and the first timing I really saw the Milky Way was in Pompano Lakes, New Jersey when I was 19 years old in all its glory that you could never see in Long Island, and that was in 1960 I have to admit.

So there is a need to address and try to keep light pollution down. However, a bill that did not grandfather all existing light fixtures outside would be a horrendous economic burden on the County of Suffolk. The reason I'm not speaking against this bill today in any great depth is that it does grandfather every existing light that's out there today, and that means that those lights on that map are not going to dim, nor are the skies on Long Island going to get any one width darker than they are now.

Now, in terms of the new light sources being added by new development activities, I would suggest that in many of our towns, and it's becoming a growing thing in almost all our town in Suffolk. I learned this in connection with evaluating the Balboni Bill, which is up at the Governor's desk right now. The -- most EIS today have to go do what's called a photometric analysis of outdoor lighting, and under the site plan regulations, at least of our eastern town and several others, it's a very detailed evaluation that accomplishes many of the same purposed of the bill. So there's no real direct economic impact, you know, unless owners of apartment building or condominiums or the like have to replace, you know, light fixtures now and then.

However, there are some problems with the Suffolk Legislature, which has a penchant for being on the cutting edge on almost every subject, to be maybe just a little bit ahead of itself here in two regards. One, I'm not sure that in the rapid time that this bill has come to fruition we've thought of all the angles, and I know I haven't. But I will mention a couple of problems today, which I'd like you to try to address. The first problem is the fact that the Governor has a bill on his desk right now, the Balboni Bill, which was mentioned three or four times today. But what is the Balboni Bill? It directs the DEC to develop comprehensive lighting standards for all situations, and then to apply those situations on a state-wide basis. I don't believe it preempts local regulation, however. It then talks about a new right, a right to avoid light trespass, which creates a whole interesting body of law and has some problems in the bill, and then it

establishes a model local law, which would be put forth for, you now, Suffolk County and its towns.

So the problem I'm going to mention first is if this bill picks a specific light standard based on a certain amount of illumination, it basically says that all lights to -- shall shine downward. Site plan

regulations in some of the towns have addressed the other problem, you know what reflective surfaces are under the lights, or how much is going to bounce up. You don't do that by just picking a number, nor do I think that that number works in every situation. One of the things the Balboni Bill did is it talked about medical facilities having certain exemptions, and certain public safety, you know, areas. Needs a little bit more work to define areas where it doesn't apply, or it might not apply well. You don't want a dark parking lot with people coming out of a hospital, for example, you may want to have an exception. There's a couple of situations like that that I think have to be looked at. The one that bothers me the most is how are they going to do nighttime construction under the specific terms of this bill? I don't want them tearing up our roadways during rush hour and I don't think you do either.

You have a definition of temporary lighting that does not fit the day, you know, night-in, night-out kind of situation where they do on major road repairs that we go on Long Island. So what you're going to have now is all your construction activity is going to be forced into daytime, and you will be responsible for the traffic jams, so please correct that little problem.

The other issue I think that's important is that you're preempting local planning and zoning regulation. Light emanations and pollution issues are now addressed by local governments under their home rule powers of site plan and planning. You're basically wiping out all existing laws on that subject. You're saying it explicitly, they no longer exist, and this preempts them. This is not as good as the laws in Southampton and East Hampton governing new construction right now. That's a problem. You also say that if it's preempted by state or federal regulation, we can pass a resolution, because it may have to be principally, or, you know, you use words like "similarly," but that's sort of sloppy. And I really think you ought to do this on the basis of maybe waiting, because the bill on the Governor's desk really can't stand there more than December, and see what the State does, and if they have the DEC regulations, piggy-back on them.

The other issue is it would be possible, if you must go ahead with a bill, to be one of the first in the country. I know that's important here. You could at least address an International Engineering Society standard, and there are outdoor illumination standards which are applicable, not at 1,800 lumens down to 900, and 25 foot maximum height restrictions. We don't know how those are going to play out. That 25-foot maximum height limitation, as the lighting expert who was here earlier might, might mean he may need, you know, a street light every four feet in order to achieve a level of lighting that's safe on a path. We don't know. So the question I'm getting to is don't pick a single number, maybe pick the American Society of, you know, Outdoor Lighting Engineer's standard and it would have to meet that.

The last question as a taxpayer I would like to ask is how the hell are you going to enforce this? You know, are you going to have light cops?

LEG. FOLEY:
Light brigade.

LEG. CRECCA:
Light police, yeah.

MR. WIEBOLDT:
I mean, this is your issue. You also exempt Police and, you know, Fire Emergency folks from these requirements, but you do not address the issue of private security. So if somebody has a shopping center, let's say we have a bank, how much lighting can there be around a bank if it has to be downward pointing and meet these particular standards? The issue is I think private security has to be looked at also. The cost of doing is this also a question of competence. I think it's an environmental matter. I think light pollution is the cutting edge of the environmental envelope that we all look at now. It ought to be in some kind of environmental hands, maybe the Health Department's hands.

You folks wanted to have the Health Department do its thing on carbon monoxide detectors, which our industry supported, but we ran into an inspection problem because the Department of Health wasn't involved in inspection buildings after a certain stage of construction, and we're still grappling with that right now between them and the local building department. So a little thought to some interface between yourselves and the local government on this thing might be useful, and you might want to place it in the Planning Department or something like that, so they can, when they review site plans that come before them under 239 MRL of your County Charter Law, they can do it in an orderly way.

The Consumer Protection Agency running around trying to do this ain't going to work, folks. This ain't Kansas. Now, I agree that we have to look at the issue and I think you're on the right track by initiating something like it, but I think it needs a tad more work and a little bit more of a reference to what's going on in the technical engineering community and in the State of New York, and with those caveats, we could support a bill that was more thoroughly thought forth -- thought out and developed and answer those objections. Thank you very much.

D.P.O. POSTAL:
Thank you. The next speaker is Paul Hart.

MR. HART:
Good afternoon, everyone. My name is Paul Hart, I live in Stony Brook, I'm in Legislator Fisher's district, and I'm here to voice my support for Bill 1790 for a number of reasons. I am an amateur astronomer, but, however, before I got into astronomy, I was very

supportive of these for a number of reasons. First, it will save energy, and we will limit light trespass. For instance, I have a big street light across from me, which is illuminating all the neighbors' roofs, so I think this is a tad excessive and a tad wasteful. And

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no one wants to, least of all me, wants to harm anyone's security, but enough is enough. And, also, to limit glare. Light trespass. My brother-in-law in Montauk has a neighbor who insists on lighting it up like Broadway, and a lot of other neighbors are upset about it, but he apparently is in favor of a lot of light.

But one thing is a safety thing. Limiting glare, I notice when I'm driving in my neighborhood, I drive past a bank on 25A in East Setauket and there's four of these gigantic fixtures just illuminating the road. It's like someone having their high beams on. So I believe that's actually counterproductive. I mean, if you must have lights, and I know I sure would like to have lights when I'm at an ATM machine at two in the morning, I'd like it to be somewhat subdued, where it actually is doing some good, more good than harm.

There are some good -- some good examples of street lighting. I notice that the new Robert Moses Causeway has got a new -- a high cutoff fixtures, full cutoff fixtures. And I notice that going down there, it actually improves my visibility, because I'm older, the glare really does affect my eyes, and I notice that if your windshield is a little bit dirty, like mine usually is on the inside, it's the same thing as driving into the bright sun, you can't see. When I'm driving into the bright glare of whatever lights, it really does harm my visibility, and I've almost hit people several times. Just the fact that they're standing under a street light, and between the shadows and everything, it's very difficult to see them. And I almost -- I did hit -- I almost hit my neighbor a couple of times. In fact, a lot of people almost hit this guy, who likes to hang out on the street corner.

But, anyway, there's a lot of good -- Stop and Shops have got good lighting in their parking lots. Flagstaff, Arizona, the City of Flagstaff, Arizona has excellent lighting. It's a -- I don't know what the size of the City is. It's a fair size town, and they do have an astronomy -- an observatory, the Lowell Observatory, and I did notice that their lighting practices are very -- done very well and I had no problem seeing. Thank you very much.

D.P.O. POSTAL:

Thank you. I have no more cards on this public hearing. Is there anyone else who would like to address the Legislature regarding Introductory Resolution Number 1790? Hearing none, Legislator Cooper?

LEG. BISHOP:
Close.

LEG. COOPER:
Before I make my motion to close, I have a friendly warning for my colleagues. I have a list of about 300 more people who are just as passionate about this issue as the ones that spoke today, and if this bill does not pass, I'm going to invite each and every one of them to come testify.

LEG. HALEY:
Motion to close.

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LEG. COOPER:
Second.

D.P.O. POSTAL:
Oh, motion to close by Legislator Haley.

LEG. COOPER:
Second the motion.

D.P.O. POSTAL:
Seconded by Legislator Bishop. All in favor? Any opposed?

LEG. HALEY:
I don't like being threatened.

LEG. ALDEN:
Yeah, intimidation, legislation by intimidation.

D.P.O. POSTAL:
Introductory Resolution Number 1790 is closed.

Public hearing regarding 1792, a local law to establish three strikes and you're out cancellation of county occupational licenses for violators of employment laws. The first speaker on this public hearing, and each speaker has ten minutes, is Margaret Bianculli. Can I ask everyone who is leaving to leave quickly and people who are talking to please move the conversation out into the lobby so the speakers can be heard?

MS. BIANCULLI:
Hello.

D.P.O. POSTAL:
Ms. Bianculli.

MS. BIANCULLI:
Yeah.

D.P.O. POSTAL:
You can address the Legislature.

MS. BIANCULLI:
I didn't know if everyone -- I wish that our community only had the asthetic problems of lights, and I would suggest to the lady Rose to do what I did is run next door or behind the house like a banchee lady and knock on the neighbor's door at three o'clock in the morning and insist the light comes down. My neighbor did do that. I'm not making light of that issue.

I heard a racist remark by the man who had his daughter here. After all, he did say he didn't want Northport to be Queens. And we've said similar things about Farmingville, and have been called racist and stuff. I would like to give you a little information, you might laugh at us, but it might be of some interest for you to know that Elliot Spitzer is in default. Our lawsuit against him or Mr. Sedowski's lawsuit against him has brought us to the case where he is in default.

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In an ideal world Mr. Spitzer would be looking for another job right now. So we have to continue to go through the -- I know Mr. Sabatino, I know, you might want to laugh, but this is really where it's at. He is in default. We've also filed an intent and also actually filed a lawsuit against our federal government in the present with regards to amnesty, guest worker program and regularization. There are things to be concerned about. And we would like you to know that we issued an intent to sue several months ago, and are serious in where we had wanted our Legislature to go and how we wanted you to support us in our issues. We were forced to do some very drastic measures. And have chosen not to go any further with that and gratefully so, because we hoped that we could all continue to work together on the issues and the crisis that besiege Farmingville.

I come here today to give my personal support and to bring the support of SQL to Mr. Caracappa's legis -- what is it called? 1792 or? Right. His resolutions. He has not asked us to do that. In fact, he has been very elusive and has not returned any of my phone calls or anything like that, so we're not here at his prompting, but it's something we realize could be a good thing. He is also -- it has also come to our -- our knowledge that he has submitted a letter to the President requesting funds to be reimbursed to the County, and

other things. I'd like to share with you what's going on with our present situation -- president and his regularization program. He has --

LEG. CARACAPPA:

Madam Chair. I'm sorry. Margaret, if you could, just speak to the bill on the public hearing. I'd appreciate it. Thanks.

MS. BIANCULLI:

Well, I am, okay. And the bill does have to do with -- there are things that do need to be discussed about this, and it is important that you guys understand that anything that goes on with regards to the illegal immigration situation, the President's regularization and guest workers program will not help Farmingville. In fact, it will only exacerbate our problems. The things that are under your jurisdiction are the things that many -- some of you have tried to deal with, and as Mr. Caracappa has tried to deal with. This bill that he has brought forth, we hope will not be like the Town of Brookhaven's Neighborhood Preservation Act, which seems to be unenforceable in Farmingville. We would like to know how you will ensure that the contractors violating the law will be prosecuted. In the most recent draft we read about the three strikes you're out, we read about -- how will you enforce this? How will the contractors -- three strikes, you're out is too many as far as we're concerned. But maybe Joe has an opportunity -- can you clarify some of that?

D.P.O. POSTAL:

You know, Ms. Bianculli, if I could just say that this is --

MS. BIANCULLI:

I can't hear you.

D.P.O. POSTAL:

This is a public hearing, it's not a discussion about the bill. I

would suggest that the committee is probably the best place to go to address the specifics of the bill, that's the kind of work group. So this is an opportunity for you to tell us what you think about the bill, what you support, what you don't support.

LEG. CARACAPPA:

Madam Chair. I'll answer it quickly, if you'll allow just so I can clear up what my intentions are. The enforcement part of it, Margaret, is tricky at best, to be quite honest with you. That's why if you heard me earlier, there's still a lot of work to be done on the bill, there's a lot of gray areas. I'm meeting with everybody to be quite honest with you from the contractors to the County Executive to

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the Department of Consumer Affairs in an effort to do some cross referencing with federal and state governments because we don't do that right now. And without that, the bill is useless. So if anything it's a work in progress, and it's something that I'm looking to move forward eventually, hopefully sooner than later. And when it's all said and done it will be a bill that's not only enforceable, but works for all sides. And I'm trying again not to keep this a Farmingville bill, but it's a consumer protection bill, and it shouldn't be viewed as a Farmingville bill. Though, unfortunately, or fortunately depending as you look at it, it affects Farmingville community and the situation going on there because of the basic laws that are involved in my bill.

D.P.O. POSTAL:

Joe, if we could just -- I understand, but this is a very emotional issue. It's a very complex issue.

LEG. CARACAPPA:

I just wanted to clear it up where it's at now, Madam Chair. So other speakers who are to follow, it may actually cut down on the speakerers. We're still working on the enforcement aspect.

MS. BIANCULLI:

Thanks, Joey, and thanks -- thanks, Ms. Postal, also. Earlier today there was a man who spoke to the bill, Mr. Roos, and he mentioned about a work site, again. You know where we stand with that. This bill, if it was addressed last year like it should have been addressed, maybe it would have gotten here sooner. Last year -- today is an anniversary for us to a meeting that the Legislature body had last year, and at that meeting last year your leadership allowed the illegal aliens to fill the seats that were paid for by tax paying citizens and prevented us from having easy access to the floor. The meeting minutes revealed that you welcomed a lawyer who represents an organization that supports the International Bill of Rights over the United States Constitution. She was held as an expert witness about our immigration laws. As she --

D.P.O. POSTAL:

Ms. Binaculli, is it related to the hearing, the subject of this bill?

MS. BIANCULLI:

It is. It is.

D.P.O. POSTAL:

If you could get to that issue in this statement.

MS. BIANCULLI:

Well, you know, you let other people talk about lights and stuff like -- and I am addressing the issue.

D.P.O. POSTAL:

I'm going to stop your time, but the point was they were addressing a bill that addressed lighting and the requirement for lighting. Whenever people start speaking during a public hearing -- during public portion, people can speak on everything they like.

LEG. D'ANDRE:

Madam Chair.

D.P.O. POSTAL:

Excuse me, Legislator D'Andre. During the public hearing people are supposed to address the resolution that's the subject of a public hearing. So, you know, conceivably, your remarks can be related, as I believe your previous part of the statement was about the President's position whether it did or didn't have impact.

MS. BIANCULLI:

Because you're not allowing me to continue and bring it together and to draw it together where it is reflective to this. And just because you don't understand it when I'm very first speaking about it, give me a chance to finish out my thoughts.

D.P.O. POSTAL:

I would ask you if you're doing that, to get to the point that's related to the subject of the public hearing.

MS. BIANCULLI:

But if you don't stop me, it's like very quick.

D.P.O. POSTAL:

Well, I'm going to continue with your time, but you have three minutes and 54 seconds left at this point, and I've been stopping that.

MS. BIANCULLI:

She was held as an expert witness about our immigration laws as she promoted present immigration policy as if it were law giving a fig leaf to those that were pro illegal aliens. What the icing on the cake of that meeting was was that Commissioner Gallagher's deceptive skewing of that stats that his own subordinates recorded and compiled and gave to you as facts effectively pulling the rug out from Mr. Caracappa's initial bills and preventing him and discouraging him from going forward with a contractor's law that would have possibly brought us to remedy a lot sooner than what we're facing now. I hope today's Legislative actions will not be that same kind of celebration of last year, in that there won't be deals made back and forth and that the merits of Ms. Postal's Human Rights Bill will be held on its own. Mr. Caracappa's bills in committee, wherever they be, will be held on their own, and that you guys continue to do as I see a progress happening over the past year, especially, with the new people coming

in, that seems to be that your hearts and minds are in the right place to support the law.

The legislation that is proposed by Mr. Caracappa we feel is not strong enough, but we do support his efforts and will support him in this, and are sorry that you are not able to help him to carry forward in this measure last year. I would just like to say Yvonne Pena doesn't know this, but on her issue and the other issues that your dealing with here, her Human Rights Commission I have a lot of great respect for. And what happened is she helped my daughter who was sexually assaulted on her job. So -- okay. I know that this is on Yvonne Pena's thing, it's something that your not dealing with here, but the fact still remains that on that legislation there are other problems that you guys are all aware of. I hope you will continue to do like you have been doing even with that legislation, working on it.

D.P.O. POSTAL:

I understand, but we are on this public hearing, Ms. Bianculli.

MS. BIANCULLI:

This is related to the situation, it's an e-mail I just received. I'd like to just share it with you guys. On your time, read it and see how these issues are affecting us, literally and the lives that are being changed. And where you do have jurisdiction, we implore you to do what is right, not because Farmingville is a racist community, but because Farmingville is a community besieged and needing remedy. I'll hand it to you guys and at your own time, read it.

LEG. D'ANDRE:

I have a question. Madam Chairlady, I have a question.

D.P.O. POSTAL:

Yeah, Legislator D'Andre.

LEG. D'ANDRE:

Young lady.

MS. BIANCULLI:

Yeah.

LEG. D'ANDRE:

The question is here, do you believe that this Legislature is adequately protecting Farmingville?

MS. BIANCULLI:

I believe it could go a lot further. It needs to be worked on, needs to be stronger, and it needs to be enforceable. The laws that have come forward on our Town level, apparently, the Town is not enforcing

them. So, no, I don't believe that this is strong enough.

LEG. D'ANDRE:

Your problem is illegal aliens, right?

MS. BIANCULLI:

No. Our problem is the fact that there are contractors offering jobs that bring illegal aliens to our community.

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LEG. D'ANDRE:

But you're inundated with illegal aliens, are you not?

MS. BIANCULLI:

Yes, we are.

LEG. D'ANDRE:

So we need to help this community save itself and I don't see that here. I don't understand this. If you're -- if Smithtown was attacked tomorrow with the same thing, we'll be up in arms, we'll be out with baseball bats.

MS. BIANCULLI:

We're not allowed to be, we'd get arrested for that.

LEG. D'ANDRE:

Yeah, well, they're arresting the wrong --

MS. BIANCULLI:

We get called racist for that, Mr. D'Andre.

LEG. D'ANDRE:

They're arresting the wrong people. The right people are people that live there and pay the taxes.

MS. BIANCULLI:

That's right.

LEG. D'ANDRE:

And that's what everybody's forgetting here.

MS. BIANCULLI:

And --

LEG. D'ANDRE:

These people pay taxes, and they've lost all their rights because they got inundated in that community.

D.P.O. POSTAL:

Michael. Michael, any other questions?

MS. BIANCULLI:

But Mr. Caracappa's bill goes a long way in helping us to solve some of that problem, and he needs to be able to continue to work on it and be supported by all of you in doing so.

D.P.O. POSTAL:

Thank you, Mrs. Bianculli.

MS. BIANCULLI:

Thank you.

D.P.O. POSTAL:

The next speaking Fred Reindl.

MR. REINDL:

Ladies and gentlemen of the Legislature, I thank you for -- I thank you for allowing me to express my opinions on Bill 1792, "Three Strikes And You're out." All this bill would do is to restrict Suffolk County licensing of individuals or corporations found guilty of breaking existing federal and state employment laws three times within a seven year period. I wish to emphasize that we are only talking about existing laws, which every New York State employer is already obligated to obey. What are these laws? Federal law prohibits an individual or corporation to hire anyone who is not a legal resident of the United States. Every employer is required by law to complete Form I-9 within three business days of the hire. If the person is hired for less than three days, Form I-9 must be fully completed at the time of hire when the employee begins work. Employers are required to retain these records. Federal law requires all employers to withhold federal income tax, Social Security and Medicare taxes, and employers must also match Social Security and Medicare taxes. State law also requires that information on all newly hired people be submitted to them. State law requires employers to withhold state income tax and also city income tax, if applicable. In addition, every employer must provide New York State Workman's Compensation Insurance, New York State Unemployment and Disability Insurance. Just as a matter of fact, it is a felony for an employer to fail to report or to underreport payroll in order to avoid Workman's Compensation Insurance premiums. In addition, employers must pay overtime on all hourly employees when applicable. Work places must also comply with OSHA safety requirements. Employers must also pay minimum wages.

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MR. REINDL:

Legislators, these are the federal and state laws that every New York State employer must abide by. They have no choice. It's the law. And don't forget, employers doing business with Suffolk County will have to comply with the Living Wage Law, which you, yourselves, recently enacted. I would also like to make everyone aware of New York City's law, which requires all commercial vehicles using their streets to have the name and address of the owner displayed in 3 inch high letters. This law has been in affect for about 15 years and has been very successful. Bill 1792 would compliment New York City's existing law and would probably save people who are in living or registering their vehicles in Suffolk County a nice sizeable fine if they are caught in New York City without the proper letters on their vehicle.

All these laws that I have mentioned are fact. There is no argument, there is no dispute. There can be absolutely no contradiction to what I have stated. These laws are real, they are in place and they are documented. Conscientious law-abiding employers are observing them. Now, why should Bill 1792 be passed? Law-abiding employers are being discriminated against. That's why. When an uninsured worker is injured on the job, he is still covered under the law. The money comes from the Uninsured Employer's Fund. And guess where this fund gets its money. The legitimate employers who do the right thing and abide by the law. So the legitimate employers who abide by the law

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get to subsidize unscrupulous employees who flagrantly totally disregard the law. Is this fair? Is this just? Nope. This is discrimination. And then to add insult to injury, law-abiding employers have to listening to various paid lobbyists and heavily financed groups who advocate that all these laws should be broken by the greedy illegitimate employers, regardless of the consequences on law-abiding business and law-abiding residents of Suffolk County.

To give you an idea of how bad the situation is; just involving Workman's Compensation, in the year 2000, the Workman's Compensation Board collected \$8.7 million from businesses that failed to carry Workman's Compensation Insurance. I assure you this is only a minuscule fraction of Workman's Compensation fraud that is going on. Now, I'm sure everyone of you Legislators know that there are an overwhelming amount of employers in Suffolk County who are flagrantly making a mockery of these laws and also the employers who are abiding by these laws. It is your choice to stop them or let the lawlessness continue.

All Bill 1792 would do is take away Suffolk County licenses from those who break these laws three times. Frankly, anyone breaking these laws three times should not only lose their license, but also be imprisoned. Now let's face it. Only lawless individuals with their own greedy agenda who have absolutely no regard for our working families and our federal and local laws could be opposed to revocation of a County license for someone who has violated the law three times. I have been president of a third generation family owned business for the last 30 years, and we have never been cited for any of these violations for any of these laws during the 50 years that my company has been in existence.

If you allow the massive disregard of the law, I will be forced out of business along with other law-abiding employers. I beg you, stop the insanity, vote yes to Bill 1792. Now, one other thing which I would just like -- one other thing I would just like to point out if I can do it very quickly, and that is in regards to the Human Rights Law. Which is kind of in committee or wherever it is.

D.P.O. POSTAL:
Excuse me. Excuse me.

MR. REINDL:
Yes.

D.P.O. POSTAL:
This is a public hearing on 1792, it's not an opportunity for any other issue.

MR. REINDL:
In my research in the federal handbook, okay, I did notice that the federal government uses the term illegal alien several times --

D.P.O. POSTAL:
If you're referring -- may I just that if you're referring to another bill, we will be returning to the public portion. You can -- I don't know if -- you can speak during the public portion, but you cannot

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speak at this point on another bill other than 1792.

MR. REINDL:
I just want to point out to the Legislature that it exists. That's all. I'm done. Thank you.

D.P.O. POSTAL:
Okay. No problem. Thank you, Mr. Reindl. Next speaker a Bob

Wieboldt.

MR. WIEBOLDT:

I read this in my tent in Star Lake with my flashlight pointing down. I have to, you know, I want to thank Legislator Caracappa for sending me a copy after I reacted to a Newsday description of it. It's a little bit of the a problem here, folks. This bill goes far beyond Farmingdale -- Farmingville. It goes far beyond illegal aliens. It basically attacks in a very nasty way, in the most serious ways short of imprisonment or execution you can do a businessperson in Suffolk County; stripping him of his livelihood for any three violations, any -- any three violations of any federal or state Labor Law, rule or regulation, including the Internal Revenue Code, affecting employees. Now, I can stack those regulations on this floor, and I bet you it would be a very good support for ceiling. There's a phenomenal amount of regulations. In fact, coincidentally and serendipitously, I just got a solicitation from a sign maker this morning; new state and federal posting requirements for all New York employers, and there's 10 signs I'm supposed to have in my office. I don't have any 10 signs in my office. The last time I put this in was two or three years ago, so I'm probably violating Section 1903.2 of the OSHA Act, the USC Section 206, 29 USC 201, I'm not violating Equal Opportunity, Family and Medical Leave Act, I'm not sure I've got the sign for that. All of these are violations.

I can send my employment taxes in a day, late that's a violation. I can make a mistake in a payroll record, that's a violation. The previous speaker outlined some serious things that were major violations of acts that have to do with the employment, and perhaps the hazardous treatment of illegal aliens on the job site. We are trying to be law-abiding contractors. I represent over 200 that have licenses in Suffolk County. That's a lot of businesses. I didn't realize that until I just pulled the computer analysis, but we have electricians and plumbers and home improvement contractors and home installers that are members of our industry that work for us and the public. Now, many of them are very small businesses. Many of them don't know from 10 signs. Now, what you're saying is if there's a first violation, it's a fine of 200 bucks. As long as it's cured in two weeks, it's not a violation anymore. If you get a second violation, you lose some time. And finally, you lose your livelihood and your license is pulled in -- permanently, I guess. Not only your license and your business, but any business owned and operated by a principle share holder that may be in your company, and that's another company all together. So we're not sure exactly what the point here is, but in seven years, it's probably impossible not to violate one or more minor regulations of the federal, state government.

Now, the question is: How do you enforce this? I think legitimate

contractors are put at risk from day one. Somebody comes in and finds three violations, they're usually after the fact, so there's really no time to cure it. You're only administrative thing here is to have somebody go out and look at the employment records, which have to be kept by a contractor. He then goes in and finds out that somebody wasn't reported on an IRS form or he sees an OSHA violation while he's there or a sign missing, I mean, any one of these things can create a violation. Now Mr. Caracappa has taken out the idea of a multiple OSHA violation, because many times when OSHA inspects, it will find more than one violation on a job site, and therefore, you can three in a day, and that's been taken care of by an amendment.

Now, I have no objection to the New York City approach. If one element of this bill was to put the contractor's name, address, license number on a truck, that's a good bill. If you're licensed, you ought to be able to identify yourself that way. If you violate an Internal Revenue Service Code in any small regard, should one-third of your livelihood -- is that a three-to-one shot ruling that you're going to lose your livelihood? What if you hadn't cured it in two weeks and it was discovered? I think that's too much. I think working in Jon Cooper's district or Al Binder's district or out in East Hampton that never goes near Farmingville should not be penalized for something like this when the regulation may have nothing to do with illegal aliens. But that's what this says, "any and all violation." Those are insane terms. They don't make any sense. They subject every single legitimate employer to serious damage, the loss of his business. Gentlemen, an "A" Bomb to swat a fly.

The last thing I'd like to mention is the secondary impacts. You want to pull a license on a home improvement contractor whose doing six people's houses in various states of construction? Because of some minor violation, do you want to basically impact all of other people that work for that contractor and shut them down? These are serious problems, and I would not -- I'd be remiss if I didn't say if they were serious violations, perhaps these penalties make sense. What can you lose your license for now as a licensed home improvement contractor? Fraud against customers. Doing harm, serious harm to somebody. And now you're saying, but if three times you violated any, no matter how insignificant of a floor to ceiling stack of regulations, the entire IRS Code, the entire rules and regulations of OSHA, all the labor laws, it's not saying specifically, if you fail to pay somebody a minimum wage, if you fail to provide job safety, if somebody's hurt on the job. It says any violation of anything three times in seven years can lead to the end of the person's business career, livelihood and the disemployment of anybody in the person's company. This is strange. It makes no sense.

I think what you should do is define a series of violations that make economic sense. For example, if it pays somebody not to have worker's benefits and those are denied to workers or somebody hires an illegal alien and violates that more than once and takes jobs away from, you know, legal aliens or otherwise eligible Suffolk County citizens who can work, that's harm. And I think what's needed here is you have to match the penalty with the violation itself. And by saying things

like any violation, I mean, you look in your own businesses and your own offices, spouses offices, if you're a full-time Legislator. Come

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on. There is too many little ways you can do it. A law office with too many plugs, and a wire running across -- behind a copy machine is a violation of OSHA. That's a federal labor regulation. That stuff has nothing to do with this issue. I think what we're trying to do is throw up a smoke screen so it isn't is a Farmingville bill. But gentlemen, it's a Farmingville bill. So let's call it that. And the idea of identifying contractors is a fine bill, leave it that way. The idea of saying that certain major violations of these regulations could mean that there are no license issued or licenses could be pulled is fine too. But what you've got here is a phenomenal amount of overkill that's going to affect hundreds if not thousands of licensed business in this County for no good reason. Thank you.

D.P.O. POSTAL:

Thank you. Next speaker is Robert Boerner.

MR. BOERNER:

Good afternoon. My name is Robert Boerner. I'm a Suffolk County home improvement contractor. I'm here to speak today on behalf of Legislator Caracappa's Resolution 1792, "Three Strikes, You're Out." I would like this resolution passed into law. I am not anti-immigration, I am pro law. This resolution presents one, customer affairs licensees obey current laws, and two, provides consumer affairs with the ability to watch over licensees. In my 13 plus years as a contractor, I've seen the incursions of day laborers into the residential construction industry. It first started as a small number of contractors picking up needed hands for a given job. Second stage brought larger numbers of contractors picking up these needed hands on permanent basis. Third stage is developing now whereas, in order to stay competitive in this field, you have to employ these workers.

The contractors use -- use employees that they don't have to cover on worker's compensation insurance or pay Social Security Payroll taxes or any employee incursions involving having employees, that gives them a greater advantage over those contractors who play it by the numbers. Hiring these migratory workers for residential construction without the payroll deductions and insurance is becoming ever more pervasive. If we do not stem the tide now, then when? I absolutely see the need for these migratory worker services. They have become a vital source of our labor in this community. Our local economy is dependant on them. I leave out the argument, however, of the dangers of an unlimited unregulated labor supply to the economy and job security in this country. We must address the need for those workers to obey the

laws, principally, taxes.

Put all these workers and employees on a level playing field. Even undocumented illegal alien workers can obtain tax ID numbers and pay taxes. Let's have some more talk in that direction. Face it, contractors and migratory workers are not going to start to obey the laws because we want them to. We have to make them because it will cost them not to. The problems are not going to disappear. Let's find a way to make everyone come together into compliance before residential construction in Suffolk County is in a complete shambles. Thank you,

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LEG. POSTAL:
Thank you.

MR. BOERNER:
Any questions?

D.P.O. POSTAL:
Next speaker is Ray Wysolmierski.

MR. WYSOLMIERSKI:
Good afternoon. Almost good evening. I'm not going to keep you very long. I just want to point out that the banner in the back speaks to the entire issue. No American neighborhood is expendable. That means that if a contractor or contractors are asked to obey the law, that's not enough -- that's not an outrageous request. We're asking them to obey the law. We're not asking them to do something outrageous. Now we're listening to all of the reasons why the law shouldn't be obeyed. Why should we even have to listen to this nonsense? I just heard well, I can't deal with this OSHA problem over here. You can find all the reasons -- hey, listen, are we going to lose our -- are we going to lose our livelihood, are we going to have to get rid of our businesses? For four years, I've lost my community. Don't we count for anything? You people have to realize we're the people who have been hurt.

D.P.O. POSTAL:
Mr. Wysolmierski, I know that this is a really emotional issue, but I'm just going to ask you not to speak that closely to the microphone.

MR. WYSOLMIERSKI:
Too close for comfort. All right. Listen, what's going to have to happen is that you people are going to have to realize that you're working for us and all for all the people of Suffolk County and that these are the people who are -- who are the voters. And they have the

rights that are simply given over to people who are said to be worthy of them for the simple fact that they have a presence. A presence is not enough. If my family comes here from New Jersey, they have may have a limited presence here, but I don't expect them to be held to every single law that's here. No. I think what has to happen now is you have to recognize that we are the people who have been hurt and not the illegal aliens. They are the invaders, and the invaders are now being asked -- now asking you to give them rights and to give them the same courtesy that we're asking. They're asking as if they were -- they were voters, and they're not. That's all I have to say. I'm not going to belabor this point anymore. No American neighborhood or community is expendable. And when you don't do something about it, you're saying that it is. You're saying that Farmingville is expendable. It's expendable to the business community, it's expendable for the politicians who pay for dinner tables and things like that to campaign, it's expendable to a lot of others things. And we can go -- we're not -- we are not -- Farmingville is not a meat market, which is what you've made it into by not doing anything. We're not a meat market for illegal labor. So please, remove that. Some day I'd like to be able to look up at the stars and say, gee, now I have an aesthetic problem I can bring before this Legislative Body. Wouldn't it be nice to have an aesthetic problem? Right now I can't

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see where I have to walk on the ground. Good day.

LEG. POSTAL:

Thank you. Next speaker is Michael -- it looks like Tower or Towers. Towers.

MR. TOWERS:

Gee. That was quick, I just signed the card. Thank you very much. I just want to -- just mention one or two things about 1792. Basically, really what I want to say is that I represent the Suffolk County Electrical Contractor's Association. And we had spoken about a year ago when this had come up, and we reached out to Legislator Caracappa back then and even now. And I just wanted to say that, you know, I do concur with a lot or I do agree with a lot of what Mr. Wieboldt had said. And I know that we have conveyed these feelings to Legislator Caracappa, and he has been willing to speak with us and work with us. And I know that there's some more work that has to be done, and I just want to say that we appreciate that, and, you know, I know that somehow, some way, we'll come to some common ground on this. But I am very much concerned for our industry and the electrical contractors in our County. But I do appreciate it. I know Mr. Caracappa is as concerned, and he's working us. That's all.

D.P.O. POSTAL:

Legislator Lindsay has a question.

LEG. LINDSAY:

Mike, have you read this bill?

MR. TOWERS:

Yes.

LEG. LINDSAY:

In its present form, do you find the record keeping onerous to your association?

MR. TOWERS:

I don't understand exactly what you mean, the record keeping.

LEG. LINDSAY:

Well, there's record keeping involved with the bill, is that a problem for you?

MR. TOWERS:

Well, there are some concerns with that, in that we're not -- you know, I'm not really sure that the Director of Licensing should have access -- and I think this is what you're getting at or asking me -- should have access to certain records that I think normally would be accessed through the courts or whatever. You know, in other words, my understanding is the Director of Licensing could just say, I want to see your employment records, and we're not sure if that's even lawful, you know, but I haven't really studied that aspect.

LEG. LINDSAY:

Is that what, you know, the problem is with this bill?

MR. TOWERS:

Our problem is just about exactly what Mr. Wieboldt had said, in that it seems very broad, and that if we violate any of those many laws, which are incorporated in those four different categories, if there's any violation of an small or large, you know, however you want to categorize it, something could be in jeopardy of losing their license. And when we say that, you know, I mean, even the I-9 form, the I-9 form is a form basically -- it's probably a form just to guide the contractor into seeing that this is a legal worker, a worker that can, you know, work legally. But the fact of having a form is not necessarily -- I mean, it is important, it is the law, but in the I-9 form, if you -- if the employer presents a driver's license and Social Security Card then the form guides you in saying that okay, this is a person that can work legitimately here. But that is just a form.

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Now, if you don't have a form, I'm sure that the Immigration and Naturalization Service has a fine for that. But that doesn't mean that because a contractor doesn't have that particular form, that they're hiring illegals. You understand my point? So, you know, we just feel that it is somewhat broad. And, you know, it could be, you know, even the posting retirements, same thing. But thank you again, Mr. Caracappa, and thank you Legislative Body.

LEG. POSTAL:

Thank you. I have no other cards on Introductory Resolution Number 1792. Is there anyone who would like to address the Legislature on this public hearing? There is a lady who raised her hand in the back. Come to the microphone, please, and give your name.

MS. GONZALES:

Hello. By the way, I did give a card in. I don't know why it got -- it didn't get up here.

D.P.O. POSTAL:

A yellow or a green?

MS. GONZALES:

For this issue. I talked to the man in the back --

D.P.O. POSTAL:

All right. Go ahead. Just give your name.

MS. GONZALES:

My name is Suzanne Gonzales, and I'm here in support for Joseph Caracappa's bill. And I believe he is working very hard to straighten up the situation. I can see if nothing's -- going to happen here, it's only going to get worse. And coming from a Union family, there's got to be guidelines and rules and regulations or else people are going to go to the hospital and nobody's going to care. They're going to get paid \$4 an hour, and they'll keep bringing more and more and more. I mean, that's just the equation of greed. And they used to have a word for that. They used to call it plantation politics, and think about it. Thank you.

D.P.O. POSTAL:

Thank you very much. Is there anyone else who would like to address the Legislature on this public hearing? Hearing no one, Legislator

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Caracappa -- oh, there is. Come up, and please give our name.

MS. REINDL:

Eleanor Reindl. I just want to make a comment to that -- he's gone

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now. We do have a handbook. The Handbook for the I-90. All legitimate employees are supposed to be filling this out. And as far as those signs and everything else, we have them hanging in our company. We go to great extent to obey the laws. I would like to see this law passed. It's one step forward into bringing the problems together. People are doing -- obeying the law and are filling out these forms.

D.P.O. POSTAL:

Thank you, Ms. Reindl. Is there anyone else who would like to address the Legislature? Motion to close by Legislator Caracappa. Seconded by myself. All in favor? Any opposed? The hearing on 1792 is closed. I would like a motion to set the date of September 11, 2001 at --

LEG. CARPENTER:

Motion.

D.P.O. POSTAL:

7:00 p.m. at the William H. Rogers Legislative Building, Hauppauge, New York, for the following public hearings: Public hearings on Introductory Resolution Number 1725, Introductory Resolution Number 1804, Introductory Resolution Number 1882, Introductory Resolution Number 1883, and to set the date of a public hearing regarding Introductory Resolution Number 1847 for October 23rd at 2:30 p.m. in Hauppauge, New York.

LEG. CARPENTER:

Motion.

D.P.O. POSTAL:

Motion by Legislator Caracappa.

LEG. LINDSAY:

Second.

D.P.O. POSTAL:

Seconded by Legislator Lindsay. All in favor? Any opposed? The public hearings are set. I would like a motion -- we do have just a few cards, and we were going to go into an Executive Session, but we do have a few cards, which were filled out by individuals to speak during the public portion, and I would like to give those people an opportunity to speak. Motion by Legislator Caracappa.

LEG. FOLEY:

Second.

D.P.O. POSTAL:

Seconded by Legislator Foley. We're going to continue now with the public portion, and people are permitted to speak for three minutes during the public portion. I'm going to go through the names, some people may have left. Tiffany Hyatt. Is Tiffany here?

MS. HYATT:

Hi. My name is Tiffany, and I'm from Colonial Volunteer Corps. And we do things in the William Floyd District, volunteering things. We do such things as graffiti removal, we volunteer in the food pantry, and we do child care. And to talk for our behalf is Ashley, so I'd like to introduce Ashley.

LEG. POSTAL:

Thank you. Ashley Melton is our next speaker.

MS. MELTON:

Colonial Community Volunteer Corps would like to give its support to proposed legislation to charge volunteer firefighters, and volunteer ambulance workers who are Suffolk County residents the fee for the use of County parks and facilities that is equivalent to whatever the fee is for a senior citizen for any such use or activity in any County park. We believe this is a very good idea. Our volunteer firefighters and ambulance workers take great risks to help people and to save lives. The volunteers respond to fires and accidents and receive no monetary compensation. We think that this legislation will help them to feel that their hard work and dictation is greatly appreciated.

Another point is that this may encourage more people who are able to do this kind of work to join local fire departments or ambulance companies. This would be another positive benefit to our community. Because these volunteers risk their lives for all of us, we believe they well deserve these reduced fees. They give their time to help others and should be acknowledged and rewarded for taking care of us. These volunteers could easily spend their extra time in jobs working and making more money, but they do not. Instead, they choose to give of themselves to provide vital services to our communities. It is these individuals that we turn to in times of need, and they are always there ready to respond. As student volunteers, we understand the important contributions that volunteers make to their communities. We urge you to pass this resolution and to consideration further legislation to benefit all the volunteers that provide vital and necessary services to our County.

D.P.O. POSTAL:

Thank you.

LEG. TOWLE:

Legislator Postal.

D.P.O. POSTAL:

Yes, Legislator Towle.

LEG. TOWLE:

I just want to thank the students from the Colonial Youth and Family Counseling Service that came down to speak about Resolution 2226. God only knows when we might get to it tonight, but I do want to thank the students for coming down and supporting it.

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LEG. POSTAL:

Thank you. Next speaker is Pastor Octavia Johnson. Pastor Johnson here? Elizabeth Wilson. Is Elizabeth Wilson here? Hazel Hayes? Hazel Hayes? Leonard Gibbs? Tracy Gibbs? Joseph Werner? I saw Mr. Werner here just a few minutes ago. Here he is.

MR. WERNER:

Is this a public portion?

LEG. BISHOP:

Three minutes

D.P.O. POSTAL:

Public portion. You have three minutes, Mr. Werner.

MR. WERNER:

Actually, it won't -- it won't take long. I just want to find out -- I want to know for sure is Introductory Resolution -- I'll wait till you finish. Is Introductory Resolution 1508 going to be heard today and voted on?

D.P.O. POSTAL:

It's on the agenda.

MR. WERNER:

Excuse me, could you speak a little louder, please.

D.P.O. POSTAL:

It is on the agenda for action.

MR. WERNER:

It's going to be heard today.

D.P.O. POSTAL:

No. No. It's on it's agenda for a vote.

MR. WERNER:

For a vote. And if would be voted on today?

LEG. BISHOP:

Correct.

D.P.O. POSTAL:

Well, later tonight -- later in the evening when we get to the agenda.

MR. WERNER:

When will that be so I know to be back?

D.P.O. POSTAL:

It's very hard to make an estimate. I don't think anybody can give you an idea.

MR. WERNER:

Is that really fair?

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D.P.O. POSTAL:

Legislator Crecca would like to give you his estimate.

LEG. CRECCA:

My estimate is about 1:42 a.m. -- a.m., a.m.

MR. WERNER:

No. No. No. This is no time for things like that.

P.O. TONNA:

Sir, we may be here until two o'clock if we keep up like this.

MR. WERNER:

Excuse me.

D.P.O. POSTAL:

The last meeting ended at ten to one, Mr. Werner.

MR. WERNER:

No. Just tell us to know when to come back.

P.O. TONNA:

I would say come back at around 2 o'clock, give or take 15 to a half an hour.

MR. WERNER:

No. No. We're going through that again. We're going through that again. This is a very serious matter, and it's nothing to joke about.

P.O. TONNA:

Sir, you've got a minute and 46 seconds to finish whatever you would like to say.

LEG. CARPENTER:
Mr. Presiding Officer.

MR. WERNER:
No. You're taking a lot of my time. I'm asking one question that's not being answered.

P.O. TONNA:
The answer is -- the answer is I would predict that this meeting, if we have a vote to go past a certain hour, be at around two o'clock in the morning. Okay. That's my prediction.

MR. WERNER:
In other words, we should wait out here until 2 o'clock in the morning. They do something in a communist country. They wait until everybody else is in bed, and then they go and vote on something. This is America, this America.

LEG. CARPENTER:
Mr. Werner, may I say something?

P.O. TONNA:
Hold it a second, let me see. Oh, yes. This is America. Thank you

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very much, sir. You've got a minute and six seconds now.

MR. WERNER:
Well, actually -- actually, this is really very unfair. It's very unfair that you're making a joke of something that's very serious. In other words --

P.O. TONNA:
Mr. Werner. Mr. Werner, I want you to know something. There is no joke. Many of us would like to go home to our families, many of us would like to go home to our children, to our relatives. The fact is because people feel that it's very important to speak on the record. And this Legislature has a tradition of listening to anybody, any nitpicking thing they want to say, any important thing they want to say, anything at all that they want to say. They can talk about lights, they can talk about bills, they can talk about anything -- you can even talk about communist countries. And the fact is, because of that practice here we can go to one or two o'clock in the morning. So don't tell me about -- don't tell me about communist countries. If this was a communist country, you would be pistol whipped and put away

in jail. That's if this was a communist country.

MR. WERNER:

When should we be here to have a vote? Can you give us a time when that's going to be heard so we have --

P.O. TONNA:

Wait. I'll let Legislator Carpenter --

RETURN OF STENOGRAPHER - LUCIA BRAATEN

LEG. CARPENTER:

Mr. Werner, if I could. Mr. Werner, right here. I would suggest that you call -- get a phone number out at the desk and call the Clerk's Office periodically starting at about seven o'clock, and you can check and see where we are on the agenda, and from that, gauge on where we might be.

MR. WERNER:

It would take me about three quarters of an hour to get here.

P.O. TONNA:

Okay.

LEG. FOLEY:

We'll wait for you.

P.O. TONNA:

No. We're not going to. That's how the Legislative process works. You've been here long enough -- you know what? Why don't call the County Executive, see when he has a special hearing on these issues, and then find out there. They're much better at predicting times.

MR. WERNER:

Again, as I said, this is what happens in a communist country, this is something very important --

LEG. CARPENTER:

No. Mr. Werner, this does not --

MR. WERNER:

-- that 1,400,000 people are involved in this and not just 18 that are controlling this.

P.O. TONNA:

Okay. Thank you.

LEG. CARPENTER:

Mr. Werner, can I just -- I just want to say something to your comments about a communist country. This is America. And because it is America, we have been sitting here since 9:30 this morning, it is now 5:30 this evening, and we have sat here and we have listened to the public, because that's what we are supposed to do.

MR. WERNER:

Yes, but -- no. No.

LEG. CARPENTER:

We have agenda. We have a responsibility.

MR. WERNER:

You don't let the public vote -- speak on a resolution that's so vital, so vital

LEG. ALDEN:

You just waisted your time arguing with us.

P.O. TONNA:

Sir. Okay. Hold it a second. Next speaker -- your time is up, sir. George Smith.

MR. WERNER:

This is really something. This is -- it's going a lot beyond here. That's for sure.

LEG. BISHOP:

I want to point out, Legislator Carpenter is wearing red.

P.O. TONNA:

Sue us. Sue us. Hold it a second. Legislator Bishop.

LEG. BISHOP:

I was just saying that Legislator Carpenter's wearing red.

MR. WERNER:

Excuse me Mr. -- I didn't hear what you said. Is it still a joke?

LEG. BISHOP:

No.

P.O. TONNA:

Get an attorney. Get an attorney.

MR. WERNER:

You are paying by the -- by the citizens. You're supposed to operate for the citizens, not cheat the citizens.

P.O. TONNA:

I'm sure there's a few attorneys that if you pay them on retainer would love to take your case.

LEG. BISHOP:

I asked for the microphone -- I really can't get a word in.

P.O. TONNA:

Okay. Go ahead.

LEG. BISHOP:

I asked for a microphone to give you what I think is the best guess estimate of the schedule. We are going to go to executive session in a few minutes, and that will -- is supposed to last -- what, two hours?

P.O. TONNA:

Two hours.

LEG. BISHOP:

Then is -- are you scheduling a dinner break or going right to the agenda?

P.O. TONNA:

I'd like to -- maybe what I'll do is take a little poll and see if we can have dinner in while we're in executive session.

LEG. BISHOP:

I would suggest that's a good idea. Therefore, we'd go to the agenda sometime around 7:30. It's a lengthy agenda. I don't know where your particular item comes up on the agenda, but once we go to the agenda, I'm sure there is a determination to finish by midnight or soon thereafter. So the answer to your question is sometime this evening after 7:30.

P.O. TONNA:

Okay. Thank you. Okay. Next speaker, George Smith. George Smith? Going once, twice, sold. Joseph Sadowski.

AUDIENCE MEMBER:

He was called away on an emergency.

P.O. TONNA:

Okay. He's gone. Kimberly Wilder. Gone. Peter Quinn. Okay. I'd like to take a vote to go to executive session. I'll make a motion, seconded by Legislator Lindsay -- just before the motion, I guess, Paul, we have to for the purposes of identifying who are here.

MR. SABATINO:

Yeah, for the purpose of --

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P.O. TONNA:
I think you still have to put this on the record.

MR. SABATINO:
For the purpose of conferring with --

LEG. BISHOP:
Your Supervisor Silver is here from Shelter Island. I asked this he be allowed to stay for executive session as well. His community is affected by it.

LEG. CRECCA:
Is it about him? I didn't know.

LEG. BISHOP:
No. But he's got nowhere to go.

MR. SILVER:
I'll speak to you now for three minutes and I'll be happy.

P.O. TONNA:
Do you want to speak your three minutes? Okay. You know what, Supervisor? You know, I understand. By the way, do you conduct your meetings the same way in Shelter Island.

MR. SILVER:
I got to tell you. You couldn't pay me enough to have your jobs.

APPLAUSE

LEG. BISHOP:
Finally appreciated.

MR. SILVER:
Dave, that's a fact.

P.O. TONNA:
I want you to know -- Well, please, go right ahead, sir.

LEG. CARACCILOLO:
Can I quote you?

MR. SILVER:
You can quote me on that.

P.O. TONNA:

I know you have a Governor still living on that Island, right?

MR. SILVER:

Yes we do. Yes we do.

P.O. TONNA:

Okay. I'd ask please people give just a little respect. Thank you.

MR. SILVER:

I come here not only as the Supervisor of Shelter Island today, but

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also as a member of the Ferry Advisory Committee and Chairman of the East End Transportation Council, which is a subsidy of the East End Mayors and Supervisors Association. We've had a total of four hearings on our Ferry Advisory issues, one was an informal meeting that I held just to let the ferry company explain what their process was. Then Michael held three meetings on the actual rate increase themselves. I just wanted to make sure everyone understands at all four meetings, if one out of ten people complained about the rate increase, that was a lot. The issue on Shelter Island is that -- is the ferry, itself. The ferries are the lifeline of Shelter Island.

P.O. TONNA:

Right.

MR. SILVER:

I know that can sound like rhetoric, but it's the truth. It gets people off the Island in emergencies. It gets people to work. What's happening on the entire East End because of a lot of the other issues that you to deal with is we have what we call the trade parade. The ferries start at six o'clock in the morning and the people come over to work, they not only come to work, they come to service the Island, they come to deliver to the Island. It's a huge issue on Shelter Island. The old philosophy used to be, well, you live on an island, you understand you wait for a ferry. We know that, and none of us who live on the Island go off on the weekends, because we know there's a wait. But when you have an hour-and-a-half wait daily each way, we have a problem. The problem is twofold.

The first part of the problem is the capacity and the ability of the ferry company to handle this. They're trying to address that in the second part of the raise that they're asking for. The first part is because of the huge increase in business, they can't operate the way they are. They need this increase right now. And at first, it seemed like they were trying to hold a gun to everyone's head saying if we don't get this immediate increase, we're going to have to cut services. After the Ferry Advisory Committee and myself looked at

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their books, we know, in fact, they're going to have to cut services if, in fact, they don't get this raise. The Town Board passed a resolution asking you to just act on this. I'm coming here today to ask you to act on this in a very positive way for the people of Shelter Island.

P.O. TONNA:

Thank you, sir. Thank you very much.

LEG. FOLEY:

A quick question.

P.O. TONNA:

Yes, a quick question from the Chairman of Public Works.

LEG. FOLEY:

Thank you, Supervisor. And over a series of committee meetings we've heard from the applicant as well as from some others. So just to make it -- to use a term by a former president -- to make it crystal clear, perfectly clear, you're saying as the Supervisor of the great Township

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of Shelter Island of the residents that you represent in that township that you are asking us to vote in the affirmative to pass this particular resolution?

MR. SILVER:

As a member of the Ferry Advisory committee, who held the hearings, as the Supervisor of the Town, who listens to the public on a regular basis, the majority opinion of the people of Shelter Island is this rate increase is needed to help the ferry company with their service.

LEG. FOLEY:

And by helping the ferry company you are then directly helping the residents and those who --

MR. SILVER:

Absolutely.

LEG. FOLEY:

-- come to Shelter Island, correct?

MR. SILVER:

Absolutely correct.

LEG. FOLEY:

Thank you, Mr. Supervisor.

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

APPLAUSE

P.O. TONNA:
Now, back to my motion. There's a motion and a second to go into executive session, and we're addressing the legal counsel for who we're going to approve to sit in through this executive session, Legal Counsel?

MR. SABATINO:
Well, it's for the purposes of consulting --

P.O. TONNA:
Can we just -- yes.

MR. SABATINO:
For the purpose of conferring with in seriatim, the following --

P.O. TONNA:
In seriatim?

MR. SABATINO:
Yeah. It means --

P.O. TONNA:
Wonderful.

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MR. SABATINO:
-- in sequence.

P.O. TONNA:
I know that. Is that for the lawyers out here, to show the real bona fide lawyer? I've never heard -- eight years I've been here, I've never in seriatim, but I want you to know --

MR. SABATINO:
I was testing you because you're always telling me about your strong Latin background.

P.O. TONNA:
Yeah, right. We're talking about my children. Anyway.

MR. SABATINO:

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Following law firms: Milberg, Weiss, Bershod, Hynes & Lerach; Napoli, Kaiser, Bern & Associates; Weitz & Luxenberg, and approving the presence of representatives from each of those firms, again in seriatim, and also the presence of Budget Review, myself, that would be it.

P.O. TONNA:

Can we have the correction officer stay in case we have to pistol whip one of the lawyers?

MR. SABATINO:

And well, presence of Budget Review would include Cary then, okay.

P.O. TONNA:

And in continuatim of the seriatim.

LEG. CRECCA:

Can we please get an interpretation of the Latin used by Counsel?

P.O. TONNA:

Last time I did that was when I was an altar boy. Excuse me.

LEG. GULDI:

Call my aide in.

P.O. TONNA:

You want your aide in also? In continuatim of your non partisipatim? Okay. No problem. I'm going to get some royal dukiatim. Okay. Anybody else? Okay. Everybody else is released. Be back in --

MR. SABATINO:

We've allocated --

P.O. TONNA:

Half an hour per firm.

MR. SABATINO:

Well, a maximum per firm, we've allocated a maximum of --

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LEG. ALDEN:

This is also our dinner break, come back in two hours.

P.O. TONNA:

Two hours. Okay. The last thing I would say is have we created a the precedent that if the law firm has more names they get more time?

MR. SABATINO:

No.

MR. BARTON:

No. Mr. Chairman, the vote is 18.

P.O. TONNA:

Okay. Thank you very much. Okay. Let's clear the auditorium. I'd say, correction officers, pull your pistols. Anybody who does not get out in time, shoot them. Oh sorry. Did I say -- what did I say? Oh, I was thinking about a prison, maybe I just felt at home there.

(EXECUTIVE SESSION WAS HELD FROM AT 6:35 P.M. TO 8:25 P.M.)

P.O. TONNA:

Okay. We're back. All right. We're out of executive session. All right. We'll turn our attention to our legal counsel in successier -- what's this? In whatever.

MR. SABATINO:

In absurdio reductio.

P.O. TONNA:

In absurdio reductio to phrase the bill.

MR. SABATINO:

Actually, to expedite matters, we're going to rely on the Clerk getting the verbatim recording of the motion I'm about to articulate on the record.

P.O. TONNA:

Andrew. Andrew. Just let him -- verbatim, that's another Latin word.

MR. SABATINO:

I'll just articulate the motion, and somebody will have to make that motion and second. But the motion would be pursuant to Procedural Motion Number 4-2001, the law firm of Weitz, that's W-e-i-t-z and Luxenberg, spelled e-r-g, is hereby selected and approved as the law firm to take such legal actions against such responsible parties as may be necessary and appropriate in any appropriate judicial and/or administrative forum to either compel the clean up of MTBE contamination within the County of Suffolk or to recover damages and/or a reimbursement for the cost of such clean ups, subject to the negotiation of a contract with the Environment, Land Acquisition and Planning Committee and the Consumer Protection and Government Operations Committee of the County Legislature.

LEG. BISHOP:

Mr. Chairman, that's not correct. Just Consumer Affairs, I believe.

P.O. TONNA:
Yes, just in Consumer Affairs.

MR. SABATINO:
Okay. Then delete the reference to --

P.O. TONNA:
In successium.

MR. SABATINO:
-- Environment, Land Acquisition and Planning Committee.

LEG. BISHOP:
Mr. Chairman, gallium phillium meum inagro video. It's the only Latin sentence I know.

P.O. TONNA:
Motion by Legislator Alden. A second by Legislator Postal. And on the motion, I just want to commend this Legislative Body, I want to commend Legislator Alden, Legislator Postal and the rest for what I think is a groundbreaking, literally, initiative. Okay. Roll call.

(ROLL CALLED BY MR. BARTON)

LEG. ALDEN:
Yes.

LEG. POSTAL:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

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LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

P.O. TONNA:
On behalf of Counsel, I'm going to abstain.

LEG. BISHOP:
On behalf of Counsel?

P.O. TONNA:
On advice of Counsel, I'm going to abstain.

P.O. TONNA:
He abstains.

MR. BARTON:
17, 1 abstention.

P.O. TONNA:
Thank you. We are now going to our dinner break, and we will be back
by -- it's 8:30, we'll be back at 9:45. Thank you.
(A RECESS WAS TAKEN AT 8:30 P.M. AND THE MEETING WAS RECONVENED AT
10:05 P.M.)

P.O. TONNA:

We're almost all here. All Legislators please come to the horseshoe.
Roll call. Max, you're here. Roll call. Wait. Roll call.

ROLL WAS CALLED BY MR. BARTON

LEG. CARACCIOLO:

Here.

LEG. GULDI:

Here.

LEG. TOWLE:

(Not present).

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LEG. CARACAPPA:

Here.

LEG. FISHER:

Here.

LEG. HALEY:

Here.

LEG. FOLEY:

Present.

LEG. LINDSAY:

Here.

LEG. FIELDS:

Here.

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. CRECCA:

Here.

LEG. D'ANDRE:

Yo.

LEG. BISHOP:

Here.

LEG. BINDER:
Here.

LEG. COOPER:
Here.

LEG. POSTAL:
Here.

LEG. TONNA:
Yes, here.

MR. BARTON:
17.

P.O. TONNA:
Okay. Great. Legislator Alden, you asked to be recognized.

LEG. ALDEN:
Yes. On the record, I just want to thank all the Legislators for really for putting in the hard work with that MTBE. I think what we're going to do is leave a legacy of clean drinking water for our

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future generations. And I'd also like to mention that -- actually, credit has to go to Vivian Fisher, Legislator Fisher, because she's basically the one that started this with her legislation that phased out the use of MTBE on Long Island. So again, thank you for all of that.

P.O. TONNA:
You know, I feel the love. Okay. Here we go. Isn't this nice, it's an election year and people are complementing each other?

LEG. HALEY:
Wait another month.

LEG. CARPENTER:
Wait until September.

P.O. TONNA:
No. Just wait for Haley. Okay. Page four, 17 -- okay. I am going to make a motion to approve the Consent Calendar.

LEG. BINDER:
Mr. Chairman.

P.O. TONNA:

Wait, wait. Except for 1753, because we don't know if we have the State money yet.

LEG. BINDER:

I'd also like to object to 1685 and have it done -- done with the Ways and Means calendar.

P.O. TONNA:

Okay.

MS. BURKHARDT:

It's only a technical correction.

LEG. BINDER:

I understand.

P.O. TONNA:

You read the bill.

LEG. BINDER:

But I think it's specific enough in changing amounts that it should be done in the Ways and Means calendar --

P.O. TONNA:

Okay.

LEG. BINDER:

-- and not during Consent Calendar. 1685.

P.O. TONNA:

Okay. Fine. Okay. With those two --

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LEG. CRECCA:

I'm sorry. Which -- can I have those numbers again, please?

P.O. TONNA:

1685 and 1753. The Consent Calendar, except for those two resolutions, I make a motion, seconded by Legislator Postal. All in favor? Opposed? Approved. Okay.

MR. BARTON:

18.

P.O. TONNA:

Great.

MS. BURKHARDT:
Skip.

P.O. TONNA:
Skip. I'm with you.

MS. BURKHARDT:
Okay.

TABLED RESOLUTIONS

2000

P.O. TONNA:
All right. Tabled Resolutions. Number 1525 (Requiring the Department of Public Works to prepare and disseminate time-line charts for capital construction projects). Motion? Legislator Foley, what are you going to do?

LEG. FOLEY:
1525? Motion to approve.

P.O. TONNA:
Motion to approve. Okay. Is there a second?

LEG. CARPENTER:
Which is it?

P.O. TONNA:
15 --

MR. BARTON:
Page 7.

P.O. TONNA:
Page 7. And I'd ask -- my sense is this, if all Legislators utilize or caution themselves with two things, one, follow the script as best as possible, and second of all, please try as best as possible to keep your comments, you know, to a minimum, we'll be in good shape, I think.

LEG. FOLEY:
Mr. Chairman, this was changed from a hundred thousand dollar
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threshold to a million dollar threshold, requiring the time line charts, and it would also enable Legislators to request time line charts for other projects, if they so desire.

LEG. BISHOP:
Second.

P.O. TONNA:
Okay.

LEG. FISHER:
But they're not {PERT} charts, right?

LEG. FOLEY:
No, they're not {PERT} charts. {PERT} charts are out. It's the traditional --

P.O. TONNA:
I'd like somebody from the County Executive's Office to speak on this.

LEG. BISHOP:
Oh, come on.

P.O. TONNA:
I just want to find out, are they -- is that okay with Public Works?

LEG. FOLEY:
Well, Public Works is the -- we've had this discussion before. The departments have --

P.O. TONNA:
Well, I want to hear.

LEG. FOLEY:
The departments --

P.O. TONNA:
I want to know what the County Executive's Office thinks.

LEG. FOLEY:
Mr. Chairman, the departments have to follow through on the policy that we set.

P.O. TONNA:
Yes, absolutely, but I want to know what their opinion of the bill is, Legislator Foley, I just want to get an idea. Wait, wait. I want to hear. I want to hear it on the record.

MS. ROSENBERG:
The corrected copy -- it's on, right?

LEG. FOLEY:
Yes.

MS. ROSENBERG:

The corrected copy that was filed, we have no problems with.

P.O. TONNA:

Great.

LEG. FOLEY:

Okay. Thank you.

P.O. TONNA:

Okay. Motion by Legislator Foley, seconded by Legislator Bishop. All in favor? Opposed? Approved.

LEG. FOLEY:

Thank you. Thanks very much.

MR. BARTON:

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

P.O. TONNA:

Okay. 2217 (Adopting Local Law No. -2000, a Local Law to license process servers in Suffolk County). Is there a motion?

LEG. POSTAL:

Motion to table.

P.O. TONNA:

Motion to table, second by myself. All in favor? Opposed? Tabled.

MR. BARTON:

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

P.O. TONNA:

2226 (Link county Park fees for volunteer Firefighters/Ambulance workers to park fees for senior citizens). Legislator Towle. Legislator Towle? We'll skip over this bill.

2001

P.O. TONNA:

Number 1069 (Imposing reverter clause on non-Brookhaven Town PILOT payments pending appeal of Gowan decision). Legislator Haley?

LEG. HALEY:

Motion.

P.O. TONNA:

Motion to approve. Is there a second?

LEG. BISHOP:
Motion to table.

LEG. ALDEN:
Motion to table.

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LEG. CRECCA:
Second the motion to approve.

P.O. TONNA:
Motion to table by Legislator Alden.

LEG. CRECCA:
Second the motion to approve.

P.O. TONNA:
Seconded by Legislator Bishop. Second to approve. Okay. On the motion to table? All in favor? Opposed?

(Opposed Said in Unison by Legislators)

Okay. Three, Legislator D'Andre, Legislator Crecca, and Legislator Haley, and Legislator Caracappa. So be it. Tabled.

MR. BARTON:
13-4, 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
Okay.

MR. BARTON:
It's tabled.

P.O. TONNA:
On 1138 (Adopting Local Law No. 2001, a Local Law to prohibit operation of motorized scooters in Suffolk County). Motion by -- Legislator Carpenter, what is your wish here? 1138.

LEG. CARPENTER:
Motion to approve.

LEG. HALEY:
Motion to table.

LEG. GULDI:
Second.

P.O. TONNA:
Motion to approve by Legislator Carpenter, I'll second it. Motion
to --

LEG. BISHOP:
Motion to table.

P.O. TONNA:
-- table by Legislator Haley, seconded by Legislator Bishop. Okay.

LEG. CRECCA:
Motion to table takes precedence.

P.O. TONNA:
Motion to table takes precedence. All in favor? Opposed?

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LEG. CARPENTER:
Opposed.

P.O. TONNA:
Opposed? And I'm opposed. Tabled.

LEG. CARACAPPA:
Mr. Chairman, 2226.

MR. BARTON:
15-2, 1 not present.

P.O. TONNA:
No, I --

MR. BARTON:
It's tabled.

P.O. TONNA:
2226, yes. Legislator Towle, on tabled resolutions, Page Number 7,
2226, what is your wish?

LEG. TOWLE:
Motion to approve.

P.O. TONNA:
Motion to approve, second by Legislator Caracappa. Just on this
Page 149

motion --

LEG. FOLEY:
Explanation, please.

P.O. TONNA:
Yeah.

LEG. BINDER:
Cosponsor.

P.O. TONNA:
Does this make your --

LEG. COOPER:
Cosponsor, please.

P.O. TONNA:
Does this make my Letterman "Best Ten" list? There we go.
I knew --

LEG. CRECCA:
Cosponsor, and vote for it.

P.O. TONNA:
Okay. There's an explanation, right? Legal Counsel, can you explain
the pa-pander -- I have -- 2226 bill.

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LEG. FOLEY:
We skipped over it, so we came back. Firefighters and ambulance
workers.

LEG. BINDER:
What did you eat for dinner, Paul? Paul, you've got something stuck
in your throat.

P.O. TONNA:
Yeah. Pa-pander -- panda cheese. Okay. You don't really write that
down, do you, when I cough like that?

LEG. HALEY:
You want me to explain it or --

P.O. TONNA:
Ah, that's the verbatim.

LEG. FOLEY:

I thought that was a guffaw.

MR. SABATINO:

There's a corrected copy that was filed on June 27th, so it would be eligible. And the purpose of the corrected copy was to exclude golf fees from the provision of the bill, which is now going to impose the same reduced park fees for volunteer firefighters to senior citizens, but it's going to exclude golf fees from that reduced fee.

P.O. TONNA:

Okay, great. Okay. All if favor?

LEG. BISHOP: No. Wait a minute. On the -- are we on the motion on the --

P.O. TONNA:

We're on the motion.

LEG. BISHOP:

Is there anybody in this horseshoe who could honestly say that this will have any impact in recruiting more firefighters? I understand the bills that say let's waive property taxes. Those make sense because we do have a shortage. But this type of bill speaks -- does not speak to the problem and is merely what you are suggesting in your harrumphs.

LEG. ALDEN:

On the motion.

P.O. TONNA:

Yes.

LEG. BISHOP:

A pander.

LEG. ALDEN:

I think Legislator Towle probably said the same thing. I think this

is kind of a way of saying thank you to people who put their lives on the line every day.

LEG. BISHOP:

Of course.

P.O. TONNA:

And a way for them to say, "Thank you."

LEG. TOWLE:
Mr. Chairman.

P.O. TONNA:
Yes.

LEG. TOWLE:
Just as an aside, Legislator Bishop, I would differ with your comment. I differ for two reasons, because it was actually two fire departments that reached out to me to suggest that this is one of the tools that they want to use in their advertising campaign --

LEG. BISHOP:
So why don't we do it as a package?

LEG. TOWLE:
-- to recruit -- to recruit members, and they believe it actually would be a benefit.

LEG. BISHOP:
Well, I -- you know, woe be it for me to disagree with the fire departments that contact you --

LEG. TOWLE:
No more --

LEG. BISHOP:
-- but I can't imagine that they're going to be able to recruit anybody.

LEG. TOWLE:
No more a benefit -- no more a benefit than to provide boats for fire departments.

LEG. BISHOP:
Yeah. Well, boats actually prove to --

LEG. TOWLE:
At \$40,000, I think, if I remember that number correctly.

P.O. TONNA:
Okay. Hold it.

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:

If we're going to -- if we're going to have the battle of the panders, I want you to know, I want to find out who's going to win this, because we're talking to two really heavyweights. But --

LEG. FOLEY:

Mr. Chairman.

LEG. BISHOP:

What I would suggest is why don't we do a package of these that we're willing to commit to --

P.O. TONNA:

An omnibus.

LEG. BISHOP:

-- at one time --

P.O. TONNA:

A pander omnibus bill.

LEG. BISHOP:

-- rather than piecemeal, so that we could get the kind of recognition in the greater community --

LEG. FOLEY:

Come on, let's go.

LEG. BISHOP:

-- that would be necessary to generate increased volunteerism.

P.O. TONNA:

That's great.

LEG. BISHOP:

If you do these on a dribble --

P.O. TONNA:

If we can get the right lights, I'm in.

LEG. BISHOP:

-- dribble them out, you're not going to have any response to it.

LEG. HALEY:

Motion to extend the meeting to three o'clock.

P.O. TONNA:

Okay.

LEG. CARPENTER:

Second.

P.O. TONNA:

All right. We're voting on this.

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LEG. FOLEY:
Right.

P.O. TONNA:
We're voting on this. There's a motion to approve and a second.

LEG. FOLEY:
Mr. Chairman.

P.O. TONNA:
Yes.

LEG. FOLEY:
We want more ambulance workers to be in our parks, so they can take care of the defibrillators that are going to be in the parks, right?

P.O. TONNA:
Yeah, right, right.

LEG. FOLEY:
They see that there's --

P.O. TONNA:
Okay. Motion by Legislator Towle, seconded by Legislator Caracappa.
All in favor? Opposed?

LEG. FOLEY:
Cosponsor.

LEG. CARPENTER:
Cosponsor, Henry.

LEG. FOLEY:
Cosponsor.

LEG. CARPENTER:
Henry.

LEG. CARACAPPA:
Cosponsor.

LEG. BINDER:
Cosponsor.

LEG. COOPER:
Cosponsor.

LEG. TOWLE:
Legislator Bishop I think said no.

P.O. TONNA:
There we go. There we go.

MR. BARTON:
18.

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P.O. TONNA:
There's a vote in courage, Legislator Bishop

LEG. GULDI:
Could you put Legislator Bishop down as a cosponsor?

LEG. BINDER:
Wait a minute.

LEG. TOWLE:
Dave, do you need the list of fire departments and ambulance companies?

LEG. BISHOP:
Wait. Let me just say that if this was April, you would have tabled it, but it's --

P.O. TONNA:
There we go.

LEG. BINDER:
Motion to have Legislator Bishop vote no.

LEG. TOWLE:
Second.

LEG. CARPENTER:
Henry.

P.O. TONNA:
All right. I would ask -- I would -- I know we've started this dynamic, but let's get back to -- we're at the pay --

MS. BURKHARDT:

1249.

P.O. TONNA:

We're at 1249 (Allocating funding for pay-as-you-go financing for roofing of various County buildings), and we're about to consider a pay-as-you-go resolution.

LEG. FOLEY:

Motion to approve.

P.O. TONNA:

Legislator Foley. Is this one of the ones that we discussed, Legislator Foley?

LEG. FOLEY:

Yes. Motion. I need a second. Motion to approve.

P.O. TONNA:

So I'll second that. 1249. Legislator Foley, maybe -- is Budget Review here? Yes.

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LEG. FOLEY:

Yep.

MR. POLLERT:

Yes.

LEG. FOLEY:

This resolution is to actually fund \$700,000 worth of traffic signals throughout Suffolk County. There are a number of roadways where there are antiquated signals. There are dangerous locations that this particular resolution will help to address those traffic safety problems.

P.O. TONNA:

Okay. I second that motion.

LEG. ALDEN:

On the motion.

P.O. TONNA:

One of the reasons why I seconded that motion is because although we said we would cut the pay --

LEG. FOLEY:

We changed it from roofing -- we changed it. I amended the bill about a month ago.

LEG. ALDEN:
Okay.

P.O. TONNA:
The pay-as-you-go money, we said that we would only spend half. The fact is, is that Budget Review right now has said that we probably have a little more money left. And after meeting with the Chairman of the Public Works, we felt that when we prioritized these lists, this was an important one. So I made the motion to second. All in --

LEG. ALDEN:
On the motion.

P.O. TONNA:
Yes.

LEG. ALDEN:
Legislator Foley.

LEG. FOLEY:
Yes.

LEG. ALDEN:
Are all the locations and all the money here allocated --

LEG. FOLEY:
They have been -- they have been judiciously distributed throughout Suffolk County.

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LEG. ALDEN:
Can we just amend this and add another \$50,000 to this, or -- that's about what a traffic light's going for, right?

LEG. FOLEY:
Seventy grand.

LEG. ALDEN:
Seventy, yeah, so we --

LEG. FOLEY:
Seventy grand.

LEG. ALDEN:

We might need another seventy.

P.O. TONNA:

Well, we'll -- if you put the bill in, I'll second it.

LEG. ALDEN:

Thanks. Okay.

P.O. TONNA:

All right. That's great.

LEG. HALEY:

Depends on whether you need one of those cameras.

P.O. TONNA:

It doesn't mean I'll vote for it. No, I'm teasing. I'm teasing.
Okay. So we made a motion and a second. All in favor? Opposed?
Fine.

LEG. BINDER:

Opposed.

LEG. FOLEY:

Okay. Thank you very much.

MR. BARTON:

17-1.

P.O. TONNA:

1484 (Adopting Local Law No. -2001, a Local Law to expand regulation
of dangerous dogs). Is there a motion, Legislator Crecca?

LEG. CRECCA:

Motion to approve.

P.O. TONNA:

This is the dangerous dogs.

LEG. CRECCA:

Motion

LEG. FISHER:

Second.

P.O. TONNA:

Seconded by Legislator Cooper. Okay.

LEG. ALDEN:
Roll call.

P.O. TONNA:
All right. Here we go. What does this actually do, Legislator Crecca.

LEG. TOWLE:
Motion to table until December.

P.O. TONNA:
What are we doing here?

LEG. CRECCA:
Right now, New York State law has, in cases where there's dangerous dogs, if there's an attack from a dog onto a person or onto a domestic animal, which does not include cats and dogs, a -- either a citizen or a dog control officer can bring a complaint to have the dog judicially determined to be dangerous.

LEG. ALDEN:
What would be considered a cat?

LEG. CARPENTER:
What court would that dog go to?

LEG. CRECCA:
District Court.

P.O. TONNA:
Okay. What does that mean?

LEG. CRECCA:
So all this does is it extends the definition of "domestic animal" under New York State.

P.O. TONNA:
And "attack" means what? If he lifts his leg, is that an attack, or is it just --

LEG. CRECCA:
Could be. Could be.

P.O. TONNA:
Okay. All right.

LEG. LINDSAY:
Mr. Chairman, will this come back to bite us?

Applause

LEG. FOLEY:
A man after my own heart. Bill, way to go. All right. Way to go.

P.O. TONNA:
Oh, there we go. Oh, top ten. He made the top ten list.

LEG. CRECCA:
That was good.

LEG. BINDER:
He's already been --

P.O. TONNA:
Okay.

LEG. BINDER:
He's already been sitting next to Foley way too long.

P.O. TONNA:
Here we go. All right. There's a motion to approve --

LEG. FOLEY:
It's already working, Allan.

P.O. TONNA:
-- 1484, and a second by Legislator Cooper. All in favor? Opposed?
Fine.

MR. BARTON:
18.

P.O. TONNA:
1583 (To establish storm water remediation program for South Shore
tributaries). Legislator Bishop?

LEG. BISHOP:
Motion to approve.

LEG. FOLEY:
Second.

LEG. FIELDS:
Second.

P.O. TONNA:
Motion to approve, seconded by Legislator Fields. All in favor?
Opposed?

MR. BARTON:
18.

P.O. TONNA:
Fine.

LEG. CARACCIOLO:
Cosponsor.

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P.O. TONNA:
Procedural motions. Please, Legislator Postal. We're skipping over that. And, Legislator Cooper --

LEG. CARPENTER:
Henry.

P.O. TONNA:
-- we're skipping over yours also, right?

LEG. COOPER:
Yes.

P.O. TONNA:
Great.

LEG. CARPENTER:
1583.

VETERANS AND SENIORS

P.O. TONNA:
Okay. Veterans and Seniors: 1754 (Accepting and appropriating 75% reimbursable funds for the New Title III - E New York Elder Caregiver Support Program).

LEG. CRECCA:
Motion to approve.

P.O. TONNA:
Motion to approve by Legislator D'Andre, seconded by Legislator Crecca. All in favor? Opposed? Approved.

MR. BARTON:
18.

WAYS AND MEANS

P.O. TONNA:

Ways and Means: 1414 (Prohibiting use of roller blades, roller skates and skate boards at Armed Forces Plaza and Dennison Building property and parking lots). Motion by Legislator D'Andre, seconded by?

LEG. FIELDS:

Second.

LEG. CRECCA:

Second.

P.O. TONNA:

Legislator Crecca. All in favor? Opposed? Approved.

MR. BARTON:

18.

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P.O. TONNA:

1601 (Establishing Review Committee for County siting of memorials and symbols). Motion by Legislator Postal.

LEG. TOWLE:

Explanation.

P.O. TONNA:

Okay, yes. I'll second it for the purposes of a second.

LEG. POSTAL:

Yeah. This is establishes a --

LEG. TOWLE:

That was on the list.

LEG. ALDEN:

This guy's on tonight.

LEG. POSTAL:

This establishes a committee which would make recommendations to the Legislature when there are requests to place signals -- symbols, rather, or memorials on County property, because these things do come in and, you know, the decision about whether to approve them or not, there's really no procedure for that. So this --

LEG. TOWLE:

What is the committee made up of?

LEG. POSTAL:

The committee has representation from the Legislature, I believe the Executive Branch, the Department of Public Works, I know the Human Rights Commission is represented so that we can be aware that there's nothing that would be offensive to anyone. I would ask our Counsel --

LEG. TOWLE:

Wouldn't that be the Space Management Committee, though, the same people that, you know, review these kind of requests now, and then the Legislature ultimately?

LEG. POSTAL:

Actually, no, because, you know, there might be requests to put up a memorial or a symbol that we might be aware might be offensive to someone. That's why I think ultimately we need to have representation. That's why there needs to be representation from the Human Rights Commission.

P.O. TONNA:

Can you give me -- usually, you have an illustration. Can you give me --

LEG. POSTAL:

Well, I'll give you one.

P.O. TONNA:

Yeah, that's fine.

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LEG. POSTAL:

I had a request to put peace poles at the --

P.O. TONNA:

Peace?

LEG. POSTAL:

Peace poles. Now that's --

P.O. TONNA:

What's a peace pole?

LEG. CRECCA:

What is a peace pole?

LEG. POSTAL:

Actually, the peace poles --

LEG. CARPENTER:

Is that like a Maypole?

LEG. POSTAL:

They're poles -- there's a not-for-profit organization that's putting these poles up all over the world. They're poles that have a slogan for peace on Earth in various languages, all kinds of languages. Now, frankly, you know, I don't know that that decision should be made by any one branch of government or any one part of government. That might be offensive to someone. I think that that decision should be made by a group rather -- including the Human Rights Commission, rather than --

P.O. TONNA:

Now, is this why you have the bill in to react to this, the peace poles?

LEG. POSTAL:

That was an example. You asked for an example.

P.O. TONNA:

I just -- okay. Thanks.

LEG. POSTAL:

You're welcome any time.

P.O. TONNA:

I don't think I can vote for this. No, I'm joking. All right. 1601. There's a motion and a second. I think I seconded it. All right. All in favor?

LEG. CARPENTER:

I have a question.

P.O. TONNA:

Opposed?

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LEG. CARPENTER:

I have a question.

P.O. TONNA:

Oh, a question. Sorry, Legislator Carpenter.

LEG. CARPENTER:

Would something like the --

LEG. HALEY:

Roll call.

LEG. CARPENTER:

-- lighting of the Dennison Building for breast cancer awareness have to go before a committee like this?

LEG. POSTAL:

I believe -- I believe that it would. By the way, I will tell you that DPW is in support of this. Yeah. But, you know, I think that, you know, it would, and I would imagine that that's a symbol and --

LEG. CARPENTER:

So how often is this committee going to meet? And if --

LEG. POSTAL:

Well, I guess when they get requests. You know, they're -- they could get requests periodically. You know, there might be times when there are no requests.

LEG. CARPENTER:

Well, I would -- you know, I support the concept of it, but I would just want to make sure that something like Legislator Alden's initiative to light the Dennison Building for Breast Cancer Awareness Month would not get logged down -- you know, bogged down in committee and not be able to be done --

LEG. CRECCA:

Yeah.

LEG. CARPENTER:

-- in a timely fashion.

LEG. CRECCA:

On the motion. I think we're just adding another layer to government here that we just don't need to add. And I understand and I appreciate what you're saying, Legislator Postal, but, you know, I mean, I think if there's -- with 18 of us here and a public that speaks at every meeting, if there is something controversial or an issue that needs to be brought up about either a memorial or symbol, it's going to come up, and that we're certainly going to discuss it and consider it. So I just think that we're adding a process. My concern is, is that in cases like, you know, whether it's lighting up the Dennison Building, we may delay being able to take action.

LEG. POSTAL:

Well, you know, the rationale is that by and large, the requests that

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we've had and the memorials that we've sited and the symbols that we've sited have all been memorials and symbols which we overwhelmingly supported. But, conceivably, there could be a situation in which there was a request to site something, which none of us might be aware could be offensive, and that's why we felt -- I felt that there should be representation to consider those things from a range of people, including people who are especially sensitive and trained to what could be offensive.

P.O. TONNA:
Legislator D'Andre.

LEG. D'ANDRE:
Mr. Chairman, I think it's an excellent idea to have that law reserved. We can still get our own way, but we got the protection of the law.

P.O. TONNA:
Okay.

LEG. D'ANDRE:
If something is offensive, it answers it for you.

P.O. TONNA:
Okay. Sounds good, Legislator D'Andre.

LEG. D'ANDRE:
I'm going to support it.

P.O. TONNA:
You convinced me. 601, can we vote on this? Motion and a second. All in favor? Opposed?

LEG. HALEY:
Roll call. Roll call.

P.O. TONNA:
Roll call.

(Roll Called by Mr. Barton)

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Pass.

LEG. BISHOP:
Yes.

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LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Abstain.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

P.O. TONNA:
Okay.

LEG. BINDER:
No.

MR. BARTON:
Thirteen.

P.O. TONNA:
Okay, there we go. 1603 (Authorizing the sale of County-owned real estate pursuant to Section 215, New York State County Law to Al Grimes). Motion by Legislator Towle, seconded by Legislator Caracappa. All in favor? Opposed?

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MR. BARTON:
18.

P.O. TONNA:
1604 (Extending time period regarding conveyance of parcels to Town of Babylon for affordable housing purposes (Section 72-h, General Municipal Law). Motion by Legislator Postal, seconded by Legislator Bishop. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1607 (Authorizing the sale of surplus County cars to Suffolk County Fire Academy). Motion by Legislator Towle, seconded by Legislator --

LEG. FOLEY:
Second.

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

MR. BARTON:
18.

P.O. TONNA:
1608 (Authorizing the sale of surplus County cars to Sachem School District). Motion by Legislator Caracappa.

LEG. CRECCA:
Second.

P.O. TONNA:
Seconded by Legislator Crecca. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1609 (Authorizing the sale of surplus County cars to South Huntington School District). Motion by myself, seconded by Legislator Cooper. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1610 (Authorizing the sale of surplus County cars to Hauppauge School District). Motion by Legislator Crecca, seconded by Legislator D'Andre. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1611 (Authorizing the sale of surplus County cars to Suffolk County

143

Vanderbilt Museum and Planetarium). Motion by Legislator Cooper, seconded by myself. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1612 (Authorizing the sale of surplus County cars to the Village of Patchogue). Motion by Legislator Foley, seconded by Legislator Fields. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1613 (Authorizing the sale of surplus County car to Village of Westhampton Dunes). Motion by Legislator Guldi, seconded by Legislator Caracciolo. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1614 (Authorizing the sale of surplus County car to Port Jefferson School District). Motion by Legislator Fisher, seconded by Legislator Haley. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1615 (Authorizing the sale of surplus County cars to Shirley Community Ambulance). Motion by Legislator Towle, seconded by Legislator --

LEG. FOLEY:
Second.

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

MR. BARTON:
18.

P.O. TONNA:
1617 (Authorizing the sale of County-owned real estate pursuant to Section 215, New York State County Law to Christine Apostol, as Executrix of the Estate of Marguerite Thomas). Motion by Legislator Caracappa, seconded by Legislator Towle. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1656 (Approving the appointment of Penny Wells LaValle as Director of Real Property Tax Service Agency for the County of Suffolk). Motion by?

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LEG. TOWLE:
Motion.

LEG. HALEY:
Second.

LEG. CARPENTER:
Second.

P.O. TONNA:
Legislator Haley. Seconded by?

LEG. CARPENTER:
Second.

LEG. TOWLE:
Second.

P.O. TONNA:
Legislator Carpenter. On the motion. What does this do?

LEG. POSTAL:
Reappoints Penny Wells LaValle.

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

MR. BARTON:
18.

P.O. TONNA:
1576 (Authorizing the County Executive to enter into an amendment to a license agreement with MAC Landing Corp. For the purpose of installing ocean grounding beds in connection with previously installed conduit ducts and subterranean borepipes beneath Smith Point County Park, Town of Brookhaven). Motion by Legislator Crecca, seconded by Legislator Towle. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1682 (Authorizing the sale of County-owned real estate pursuant to Section 215, New York State County Law to Rose Marie Hayes). Motion by Legislator D'Andre, seconded by myself. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1693.

LEG. POSTAL:
1685.

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MS. BURKHARDT:
Wait, wait.

P.O. TONNA:
1685?

MS. BURKHARDT:
1685. That was the one we --

LEG. POSTAL:
It was removed from the Consent Calendar.

MS. BURKHARDT:
From the Consent Calendar.

P.O. TONNA:
Okay. 1685 (Adjusting Campaign Finance law expenditure limits for implementation of voluntary Campaign Finance Law).

MS. BURKHARDT:
Adjusting campaign finance.

P.O. TONNA:
It's adjusting campaign. Motion by Legislator Postal, seconded by myself. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Okay. 1693 (Authorizing waiver of interest and penalties for property tax for Alfred and Loretta Carillo). Motion by Legislator Haley seconded Legislator Towle. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1715 (Authorizing the sale of County -owned real estate pursuant to Section 215, New York State county Law to Carlito Abonado and Norma Abonado). Motion by Legislator Caracciolo, seconded by Legislator D'Andre. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1719 (Authorizing use of Long Island Maritime Museum Property by Long Island Board of Realtors-South Shore Chapter, for fundraiser). Motion by Legislator Fields, seconded by Legislator Alden. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:

1720 (Authorizing waiver of interest and penalties for property tax for Mildred Schmitt-Triola). Motion by Legislator Caracciolo, seconded by Legislator Guldi. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1727 (Authorizing waiver of interest and penalties for property tax Alberta Laviano). Motion by Legislator Caracappa, seconded by Legislator Towle. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1756 (Authorizing use of Smith Point County Park by Islip Horsemen's Association, Inc.). Motion by Legislator Fields, seconded by Legislator Foley. All in favor? Opposed?

LEG. TOWLE:

Explanation. Just an explanation.

P.O. TONNA:

Okay. Explanation. The Islip Horsemen's Association.

LEG. GULDI:

Yes. It's a one-day event at the park using trails as a fund-raiser for some charity.

MR. SABATINO:

American Cancer Society.

LEG. HALEY:

Friends of George Guldi somewhere.

P.O. TONNA:

Okay.

LEG. GULDI:

I don't have any of those.

P.O. TONNA:

All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

Okay. Bonding resolution, 1758 (Appropriating funds in connection with the acquisition of land for intersection improvements to CR 35,

Park Avenue, CR 11 Pulaski Road, Town of Huntington). Motion by myself, seconded by Legislator Binder. Is that in your district or mine?

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LEG. BINDER:
Both.

P.O. TONNA:
Okay. All right. It's 111 -- it's 11 Pulaski Road. I'm not sure if 11 or 15 is in mine. Okay. Roll call.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

P.O. TONNA:
Just Tonna. Tonna. Yes.

LEG. BINDER:
Yes.

LEG. COOPER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yep.

LEG. CARACAPPA:
Yes.

LEG. ALDEN:
Yes .

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

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LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Same motion, same second, same vote.

MR. BARTON:
18 on the bond.

P.O. TONNA:
Same motion, same second, same vote. 15 --

MS. BURKHARDT:
1759.

P.O. TONNA:
1759 (Appropriating funds in connection with the acquisition of land for intersection improvements to CR 51, Riverhead -Moriches Road and CR 63 Old East Moriches-Riverhead Road, Town of Southampton).

LEG. CARACCIOLO:
Motion.

P.O. TONNA:
Motion by Legislator Guldi, seconded by Legislator Caracciolo. Roll
Page 175

call.

(Roll Called by Mr. Barton)

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yes.

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LEG. CARPENTER:

Yes.

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. POSTAL:
Yes.

LEG. TONNA:
Yep.

MR. BARTON:
18 on the bond.

P.O. TONNA:
Same motion, same second, same vote. 1761 (Authorizing the extension of a lease of premises located at 115 -125 Comac Street, Ronkonkoma, NY for the Department of Social Services). Motion by Legislator Tonna, seconded by Legislator Guldi. All in favor? Opposed?

LEG. CARACCIOLO:
Abstention.

P.O. TONNA:
Okay, abstain.

MR. BARTON:
17, 1 abstention.

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P.O. TONNA:
1775 (Authorizing the Cornell Cooperative Extension to purchase fuel from Suffolk County). Motion by --

LEG. FOLEY:
Motion.

LEG. FISHER:
Second.

P.O. TONNA:
-- Legislator Foley, seconded by Legislator --

LEG. FISHER:
Second.

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

MR. BARTON:
18.

P.O. TONNA:
1776 (Authorizing the Incorporated Village of Westhampton Beach to purchase fuel from Suffolk County). Motion by Legislator Guldi, seconded by Legislator Caracciolo. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1781 (Authorizing the extension of lease of premises located at 1425 New York Avenue, Huntington, NY for the Police Department). Motion by myself, seconded by Legislator Binder. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1782 (Authorizing the extension of a lease of premises located at 1745 Montauk Highway, Bellport, NY for the Police Department).

LEG. FOLEY:
Motion.

P.O. TONNA:
Motion by Legislator Foley.

LEG. TOWLE:
Second.

P.O. TONNA:
Seconded by Legislator Caracappa?

LEG. TOWLE:
Towle.

Towle? Sorry. All in favor? Opposed? 1783 (Appropriating funds in connection with the reconstruction of CR 2, Straight Path, from the vicinity of Grand Boulevard to Old County Road, Wyandanch, Town of Babylon and approving maps and authorizing the acquisitions of lands together with findings and determinations pursuant to Section 204 of the Eminent Domain Procedure Law, CP 5527 Phase II). Bonding resolution. Motion by --

LEG. POSTAL:
Motion.

P.O. TONNA:
Postal.

MR. BARTON:
18 on 1782.

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

(Roll Called by Mr. Barton)

P.O. TONNA:
Yeah.

LEG. BISHOP:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
(Not Present)

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. FISHER:
Yes.

LEG. CARACAPPA:
Yep.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

MR. BARTON:
Mr. Binder?

P.O. TONNA:
Just -- yes. Where is he? He's not here. Okay.

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

P.O. TONNA:
Fine. Same motion, same second, same vote. 1794 (Amending the Suffolk County Classification and Salary Plan and the 2001 Operating Budget in connection with a New Position Title in the Office of the County Clerk (Director of Optical Imaging). Motion by I guess myself, seconded by Legislator Towle. Make it motion by Towle, seconded by Legislator Caracappa. All in favor? Opposed?

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

ENVIRONMENT, LAND ACQUISITION, AND PLANNING

P.O. TONNA:
Fine. 1198 (Implementing Greenways Program in connection with the acquisition of active parklands at Village of Amityville). Motion by Legislator Bishop, seconded by Legislator Postal. All in favor?

Opposed?

MR. BARTON:

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

P.O. TONNA:

1599 (Approving acquisition under Suffolk County Land Preservation Partnership Program (Wagner Road property in Yaphank) Town of

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Brookhaven). Motion by Legislator Towle, seconded by Legislator Caracappa. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1605 (Making a SEQRA determination in connection with the proposed demolition of concrete arch bridge over C.R. 4, Commack, Town of Huntington). Motion by myself, seconded by Legislator Binder.

MR. BARTON:

18.

P.O. TONNA:

1661 (Authorizing land acquisition under pay-as-you-go 1/4% Taxpayer Protection Program (Rasmussen property at 68 North Ferry Road) Town of Shelter Island). Motion by Legislator Caracciolo, seconded by Legislator Guldi. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1662 (authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (Land and Unitarian Universalist Church, Town of Brookhaven). Motion by Legislator Foley, seconded by Legislator Fields. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1670 (Authorizing planning steps for acquisition under Suffolk County Land Preservation Partnership Program (Sherwood-Jayne Property, East Setauket) Town of Brookhaven). Motion by Legislator Fisher, seconded by Legislator Foley. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1671 (Authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands at intersection of Route 25A (West Broadway and Barnum Avenue), Port Jefferson Village). Motion by Legislator Fisher, seconded by Legislator Foley. All favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1677 (Amending Resolution No. 1148-2000 for construction of a building for Wildlife Rescue and Education Programs at the Marine Science Center, Town of Southold). Roll call on the bond. Motion by myself, second -- motion by Legislator Caracciolo, seconded by

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Legislator Guldi.

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:
Yes.

LEG. GULDI:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yep.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yep.

LEG. TOWLE:
Yes.

LEG. POSTAL:
Yes.

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LEG. TONNA:
Yeah.

MR. BARTON:
18 on the bond.

P.O. TONNA:
Great. Same motion, same second, same vote.

LEG. CARACCIOLO:
Thank you.

P.O. TONNA:
1678 (Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (Land of Jeffrey Rimland, Town of Islip). Motion by Legislator Lindsay, seconded by Legislator Fields. All in favor? Opposed?

MR. BARTON:
18.

LEG. CRECCA:
Cosponsor.

P.O. TONNA:
1679 (Amending Open Space Program in connection with acquisition of waterfront property at Lake Ronkonkoma, Town of Islip). Motion by Legislator Lindsay.

LEG. ALDEN:
Second.

P.O. TONNA:
Seconded by Legislator Alden. All in favor? Opposed?

MR. BARTON:
18.

LEG. CRECCA:
Cosponsor.

P.O. TONNA:
1359 (Requiring adherence to Federal Standards for mercury testing in Suffolk County). Motion by Legislator Cooper, seconded by myself. All in favor? Opposed?

MR. BARTON:
18.

LEG. FOLEY:
Cosponsor, please.

LEG. CRECCA:
Abstain on 1359.

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P.O. TONNA:
Let's keep moving.

MR. BARTON:
Mr. Crecca what was that?

LEG. CRECCA:
Abstain on 1359.

MR. BARTON:

Thank you. The vote on 1359 is 17, 1 abstention.

P.O. TONNA:

1596 (To modify procedures for purchase of Pump-Out Vessels). Motion by Legislator Carpenter, seconded by myself. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1669 (Implementing Greenways Program in connection with acquisition of Farmland Development Rights at Sherwood-Jayne Residence, East Setauket (Town of Brookhaven). Motion by Legislator Fisher, seconded by Legislator Foley. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1680 (Reappointing George Proios as a member of the Suffolk County Soil and Water Conservation District). Motion by Legislator Foley.

LEG. HALEY:

Second.

P.O. TONNA:

Seconded by Legislator Haley. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1691 (Approving acquisition under Suffolk County Land Preservation Partnership Program (Fanning Landing Road Property, Moriches) (Town of Brookhaven). Motion by Legislator Towle, seconded by Legislator Caracappa. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1732 (Making a SEQRA determination in connection with the proposed NYSDEC Consent Order for Sewer District 18-Hauppauge Industrial, Town of Smithtown). Motion by?

LEG. CRECCA:
Motion.

P.O. TONNA:
Legislator who?

LEG. BISHOP:
Crecca.

P.O. TONNA:
Crecca, seconded by Legislator D'Andre. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1735 (Allocating funding for pay-as-you-go financing for the study of the occurrence of brown tide in marine waters). Motion by Legislator Fisher, seconded by Legislator Foley. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1739 (Making a SEQRA determination in connection with the proposed playground at Indian Island County Park, Town of Riverhead). Motion by Legislator -- Legislator Caracciolo, seconded by Legislator Guldi. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Okay. Is that a -- okay. Where are we?

MS. BURKHARDT:
Same motion.

P.O. TONNA:
Okay.

LEG. FOLEY:
Can you go through all these SEQRA's?

P.O. TONNA:
We're going to do same motion, same second, same vote. You ready?
1740 (Making a SEQRA determination in connection with the proposed Development of a Master Plan for Cedar Point County Park, Town of East Hampton).

1741 (Making a SEQRA determination in connection with the proposed Playground at Southaven County Park, Town of Brookhaven).

1742 (Making a SEQRA determination in connection with the proposed

Development of a Master Plan to address Water-Control Structures in waterways throughout County Parklands).

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1743 (Making a SEQRA determination in connection with the proposed Development of a Traffic Study for Cupsogue County Park, Westhampton, Town of Southampton).

1744 (Making a SEQRA determination in connection with the proposed Master Plan for Meschutt County Park, Hampton Bays, Town of Southampton).

1745 (Making a SEQRA determination in connection with the proposed construction of a Sanitary Facility at Southaven County Park, Town of Brookhaven).

1746 (Making a SEQRA determination in connection with the proposed construction of a Sanitary Facility at Indian Island County Park, Town of Riverhead).

1747 (Making a SEQRA determination in connection with the proposed replacement of an existing Bridge at Blydenburgh County Park, Hauppauge, Town of Smithtown).

1748 (Making a SEQRA determination in connection with the proposed construction of an extension of a Horse Shelter at Theodore Roosevelt County Park, Town of East Hampton). Come on, keep going.

1749 (Making a SEQRA determination in connection with the proposed maintenance or repair to the Caretakers House on the Chandler Estate, Mt. Sinai, Town of Brookhaven).

1750 (Making a SEQRA determination in connection with the proposed Preliminary Planning and Budgetary Processes for the Chandler Estate, Mt. Sinai, Town of Brookhaven).

MS. BURKHARDT:
That's it.

LEG. POSTAL:
That's it.

P.O. TONNA:
That's it. Okay. Motion --

MS. BURKHARDT:
Same motion, same second, same vote.

P.O. TONNA:
Same motion, same second, same vote. We got all of that?

MR. BARTON:
18.

P.O. TONNA:
Thank you. Okay, Henry, you're doing really well there. 1768
(Appropriating funds in the Capital Budget in connection with the
Environmental Health Laboratory Equipment (CP 4079). There's a motion
by myself, seconded by Legislator Bishop.

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LEG. FOLEY:
Just on the motion.

P.O. TONNA:
Roll call.

LEG. FOLEY:
On the motion. The location of the laboratory -- oh, it's for
equipment. Never mind.

P.O. TONNA:
Right. But we'll put it in Yaphank, if we can. Anyway --

LEG. BISHOP:
It's a roll call.

P.O. TONNA:
Roll call.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

P.O. TONNA:
Yes.

LEG. BISHOP:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

LEG. CARACAPPA:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

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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 on the bond.

P.O. TONNA:
Great. Same motion, same second, same vote. Where are we? 1784 (Amending Resolution No. 749-2000 authorizing acquisition under Suffolk County Land Preservation Partnership Program, Town of East Hampton (The Nature Conservancy Property, formerly Leonard Property, Airport Preserve-SCTM No. 0300-155-01-021 & 032).

LEG. GULDI:
Motion.

P.O. TONNA:
Motion by Legislator Guldi, second by Legislator Caracciolo. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1791 (Authorizing land acquisition under pay-as-you-go 1/4% Taxpayer Protection Program (Dam Pond Property, Town of Southold Suffolk County Tax Map No.'s 1000-031.00-05.00-001.002, 1000-23.00-01.00-003.004, and 1000-23.00-01.00-020.000). Motion by Legislator Caracciolo, seconded by Legislator Guldi. All in favor? Opposed?

MR. BARTON:
18.

EDUCATION & YOUTH

161

P.O. TONNA:
Okay. We've got a couple of roll calls here on bonds. 1636 (Amending the 2001 Capital Budget and Program and appropriating fund in connection with Mechanical/Electrical upgrades at Huntington Library (CP 2105). Motion by Legislator Tonna, seconded by Legislator Cooper. Roll call.

(Roll Called by Mr. Barton)

P.O. TONNA:
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. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:

Yes.

LEG. POSTAL:

Yes.

MR. BARTON:

18 on the bond.

P.O. TONNA:

Okay. Same motion, same second, same vote. I thought that was the Huntington Library. All right. Sorry about that.

LEG. FISHER:

Motion.

P.O. TONNA:

Okay.

LEG. FOLEY:

Is there a motion to reconsider?

P.O. TONNA:

Motion by -- no, no, no. But motion by Legislator Fisher, seconded by Legislator -- oh, same motion, same second, same vote?

LEG. FOLEY:

We can't. We can't do that here.

P.O. TONNA:

1637 (Appropriating funds in connection with the renovation/rehabilitation of water pollution control plants-College Wide). Motion by Legislator Fisher, seconded by Legislator Foley. Roll call.

MR. BARTON:

On the bond.

(Roll Called by Mr. Barton)

LEG. FISHER:

Yes.

LEG. FOLEY:

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. HALEY:
Yes.

LEG. CARACAPPA:
Yep.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

LEG. TONNA:
Yep.

MR. BARTON:
18 on the bond.

P.O. TONNA:
Okay. Same motion, same second, same vote. 1639 (Appropriating funds in connection with improvements to Telecommunications and Information Systems-College Wide) (CP 2155).

LEG. FISHER:
Motion.

P.O. TONNA:
Motion by Legislator Fisher, seconded by Legislator Carpenter. Roll
call.

164

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

LEG. FISHER:
Yes.

LEG. CARPENTER:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:

Yes.

LEG. CARACAPPA:

Yep.

LEG. TOWLE:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. POSTAL:

Yes.

165

LEG. TONNA:

Yep.

MR. BARTON:

18 on the bond.

P.O. TONNA:

Okay. Same motion, same second, same vote. 1641.

LEG. FOLEY:

No, 1640.

P.O. TONNA:

1640 (Amending the 2001 Capital Budget and Program and appropriating funds in connection with construction of Running Track-Ammerman Campus (CP 2160).

LEG. FOLEY:

I'd like to make the motion on that, Mr. Chairman.

P.O. TONNA:

Legislator Foley, seconded by Legislator Fisher.

MR. BARTON:

On the bond.

P.O. TONNA:

Roll call.

(Roll Called by Mr. Barton)

LEG. FOLEY:
Yes.

LEG. FISHER:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

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LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. CARACAPPA:
Yep.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCILO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yeah.

MR. BARTON:
18 on the bond.

P.O. TONNA:
Same motion, same second, same vote. Where are we?

MS. BURKHARDT:
1641.

P.O. TONNA:
1641 (Appropriating funds in connection with Life Safety Alterations and Fire Alarm Upgrades-College Wide (CP 2167). Motion by Legislator Fisher, seconded by Legislator Carpenter. Roll call.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

LEG. FISHER:
Yes.

LEG. CARPENTER:
Yes.

167

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

Yes.

LEG. CARACAPPA:

Yes.

LEG. TOWLE:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. POSTAL:

Yes.

LEG. TONNA:

Yeah.

MR. BARTON:

18 on the bond.

P.O. TONNA:

Okay. Same motion, same second, same vote. 1642 (Appropriating funds in connection with Asbestos Removal (Phase III)-College Wide (CP 2168)).

LEG. FOLEY:
Motion, Mr. Chairman.

P.O. TONNA:
Motion by Legislator Foley, seconded by Legislator Fisher.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

LEG. FOLEY:
Yes.

LEG. FISHER:
Yes.

LEG. COOPER:
Yep.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yep.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
18 on the bond.

P.O. TONNA:
Same motion, same second, same vote. Legislator Postal.

LEG. POSTAL:
1643, amending the 2001 Capital Budget and Program and appropriating funds in connection with the improvements to the Electrical Distribution Systems college-wide. Motion by Legislator Fisher, seconded by Legislator Foley. Roll call.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

LEG. FISHER:
Yes.

LEG. FOLEY:
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.

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LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
(Not Present)

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

LEG. GULDI:
Yes.

MR. BARTON:
Thank you. 18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1645 (Appropriating funds in connection with site Improvements-Ammerman Campus (CP 2200).

LEG. FOLEY:
Motion.

D.P.O. POSTAL:

Motion, Legislator Foley, second, Legislator Fisher. Roll call on the bond.

MR. BARTON:

On the bond.

(Roll Called by Mr. Barton)

LEG. FOLEY:

Yes.

LEG. FISHER:

Yes.

LEG. COOPER:

Yes.

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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. HALEY:

Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1646 (Appropriating funds in connection with Improvements to Mechanical Systems-College Wide (CP 22060. Motion, Legislator Fisher, seconded by Legislator Foley. Roll call.

MR. BARTON:
On the bond.

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(Roll Called by Mr. Barton)

LEG. FISHER:
Yes.

LEG. FOLEY:
Yes.

LEG. COOPER:
Yep.

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. HALEY:

Yes.

LEG. CARACAPPA:

Yes.

LEG. TOWLE:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes.

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MR. BARTON:

18 on the bond.

D.P.O. POSTAL:

Same motion, same second, same vote. 1648 (Appropriating funds in

connection Installation of RPZ valves (CP 2301). Motion, Legislator Fisher, seconded by Legislator Foley. Roll call on the bond.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

LEG. FISHER:
Yes.

LEG. FOLEY:
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. HALEY:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

18 on the bond.

D.P.O. POSTAL:

Same motion, same second, same vote. 1767 (Amending the 2001 Capital Budget and Program and transferring funds from various College Capital Projects to improvements to HVAC Systems-College Wide (CP 2126.310). Motion, Legislator Fisher, seconded by Legislator Foley. All in favor?

MR. BARTON:

18.

D.P.O. POSTAL:

Any opposed? 1767 is approved. 1773 (Authorizing the Suffolk County Community College to purchase fuel from Suffolk County). Motion, Legislator Foley, seconded by Legislator Fisher. All in favor? Any opposed?

MR. BARTON:

18.

D.P.O. POSTAL:

1773 is approved.

SOCIAL SERVICES

1581 (To establish rules and regulations for motels doing business with County Department of Social Services).

P.O. TONNA:

I'll make a motion to table.

D.P.O. POSTAL:

Legislator Tonna, motion to table, seconded by --

P.O. TONNA:

No, no. Why are we tabling it?

D.P.O. POSTAL:

I don't know. You made the motion.

MR. SABATINO:
It has to be tabled. The corrected copy was filed a day after the

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deadline.

D.P.O. POSTAL:
Okay. Motion to table, Legislator Tonna, seconded by Legislator Crecca. All in favor? Any opposed? 1581 is tabled.

MR. BARTON:
18.

D.P.O. POSTAL:
1738 (Designating "Fight Against Hunger Month" in Suffolk County).

LEG. COOPER:
Motion.

D.P.O. POSTAL:
Motion, Legislator Cooper.

P.O. TONNA:
Second. Second.

D.P.O. POSTAL:
Second by Legislator Tonna. All in favor? Any opposed?

MR. BARTON:
18.

D.P.O. POSTAL:
1738 is approved.

MS. BURKHARDT:
1753 was the one from the Consent Calendar?

D.P.O. POSTAL:
Okay.

MS. ROSENBERG:
No.

MS. BURKHARDT:
You want to table it?

MS. ROSENBERG:

Yes, we want to table it. It has to be tabled.

MS. BURKHARDT:

You want to table it. 1753, accepting a grant from the State.

D.P.O. POSTAL:

Oh, okay. All right. 1753 was on the Consent Calendar. Motion to table, seconded by Legislator Tonna. All in favor? Any opposed? 1753 is tabled.

MR. BARTON:

18.

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FINANCE AND FINANCIAL SERVICES

D.P.O. POSTAL:

1778 (A Resolution delegating to the County Comptroller of the County of Suffolk, New York, the power to authorize the issuance of and to sell not exceeding \$75,000,000 Tax Anticipation Notes of said County in anticipation of the collection of Real Estate Taxes levied for County purposes or returned to the County for collection for the fiscal years commencing January 1, 1998, 1999, 2000, and 2001, and providing for other matters in connection therewith). Motion, Legislator Haley, seconded by Legislator Tonna. All in favor? Any opposed? 17 --

MR. BARTON:

18.

D.P.O. POSTAL:

-- 78 is approved. 1779 (Transferring funds and authorizing the County Comptroller and County Treasurer to close certain Capital Projects). Motion --

LEG. FOLEY:

Mr. Chairman, could I make a motion to table for one meeting, please?

D.P.O. POSTAL:

Motion to table by Legislator Foley, seconded by -- I'll second it.

LEG. CARACCIOLO:

On the motion.

D.P.O. POSTAL:

On the motion, Legislator Caracciolo.

LEG. CARACCIOLO:

What would be the purpose of tabling?

LEG. FOLEY:

Yeah. The reason for tabling, number one, I'd like to take a closer look at the bill. I -- just a cursory review, as we speak, I saw a couple of capital projects where they want to close these accounts when I know that these monies could be utilized in the same area for other capital needs, so --

LEG. CARACCIOLO:

Okay.

D.P.O. POSTAL:

Okay.

LEG. FOLEY:

Okay?

D.P.O. POSTAL:

There's a motion to table and a second. All in favor? Any opposed?

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MR. BARTON:

18.

LEG. BINDER:

Opposed.

LEG. HALEY:

Opposed.

LEG. CARACAPPA:

Opposed.

LEG. TOWLE:

Opposed.

D.P.O. POSTAL:

Legislator Haley, Legislator Caracappa, Legislator Binder are opposed.

MR. BARTON:

15-3.

D.P.O. POSTAL:

17 --

LEG. BINDER:
Madam chair.

LEG. TOWLE:
Myself also.

D.P.O. POSTAL:
Oh, I'm sorry.

MR. BARTON:
I'm sorry. Mr. Towle as well; 14.

D.P.O. POSTAL:
1779 is tabled.

LEG. FOLEY:
Thank you.

LEG. BINDER:
Yeah.

D.P.O. POSTAL:
Did you want the floor, Legislator Binder.

LEG. BINDER:
You might want to do 1685. It was yours that I took out of the
Consent Calendar.

D.P.O. POSTAL:
We did it already.

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LEG. CRECCA:
We did it already.

LEG. BINDER:
Did we do it?

D.P.O. POSTAL:
Yeah.

LEG. BINDER:
Because I didn't hear it during Ways and Means. Okay.

D.P.O. POSTAL:
Yeah.

LEG. CRECCA:
We did it.

LEG. BINDER:
That's fine, as long as it was done.

PUBLIC SAFETY & PUBLIC INFORMATION

D.P.O. POSTAL:
1508 (Adopting Local Law No. 2001, A Local Law to strengthen and implement application of County Human Rights Law to Public Accommodations Employment and Housing). This was -- I'll make a motion to approve this.

LEG. FIELDS:
Second.

D.P.O. POSTAL:
Second by Legislator Fields. All in favor?

LEG. BINDER:
On the motion.

D.P.O. POSTAL:
Excuse me?

LEG. BINDER:
1508?

D.P.O. POSTAL:
On the motion?

LEG. BINDER:
On the motion.

D.P.O. POSTAL:
Legislator Binder.

LEG. BINDER:
I think my comments pretty much stand -- yeah. My comments pretty much stand that I said in Newsday. I think this is a bill that would

LEG. HALEY:

You weren't misquoted?

LEG. BINDER:

Excuse me?

LEG. HALEY:

You weren't misquoted?

LEG. BINDER:

I wasn't misquoted. Actually, it was a pretty accurate quote. I think that it would not be in the best interest of the County to give an agency of the County that changes over time, changes as we change people and reappoint, sometimes appoint new people, to give them not only investigatory power, prosecutorial power, enforcement power, and the power to levy fines and punishments, so I think that is a bad idea, whether it's the Human Rights Commission or anyone else to give this kind of ability to. So I'd hope that my colleagues would vote against this.

D.P.O. POSTAL:

Okay. Legislator Carpenter, did you --

LEG. CARPENTER:

Yes. I can't see. Is Yvonne Pena still in the audience? Because I have a couple of questions, if she could come forward.

D.P.O. POSTAL:

Yeah. Yvonne? She was here.

LEG. CRECCA:

She's there.

D.P.O. POSTAL:

Yeah.

LEG. GULDI:

She's muttering something.

D.P.O. POSTAL:

I just couldn't see her back there.

LEG. CARPENTER:

Muttering?

D.P.O. POSTAL:

If you would come to the podium.

LEG. CARPENTER:

Hi, Yvonne. How are you?

MS. PENA:

I'm fine, thank you.

LEG. CARPENTER:
I have a couple things.

D.P.O. POSTAL:
Microphone? Microphone.

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

LEG. CARPENTER:
A couple of things I just wanted to clarify. The issue of the cost that might be associated with the increased workload that would come to your office, what do you ascertain it to be?

MS. PENA:
I don't foresee an increase in numbers of cases that we accept, so I really don't foresee an added expense.

LEG. CARPENTER:
Give me an idea of how many cases you were talking about that were pending that you feel you could have handled in a more timely fashion?

MS. PENA:
I'm sorry. Could you -- I don't understand.

LEG. CARPENTER:
Well, there was a reference in an article in Newsday that there were hundreds of cases that were pending that had not been investigated.

MS. PENA:
Okay. Cases that come to our office are usually settled within two years. And when I mean "settled," we have two processes, the inform process and the formal process. On the informal process, we have settled cases within an hour after we get the case, and definitely under a year. With the formal process, which is the process that we utilize with our memorandum of understanding with the State Division, we take in complaint, we investigate it, we present our determination and we send it on to the State. Those cases are completed within two years. They go straight to the State and the State will age the case for one year before they assign an investigator, and then their process continues. We don't have any case in our office older than two years, whether formal or informal.

LEG. CARPENTER:
So what was the impetus? Because I remember some testimony that said that cases were languishing for 10 or 15 years.

MS. PENA:

Up to ten years at the State Division. Once we complete our investigation, we write up the case and we send it up with our recommendation of probable cause or nonprobable cause determination to the State

LEG. CARPENTER:

Where do you send them? Where --

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MS. PENA:

Those stay at the State level.

LEG. CARPENTER:

No. But where -- where do you actually physically send the cases to in the State, to State Human Rights?

MS. PENA:

To the -- to regional office, State Human Rights Commission.

LEG. CARPENTER:

And where is that?

MS. PENA:

In Hempstead.

LEG. CARPENTER:

In Hempstead. If there was a regional office in Hauppauge, why wouldn't you send it there instead of to Hempstead?

MS. PENA:

They're only part-time, they're only open part-time. And sometimes we do bring the cases there. If they're open the day that they're due, we bring them there. Usually, the office in Hempstead is open seven -- five days a week.

LEG. CARPENTER:

All right. So, again, just to address the cost factor, you're telling me that now these cases that you forward to the State you will not be forwarding to the State any longer, you will be investigating them in your office?

MS. PENA:

No, no. Whenever a complainant comes to the office, we will be giving them the option to either use our local law, or go through the process of the State Division law. If they wish to go through the State Division, we continue to do what we have done in the past for the last 30 years. If they decide to go within the local law, then we will

continue to do the same way, except that we don't have to send it to the State Division, and we could expedite the case, because now it doesn't have to go to be reinvestigated by the State Division.

LEG. CARPENTER:

So if you're doing all of this extra investigation, then, you have all of the staff in place that will now be able to handle this extra caseload?

MS. PENA:

There's no extra caseload. I don't --

LEG. CARPENTER:

Well, I don't understand. If the bill is now giving you the authority, right, power, however you want to describe it, to be investigating additional cases from what you're --

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MS. PENA:

The only additional cases that we will be investigating are the housing cases. And as we all know in Suffolk County, there is a shortage of housing. Right now, the State Division have asked us not to investigate anymore housing cases. So, for the last eight months, we have not investigated any cases, although we continue to get calls asking us to investigate housing cases. We do not investigate housing cases.

LEG. CRECCA:

Why?

MS. PENA:

Because the State has determined --

LEG. CRECCA:

I'm sorry. I said, "Why?"

LEG. CARPENTER:

I'll yield. Go ahead.

MS. PENA:

The State --

LEG. CRECCA:

Yeah. I don't understand that. In other words, we're not -- we're not -- we're just -- people who have housing cases, we just don't invest them because there's a housing shortage -- investigate them?

MS. PENA:

No. Because of our memorandum of understanding with the State Division, we have strict jurisdiction. And they have asked us, because the State Division now has a memorandum of understanding with HUD, they do the State -- the State does those type of investigation.

LEG. CRECCA:

Oh, okay. I didn't understand. So the State --

MS. PENA:

Right.

LEG. CRECCA:

-- is picking those cases up.

MS. PENA:

Yes.

LEG. CRECCA:

It's not like we're telling people, "We're not helping you."

MS. PENA:

Well, we just refer them to the State. And they get very upset, because they don't have somebody to take on the intake immediately. Sometimes they have to wait two, three weeks to get an intake appointment, and by then the apartment is gone, the house -- they lose the house, so --

LEG. CRECCA:

Yvonne, what do you do with a -- would you just defer for one more question?

LEG. CARPENTER:

Sure, go right ahead.

LEG. CRECCA:

Sorry. Yvonne, what are you doing now if a case comes under this new local law and someone wants a hearing? I mean, I would assume you can investigate, but there's got to be some sort of process or determination; correct?

MS. PENA:

Well, once the law is passed, I am hoping to sit down with the Law Department, and any one of you that would like to participate in writing the rules of practice and the rules and regulations that would

be followed. Right now, we haven't gone through that process yet, because we would have to wait until the -- until we complete the process of getting this into a law. We're hoping to --

LEG. CRECCA:

I would offer Allan Binder's services for that, by the way. But besides that, not -- but, Yvonne, seriously, I mean isn't there a -- people will have a right to a hearing; correct?

MS. PENA:

Absolutely.

LEG. CRECCA:

Okay. That, right now, we don't do administrative hearings on this.

MS. PENA:

No. What we do is strictly conciliation.

LEG. CRECCA:

Okay. So we're going to have to do hearings. And I assume --

MS. PENA:

Right.

LEG. CRECCA:

-- you'll be using attorneys for that or for -- it's an Administrative Law Judge, right?

MS. PENA:

Right.

LEG. CRECCA:

So we'll have to hire --

MS. PENA:

Right.

LEG. CRECCA:

-- attorneys to do that.

LEG. ALDEN:

Legislator Crecca.

LEG. CRECCA:

No. I'm asking, because she's saying there's no additional expense and

I'm --

D.P.O. POSTAL:

Can I ask that you go through the Chair?

LEG. CRECCA:

Sure.

D.P.O. POSTAL:

I know you're on the list, Legislator Alden, so --

LEG. GULDI:

Yeah, but point of order. Why are we having committee interrogation?

D.P.O. POSTAL:

Can we -- yeah. That's --

LEG. GULDI:

Why aren't we debating the bill? I've got no problem with debate.

D.P.O. POSTAL:

That's exactly --

LEG. GULDI:

We've done five minutes of interrogation of someone about the bill. If we want to debate the bill, fine, but this isn't public portion, this isn't public hearing.

LEG. CRECCA:

Well, it didn't go through --

D.P.O. POSTAL:

I think --

LEG. CRECCA:

It was discharged out of committee.

D.P.O. POSTAL:

If I could respond, Legislator Crecca. This was discharged at the last meeting. There were -- actually, some of these questions were asked at committee and were addressed. There is some concern, and Director Pena agreed -- you know, has been here for a long time because she's very concerned about this bill, and providing answers that may give people a comfort level about voting for it. So I would like to give people an opportunity to address their questions. But I would ask that you direct your questions to Yvonne Pena rather than back and forth to each other. So, Legislator Crecca --

LEG. CRECCA:

And I wasn't --

D.P.O. POSTAL:

-- please continue.

LEG. CRECCA:

Mine was addressed.

D.P.O. POSTAL:

Yeah, I know.

LEG. CRECCA:

There's going to be --

D.P.O. POSTAL:

Please, continue.

MS. PENA:

May I answer that, please?

LEG. CRECCA:

Yeah, that's what --

MS. PENA:

Okay.

LEG. CRECCA:

I just, because --

MS. PENA:

In 1999, Legislator Allan Binder passed a resolution that everybody unanimously agreed with the bias -- penalty on bias crimes. It took us one year of negotiation to make sure that when we began to accepting those cases, we were not violating any other due process. So we negotiated with every department that was going to be involved, the Police Department, the District Attorney's Office, and the Attorneys Office until the bill was really solid, and we made sure that it would be a good bill for the citizens of Suffolk County. And that's what we intend to do with this resolution. We're not going to overnight write the rules of practice unless we involve everybody. And our hope, when it was drafted, was that we would conciliate most of those cases prior to going to an administrative hearing. That's our goal. We don't want to bring it up to that point. We've had cases that we just completed --excuse me?

LEG. BINDER:

No. You're making a comparison. I want to make it clear that mine -- the bill that we passed under the Bias Bill, went through the courts, didn't give you the same powers that this does. So you're making a comparison that's not the same.

D.P.O. POSTAL:

Yeah. Can I --

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LEG. CRECCA:
But my question -- but I just want to -- I really --

D.P.O. POSTAL:
Yeah.

LEG. CRECCA:
My question's relatively simple.

D.P.O. POSTAL:
I know, but I may be able to answer your question.

LEG. CRECCA:
That's fine. I would love --

D.P.O. POSTAL:
The bill requires that I hearing officer be designated.

MS. PENA:
If needed.

D.P.O. POSTAL:
If needed.

MS. PENA:
If needed.

D.P.O. POSTAL:
If they get to that stage --

MS. PENA:
Right.

D.P.O. POSTAL:
-- in the proceedings after there's an investigation, attempt to conciliate, they can go to a hearing officer and the Commission can -- the Human Rights Commission can designate a hearing officer. So that's the process. It's not like somebody new has to come along, somebody new has to be brought on board. They are empowered to designate a hearing officer to provide due process.

MS. PENA:
And we're hoping that the cost, if there is a cost, would be shared by parties, as they do now in conflict resolutions.

LEG. CRECCA:

All right. So you're not spending any additional cost --

MS. PENA:

No.

LEG. CRECCA:

-- as a result of this bill to your division or --

MS. PENA:

No.

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LEG. CRECCA:

And you don't anticipate needing to hire additional attorneys --

MS. PENA:

No.

LEG. CRECCA:

-- or anything else like that? Okay.

D.P.O. POSTAL:

Legislator Carpenter, I don't know if you had finished.

LEG. CARPENTER:

No. Actually, Legislator Crecca just asked the question again that I wanted to make sure was abundantly clear, that you are standing here before this Legislature now and telling us that you are not going to be coming back here telling us that you've got this overwhelming caseload now, Now, when you represented the fact that you are not going to be needing to hire any additional staff?

MS. PENA:

I foresee that it will not be a tremendous increase in the number of cases that will be coming to our department. I don't foresee being a tremendous amount of cases coming, and I think we will continue to do the work that we've been doing. There might be a 20% increase of cases.

LEG. CARPENTER:

But you're still -- now you're being a little evasive. You're not giving me that commitment, telling me that you are not going to be coming asking for more staff.

MS. PENA:

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I'm not going to be asking you for more staff. I -- at least for the next year or two years, I'm hoping that through education we won't have to have as many cases as we have now. In the event that something happens, then I think we need to revisit it, if it has to be. I don't foresee it happening, I don't foresee it, but I'm not God, so I can't say for sure this is not going to happen.

LEG. D'ANDRE:

Mr. Chairman, that lady is not a mind reader.

D.P.O. POSTAL:

I know. Legislator D'Andre there's a list.

LEG. D'ANDRE:

We've hacked this to death.

D.P.O. POSTAL:

Legislator Carpenter, do you have any other questions?

LEG. D'ANDRE:

Give her a break.

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LEG. CARPENTER:

Not now. I'll come back.

D.P.O. POSTAL:

Before -- I know Legislator Alden is next, but I'd like to just follow-up, because, as I recall, when this issue -- when this issue was discussed earlier in the year before the Public Safety Committee, Yvonne Pena gave us a memorandum which gave us, first of all, a statement that she anticipated there would not be any additional cost. But in the memorandum, she explained that the Human Rights Commission already accepts these complaints.

MS. PENA:

Right.

D.P.O. POSTAL:

They investigate the complaints.

MS. PENA:

Right.

D.P.O. POSTAL:

They attempt to conciliate or mediate the complaints, so that they're probably not going to have any increase in the number of complaints,

the number of investigations. The only thing would be at the end of the line, that if after the investigation there was no conciliation, then there would be an enforcement --

MS. PENA:
Right.

D.P.O. POSTAL:
-- mechanism that would come into play. And as I recall, Yvonne, in the memorandum, you made a projection or an estimate, you said ,and I don't remember whether you made an estimate based on the number of cases, complaints that had come in from January 1st of 2001 or over the past 12 months, but you projected that if you had had this local law in place and had the enforcement powers in the local law, that there would have been "X" number of dollars in revenue generated to the County. I don't know --

MS. PENA:
Right.

D.P.O. POSTAL:
-- if you remember that figure.

MS. PENA:
Yes, I remember. I don't have the memo with me, but I do remember that if we projected that in the event that a percentage of those cases were unsuccessful, we couldn't conciliate, and, therefore, we had to fine those individuals that violated knowingly, because the bill says, "Knowingly violated the law," then we would have generated some income for the County.

D.P.O. POSTAL:
Thank you. Legislator Alden.

LEG. ALDEN:
Hi. Yvonne, I'm not sure if you can answer this, or maybe somebody from the County Executive's Office. There was some dialogue between the County Executive's Office and the sponsor of the bill and that was over some language, and they -- I think the concern that was expressed was the creation of a new protected category of people. Has that been resolved? And I'd like to -- so I'd like somebody to address that. Does this bill create a new category of protected class of people, or anything like that?

MS. ROSENBERG:

No, it doesn't.

D.P.O. POSTAL:
Would you say --

LEG. ALDEN:
Somebody's going to have to come up.

D.P.O. POSTAL:
Would you respond on the microphone, please?

MS. ROSENBERG:
Sure. No, it does not, Legislator Alden. And if you look at the sponsorship, we're sponsoring the bill with Legislator Postal.

LEG. ALDEN:
Okay. But, specifically, that --

MS. ROSENBERG:
So it was corrected. It did take out those categories.

LEG. ALDEN:
Okay. So in no way, shape or form does this create any new duties or protections, or anything else?

MS. ROSENBERG:
No.

LEG. ALDEN:
Thank you.

D.P.O. POSTAL:
Anyone else? Okay. Before we go to a roll call, I would just like to say that, first of all, I would like to thank you, Legislator Alden, because I know that you have supported the bill, and I -- you know, I really think that this is important, because it is a momentous piece of Human Rights Legislation. It enables people to secure their rights without waiting as much as 15 years to do so. And I believe that once this law goes into effect, that it will, in fact, reduce not only incidents of discrimination, but active discrimination, because people will recognize that there's a quick reaction and it doesn't take 15

years to get a case addressed. So I think, actually, one of the tremendously beneficial effects will be that discrimination -- acts of discrimination will actually be reduced in Suffolk County. And I'd like a roll call. Thank you, Ms. Pena.

(Roll Called by Mr. Barton)

D.P.O. POSTAL:
Yes.

LEG. FIELDS:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
No.

LEG. CRECCA:
Pass.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
No.

P.O. TONNA:
Yep.

LEG. CRECCA:
Abstain.

MR. BARTON:
11-6 -- 1 abstention.

D.P.O. POSTAL:
1508 is passed. I'd like to thank --

MR. BARTON:
-- one abstention.

D.P.O. POSTAL:
-- everyone for the support, their support for human rights. 1635
(Accepting and appropriating a grant in the amount of \$25,000 from the
New York State Division of Criminal Justice Services for the Suffolk
County Police Department to offer the DARE Parent Program to the
Community with 75% support).

LEG. FOLEY:
Motion.

D.P.O. POSTAL:
Motion, Legislator Foley, second by Legislator Fields. All in favor?
Any opposed?

MR. BARTON:
18.

D.P.O. POSTAL:
1635 is approved. 1681 (Reappointing Robert J. Hartmann as a member
of the Suffolk County Vocational Education and Extension Board).
Motion by Legislator Caracciolo.

LEG. GULDI:
Second.

D.P.O. POSTAL:
Second by Legislator Guldi. All in favor?

MR. BARTON:
18.

D.P.O. POSTAL:

Any opposed? 1681 is approved.

PUBLIC WORKS & TRANSPORTATION

1566 (Amending the 2001 Capital Budget and Program and appropriating funds in connection with the purchase of highway maintenance

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equipment). Motion by Legislator Foley, seconded by Legislator Lindsay. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. FOLEY:
Yes.

LEG. LINDSAY:
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. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

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P.O. TONNA:
Yeah.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1568A (Amending the 2001 Capital Budget and Program and appropriating funds in connection with Traffic Signal Improvements on various County roads). Motion Legislator Foley.

LEG. FOLEY:
Madam Chair, since we approved --

D.P.O. POSTAL:
1568. Yeah.

LEG. FOLEY:
Since we approved the resolution earlier in the packet for traffic signals, this is --

D.P.O. POSTAL:
Moot.

LEG. FOLEY:
Moot.

LEG. ALDEN:
Table subject to call.

D.P.O. POSTAL:

Yeah, that would be good. Motion to table subject to call by Legislator Alden, seconded by Legislator Tonna. All in favor? Any opposed?

MR. BARTON:

18.

D.P.O. POSTAL:

1568 is tabled subject to call. 1538.

LEG. CARPENTER:

Motion.

D.P.O. POSTAL:

A motion, Legislator --

LEG. FIELDS:

1638.

D.P.O. POSTAL:

16 -- I'm sorry. 1638 (Appropriating funds in connection with renovations to Sagtikos Theater-Western Campus). A motion by Legislator Carpenter, seconded by Legislator Fisher. Roll call on the bond.

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(Roll Called by Mr. Barton)

LEG. CARPENTER:

Yes.

LEG. FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:
Yeah.

LEG. ALDEN:
Yeah.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

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MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1647 (Appropriating funds in connection with renovation of Babylon Student Center-Ammerman Campus (CP 2207)).

LEG. FOLEY:

Motion.

D.P.O. POSTAL:

Motion, Legislator Foley, seconded, Legislator Caracappa. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. FOLEY:

Yes.

LEG. CARACAPPA:

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. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1651 (Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3-Southwest with the owner of Comtech).

LEG. CARPENTER:
Motion.

D.P.O. POSTAL:
Motion, Legislator Carpenter, second, Legislator Tonna. All in favor?
I'm opposed.

LEG. GULDI:
I'm opposed.

LEG. FIELDS:
I'm opposed also. Opposed.

D.P.O. POSTAL:
Opposed, Legislator Guldi, Legislator Fields, and myself.

LEG. CARACCIOLO:
And me.

D.P.O. POSTAL:
And Legislator Caracciolo.

MR. BARTON:
14-4.

D.P.O. POSTAL:
1651 is approved. 1652 (Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 14-Parkland with the developer of Trikay Associates). Motion, Legislator Foley, seconded, Legislator Caracappa. All in favor? Any opposed?

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LEG. CARACCIOLO:
Opposed.

LEG. GULDI:
Opposed.

D.P.O. POSTAL:
Opposed, Legislator Caracciolo, Legislator Guldi.

MR. BARTON:
16-2.

D.P.O. POSTAL:
1652 is approved. 1672 (Appropriating funds for dredging of Goldsmith's Inlet, Town of Southold). Motion, Legislator Caracciolo, seconded, Legislator Guldi. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:
Yes.

LEG. GULDI:
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.

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LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yep.

LEG. TOWLE:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yep.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second. 1697 (Authorizing Public Hearing for the authorization of rate alteration for the North Ferry Co., Inc. For ferry boat service between Shelter Island Heights, New York and the Village of Greenport, in the Town of Southold, New York). Motion, Legislator Tonna, second -- who's the second?

LEG. FOLEY:
Second.

LEG. CARPENTER:
Second.

D.P.O. POSTAL:
Second, Legislator Foley.

LEG. CARACCIOLO:
On the bill.

D.P.O. POSTAL:
On the bill, Legislator Caracciolo.

LEG. CARACCIOLO:
Okay.

LEG. CARPENTER:
This is just for a hearing.

LEG. CARACCIOLO:
I have sat silently over the last several months.

LEG. FOLEY:
Public hearing.

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LEG. CARPENTER:
This is for a hearing.

LEG. FOLEY:
This is the public hearing, Mike.

LEG. CARACCIOLO:
Oh, I'm sorry. I thought this was -- I got them mixed up.

LEG. FOLEY:
It's a public hearing.

LEG. CARACCIOLO:
Here you go.

D.P.O. POSTAL:
Okay.

LEG. CARACCIOLO:
Okay. Here we go.

LEG. BISHOP:
He sat silently.

D.P.O. POSTAL:
All right. All in favor?

LEG. BISHOP:

Very dramatic. I can't wait until we get to the resolution.

D.P.O. POSTAL:

All in favor? Any opposed?

MR. BARTON:

18. The public hearing is set.

D.P.O. POSTAL:

1697 is approved. 1699 (Directing the Suffolk County Department of Public Works to issue RFP seeking companies to provide explosion preventative technology for County fleet).

LEG. FOLEY:

Motion.

D.P.O. POSTAL:

Motion, Legislator Foley, seconded by Legislator Tonna.

LEG. CRECCA:

Explanation on the bill.

D.P.O. POSTAL:

Explanation for Legislator Crecca.

LEG. CRECCA:

This is 1699, right, we're looking at?

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LEG. FOLEY:

1699.

D.P.O. POSTAL:

Yes.

LEG. FOLEY:

This is a --

LEG. FISHER:

Cosponsor, Henry.

LEG. FOLEY:

This is a resolution that directs the Public Works Department to seek an RFP to provide a technology that's going to hold great promise in doing a number of things for the County fleet. One is to strengthen

the structural integrity of the gas tank; secondly, to suppress explosions; third, to reduce evaporative emissions. And we live in a nonattainment area with regards to U.S. EPA air standards. So those three in particular are part and parcel of this pilot project where there's technology readily available that could be used for those purposes. So the pilot project could be anywhere from 10 cars, 20 cars, 50 cars, 80 cars. It's up to the process and the Department of Public Works to decide how many cars they wish to undertake for the pilot project. But it's just to try this technology, see how it could be adapted to our car fleet, because, as I said, the technology has great promise for car fleets throughout the country.

LEG. CRECCA:
Legislator Foley, when you say, "This technology," what is this technology doing?

LEG. FOLEY:
Well, if you read --

LEG. CRECCA:
I mean, are these --

LEG. FOLEY:
If you read the resolution, it explains --

LEG. CRECCA:
Yeah, probably.

LEG. FOLEY:
-- a bit about the technology. It is a lunar mesh technology where there is a variety of companies that --

LEG. CRECCA:
No, I mean -- I don't mean to interrupt you, but I was just trying to get to the point. I'm trying to find out what -- is there a problem with the gas tanks exploding or --

LEG. FOLEY:
There's no -- there's no problem currently, but the fact of the matter is, is that this will, let's say, improve on the safety of the

vehicles that are already in place. So while there hasn't been any explosions right now, it would help even to prevent -- make it even less likely, that's number one, but number two, as I said earlier, it has been proven to reduce evaporative emissions from the gas tanks. Now evaporative emissions have been cited by the U.S. EPA as one of the reasons for the New York metropolitan area being in a

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nonattainment status for a variety of air constituents. So that's why, again, if we had this pilot project here, and if the pilot project is successful, it can then be replicated throughout the metropolitan area and help to reduce evaporative emission levels throughout metro New York and perhaps through this part of the country.

LEG. CRECCA:

Any idea what the cost is going to be on this?

LEG. FOLEY:

The cost is -- should be of a minimal amount. It could run as low as \$100 a car. It could be even less than that on a competitive basis since there's about four companies that would be vying for this, at least four companies. So it could be a little bit higher than that, it could even be less than that. So we're not talking about a lot of money, and particularly when it's a pilot project.

LEG. HALEY:

Aren't you glad you asked?

P.O. TONNA:

Okay. All right.

D.P.O. POSTAL:

Legislator Tonna.

P.O. TONNA:

No, no. All my questions have been answered by Legislator Crecca's questions.

D.P.O. POSTAL:

Okay. So we have a motion and a second?

P.O. TONNA:

Yes.

D.P.O. POSTAL:

All in favor? Any opposed?

P.O. TONNA:

How could you be opposed to lunar mesh technology?

D.P.O. POSTAL:

Opposed --

LEG. D'ANDRE:

I object.

D.P.O. POSTAL:

-- Legislator Binder, Legislator D'Andre, Crecca, Haley.

P.O. TONNA:

Haley.

LEG. BISHOP:

Carpenter is abstain.

D.P.O. POSTAL:

Legislator Carpenter, are you abstaining?

LEG. CARPENTER:

Abstain.

D.P.O. POSTAL:

Okay.

MR. BARTON:

13-4, 1 abstention.

D.P.O. POSTAL:

Okay. 1699 is opposed.

LEG. FOLEY:

Thank you.

D.P.O. POSTAL:

Is approved. Sorry.

LEG. FOLEY:

Thank you.

P.O. TONNA:

1343 (Authorizing of alteration of rates for North Ferry Co., Inc.).

Is there a motion? Is there a motion?

LEG. CARPENTER:

Motion.

P.O. TONNA:

Motion by Legislator Carpenter. Is there a second?

LEG. CRECCA:

Sure, second.

P.O. TONNA:

Second by Legislator Foley. Okay. All in favor? Opposed?

LEG. CARACCILO:

Oh, whoa, whoa. I had asked for the floor.

P.O. TONNA:

Well, I didn't hear that. I thought you were talking to Guldi. Okay.

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LEG. BISHOP:

He has sat here for months --

P.O. TONNA:

Please.

LEG. BISHOP:

-- silent.

LEG. BINDER:

Silent.

LEG. CRECCA:

Silent.

P.O. TONNA:

So is this the one you've sat here for months silent?

LEG. CARPENTER:

Silent.

LEG. BINDER:

Waiting.

LEG. CARPENTER:

Silent.

LEG. BINDER:

No one's been more silent than Mike Caracciolo.

P.O. TONNA:

Oh, okay. No, that -- we had a changing of the guard. I didn't know.
Okay.

MR. BARTON:

Please, use your microphones.

LEG. CARACCILOLO:

Ah, I didn't know that. Okay.

P.O. TONNA:

All right. Go ahead.

LEG. BINDER:
No one's been more silent.

P.O. TONNA:
Legislator Caracciolo

LEG. CARACCIOLO:
Okay. Just -- I will be very brief. However --

Applause

LEG. TOWLE:
Motion to end debate.

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P.O. TONNA:
Hey, if you sat here for months, don't worry about it, please.

LEG. TOWLE:
Motion to end debate.

LEG. CARACCIOLO:
Well, I think it's important to note for the record that upon receipt of the rate application by the North Ferry Company, and after speaking with the new management team, which I would say, based on my observations, I believe Budget Review's, as well as Legislative Counsel, has been a lot more forthcoming and cooperative than their predecessor. I felt it was necessary to go to the people who live on Shelter Island and some residents in Greenport that are most heavily impacted by the ferry lines, Wiggins Street in particular, and survey them. And I take issue with one of the members of the Ferry Advisory Committee, who was part of a group that called an illegal meeting before our last Legislative session in an attempt to give this Legislative body the false impression that the vote of that Ferry Advisory Committee was unanimous. There was a meeting called without any notification to myself, I just by -- by coincidence chair that committee.

So I think it's important to know that we're dealing with a small community, some twenty-two, twenty-three hundred residents, and there are certain individuals within the community that are clearly advocating on behalf of this increase. I am not a member of the community. As a representative of the community, after receiving the survey responses, almost 40% returned out of our 1,500 plus, a survey, by the way, a questionnaire that was put together with the aid and assistance of the Budget Review Office and Legislative Counsel.

P.O. TONNA:

We've seen those surveys, though, all of us have.

LEG. CARACCIOLO:

That's right. You send them out to your districts all the time.

P.O. TONNA:

Absolutely.

LEG. CARACCIOLO:

So that say to someone, as Ms. Shillingburg did earlier today, question the integrity of that survey is just absolutely without foundation.

That said, there were several questions on that survey, and I'll only refer to two that relate to ferry rate increases, Question 4, which related to the rate increase of 8%, the question was worded very clearly, "Do you support granting and 8% increase, as requested by North Ferry Company, effective immediately?" It said, "Effective immediately," because we have a live resolution which, whether it was the last meeting or this meeting, would be or could possibly be considered for approval, and it was approved, the rate increase would go into effect immediately. On that question, which was Question 4,

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there were a total of -- let me get the numbers right -- 507 responses, 140 residents were in favor of the increase, 367 were opposed. I could go on and cite the other categories or the other questions and responses, but overall, and based on the advice of Legislative Counsel, he thought it was important that we put in right at the beginning of this survey as to whether or not Island residents have experienced an improvement in ferry services. So there was some cross-check questions, if you will, in the survey to validate the survey. And I'll have Paul speak to validation for anyone's benefit. But the fact remains that on that very critical question, "Have you noticed an improvement in North Ferry Company service, i.e. shorter wait times, courtesy of staff, cleanliness of vessels and docks this past year," the response to that was 172 said yes, 357 said no.

For better or worse, and I'm not here to judge that, the people, the people have spoken, and as their representative, I will speak and urge the defeat of this resolution tonight. Thank you. That's it, Mr. Chairman.

P.O. TONNA:

Okay.

LEG. BISHOP:

It must have destroyed you to keep that inside of you for months.

P.O. TONNA:

Okay.

LEG. CARACCIOLO:

Roll call.

P.O. TONNA:

Wait, wait, wait. Just Legislator Foley.

LEG. FOLEY:

Having gone through this in great detail in committee, and, certainly, Legislator Caracciolo has been attending those committee meetings, but, Mike, if I -- Legislator Caracciolo, if I just may ask this question, you know part of the decision-making process for some of us who don't represent districts near the area, but when we have, for instance, in this case the Supervisor of the Township who had spoken earlier and had represented that, in fact, speaking for the majority of the inhabitants of that fair island, and also -- also, as the Supervisor of the Township and his concerns about not passing the resolution, and thereby probably causing a curtailment in the services provided by the ferry company, it was his belief, and it's going to carry some weight, at least with my vote, it was his belief that for those reasons, that he was supporting this 8% increase.

So, you know, hearing you as a colleague, but also hearing from the Supervisor of the Township, you know, how are we to make our own decisions when we're hearing conflicting judgments from those representing the area?

LEG. HALEY:

Mr. Chair.

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P.O. TONNA:

Yes.

LEG. HALEY:

That's why I feel very comfortable in taking Legislator Caracciolo's lead on this, because he is, in fact, a representative and has done an awful lot of homework.

LEG. FOLEY:

Well, he has, but as has the --

LEG. HALEY:
As I would normally --

LEG. FOLEY:
As has the Supervisor.

LEG. HALEY:
-- defer to you in your district.

LEG. FOLEY:
But I want to hear from Legislator Caracciolo.

LEG. CARACCIOLO:
Thank you, Brian. I think the difference, perhaps, is that we had three public hearings, or some referred to them as informational hearings. They weren't informational at all. We had a public record, and I'll be happy to share the minutes of those hearings with anyone in the horseshoe or anyone else. The record is very clear. This company, again, for better or worse, has a real public relations problem. The new management team I think is going to make significant strides in changing the image and perhaps the culture of the company. Just like interest rate cuts, that has not really kicked in and the people really haven't experienced those changes yet. I know they're trying to do the right thing and I want to applaud and congratulate the new General Manager, Julie Ben-Susan. I know she's sincere, she's hard-working, and she is trying to do the right thing, along with Sam {Case} and other people on the new Board of Directors, Ed {Barr}. However, I've surveyed the community in a survey that required a constituent to put a 34 cent stamp on a questionnaire and mail it back. I'd be happy to share with anyone who's interested those results, not only the yes and no answers, but the comments that accompany them. The public is outraged on this Island with this service.

We have pending a request for a 13% increase. Let me just tell you how the Islanders feel about that. Five hundred and seventy-one -- out of 571 responses to that question, which was Question 5, "Do you favor the 13% increase," 80 said yes and 491 said no. And, again, I'll be happy to share with you the comments and how Islanders feel about that.

The company has a lot of work to do. I'll be happy to work with anybody who wants to achieve better service, but simply by raising rates is not going to erase the perception on the part of Islanders

benefactor of these rate increases. If Legislative Counsel or Fred Pollert from Budget Review, for the benefit of maybe Legislators who weren't here in 1992 when Fred Theile, now Assemblyman Theile represented this community, demanded and received concessions in terms of conditions for rate increases, which the Ferry Company went along with, and then when we did the exact same thing three years ago, when we gave them the last rate increase, conditions to which they agreed to contingent upon the rate increase going into effect, and then no sooner did we approve it, challenging us.

Now, I want to make a distinction. It wasn't the current board, it wasn't the current management, but there's a history here and that history doesn't bode well, not only in the eyes of maybe some Legislators, but also in the eyes of the people on the Island. They were supposed to go back to 1988. If you read the Budget Review report, they requested a rate increase to increase the fleet or to {jumboize} the fleet; am I right, Fred?

MR. POLLERT:

Yes.

LEG. CARACCIOLO:

Another stipulation they agreed to do, and instead, the money went elsewhere. There is a real credibility issue here. The people I speak to have no confidence that if they receive this rate increase that they will see better service. This current survey indicates they haven't seen better service for the most part. I'm sharing those -- that feedback with you, because that's something that the Supervisor and other members of the Advisory Committee did not have, and that information is here and I'd be happy to share it with anyone.

P.O. TONNA:

Legislator Carpenter, and then Legislator Fields.

LEG. CARPENTER:

Through the Chair, I'd just like to direct some of this to Legislator Caracciolo. I can appreciate what you're saying about the old management versus the management that's in place now. But when we hear them say that they need this money to operate in order to give that better service, it seems like the chicken and the egg. If we don't give them the additional fare increase, they're not going to be able to provide this service, and, you know, you're going to be hearing more of what you've heard from people who say there hasn't been an increase in service. But, also, I have to wonder, no matter how much a person felt that the service was good, bad or indifferent on the ferry service, with anything, who would answer a question with anything but no when you ask them if they want an immediate increase? You know, it almost begs to have the person respond no. Who -- no one wants to pay more, but I think we all understand and appreciate the fact that if you want better service, there is an associated cost with the operation of a business, and, at some point in time, there's going to have to be an increase.

And I know that this has been tabled for quite a number of meetings in

committee, that we deferred to the Legislator representing the district and caused this to be tabled, but I just feel that we've reached the point now, especially with the fact that this resolution was separated into two, and the increase that they originally requested was a far greater amount, because they wanted to purchase a vessel, and that it has now been broken into two and this is just an operational increase for service, so that they can give the better service that the people are coming here saying that they will provide and the Supervisor of the Town is supporting.

P.O. TONNA:

Okay, wait. There's two other speakers. Legislator Fields, then Legislator Alden.

LEG. FIELDS:

Legislator Caracciolo, is it your understanding that if this is not approved, the services will either deteriorate, or will stay the same, or will -- can it possibly compromise the company so that they are no longer in business?

LEG. CARACCIOLO:

Well, I think that becomes a financial question, and the only way we could really get a concrete answer to that is to hear from the company themselves what they intend to do if they don't get this -- a fare increase. So that's part of the public record. But I can tell you this, this is probably been a banner year for all ferry companies. Ridership is up, every single one that I've spoken to. That said, I think their year end revenue projections will probably be higher than what were forecast. Granted, they won't include what they would argue would have been an increase that would -- they would have liked to have gone into effect a few months ago, but I had Budget Review just print out for me earlier today how much this fare increase would generate. And, Fred, do you have that chart, or would you just share that information with us?

MR. POLLERT:

As a ballpark, each one percentage increase generates about \$32,000 worth of revenue for the North Ferry Company. So with an 8% increase, there --

LEG. CARACCIOLO:

Effective -- effective September, so that you're talking about it, you know, on a prorated basis.

MR. POLLERT:

It's actually on an annualized basis. So with an 8% increase --

LEG. CARACCIOLO:

Well, Fred, I have the chart. If you don't have this chart, I'll just read -- I have the figures right here. What Fred had estimated is that for this year, the increase had been in effect all year, it would have generated --let me have you do that calculation because I have something that's quite different, actually. I thought I had that information.

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MR. POLLERT:
Right.

LEG. CARACCIOLO:
I do not.

MR. POLLERT:
Roughly, it will generate approximately two hundred and --

P.O. TONNA:
Can I just -- okay. You have --

MR. POLLERT:
\$256,000 per year, approximately.

P.O. TONNA:
Okay. Michael, can I ask you just to -- because it goes to the heart of what Legislator Fields was asking, and maybe just for -- take a step back for a second. Do we have -- if they get the rate increase, have they made a commitment to how they're going to improve service with indices, and measurement standards, and other things?

LEG. CARACCIOLO:
Well, service would stay as is. They're running extra crews right now and service would continue to operate as it presently is.

P.O. TONNA:
Well, when you made your -- when you polled the members of your district who were concerned about I think the two things, one is the price, right, that was one of the issues that you asked about, and the second is a satisfaction type of survey, as far as the -- I guess the quality, right, of service that they're receiving. If there was concern about the quality of service that they're receiving, and Legislator Carpenter's argument is that, you know, if we want to improve the quality, the customer relations, or whatever parts the market -- whatever it is, the aspect that people are complaining about, do they have a plan of what they're going to do with that fee increase, so that you can say, "Okay, we're going to have" --

LEG. CARACCIOLO:

It still would remain status quo, that's what I'm saying.

P.O. TONNA:

With this fee increase?

LEG. CARACCIOLO:

The new management team has increased crews. They're working 11 hour shifts a day. They can't work anymore.

P.O. TONNA:

So the major concern -- the major complaint that people have in Shelter Island is the frequency of -- and the wait time, is that what you're talking about?

LEG. CARACCIOLO:

It would be the wait time. Clearly, it's the wait time.

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P.O. TONNA:

Okay. So how does a rate increase help that?

LEG. CARACCIOLO:

That's a good question.

P.O. TONNA:

Well, that's --

LEG. CARACCIOLO:

The rate increase, just to make it clear, is for what the company submits is for increase in operating expenses. They want the 10%, they agreed to take 8%.

P.O. TONNA:

Okay

LEG. CARACCIOLO:

Okay? However from a users point of view, given the level of service they receive now, they don't believe they should -- there should be any increase granted. That's it in a nutshell.

LEG. FOLEY:

Mr. Chairman, if I may add to that.

P.O. TONNA:

No.

LEG. FOLEY:
Well, the position --

P.O. TONNA:
To tell you the truth, I can't. I really have -- Legislator Alden's next, then yourself; okay?

LEG. ALDEN:
My question is more to Legislative Counsel, Paul Sabatino. If this were to pass, or if it wasn't passed tonight, when can we revisit this? And, basically, I'll phrase it a little bit more. If we give them an 8% rate increase and then we out two months, six months, eight months from now that they're not giving any better service, etcetera, etcetera, can we actually decrease, put the rate increase back to --

LEG. D'ANDRE:
No. How can you do that?

LEG. ALDEN:
How can you do that? Easily.

LEG. D'ANDRE:
You can't give and take back?

MR. SABATINO:
The rate increase is --

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LEG. ALDEN:
The federal government just gave you back the taxes.

MR. SABATINO:
The rate increase is for a fixed period of time. Unlike a license, which you could hold a subsequent hearing on and revoke or shorten, the rate increase is for that fixed period of time, as long as they're in compliance with terms and conditions. That was the whole issue three years ago. We actually put a clause in which said the rates are conditioned upon your doing one through eight. When they didn't do one through eight by going to court to knock them out, in all honesty, the whole four -- the whole increase should have been -- should have been wiped out as a matter of law. That was a point of contention last year. But in the absence of that kind of a clause, basically a poison pill clause, in the absence of that, you're locked into the rate increase that you give them for that period of time.

LEG. ALDEN:

So it could be phrased as a provisional rate increase.

MR. SABATINO:

You'd have to -- yeah. The way it's currently worded, you couldn't do what you're suggesting. If you could write a poison pill provision in --

LEG. ALDEN:

Who wrote the -- who wrote this resolution? I know it's introduced by the Presiding Officer, but it's written by who?

MR. SABATINO:

Well, the original resolution that was submitted was submitted by the lawyer for the Ferry Company. However, I had to revise it once we got all of the information, because the language had technical deficiencies. So the final version you saw has been rewritten by my office.

P.O. TONNA:

Okay. Legislator Foley.

LEG. FOLEY:

Mr. Chairman, yeah. Yeah.

P.O. TONNA:

And then all I can say is 12 o'clock. We still have a lot -- a lot of things and we're taking a lot of time on this --

LEG. FOLEY:

When -- yeah.

P.O. TONNA:

-- when people pretty much know where they're voting.

LEG. FOLEY:

Well, in committee, to the issue of improving services, the applicant said very clearly that this particular resolution has to do with the operating expenses that they're incurring under their current

operations in order to meet the salary issues, increased cost in insurance and the like, that this resolution --

P.O. TONNA:

Living wage?

LEG. FOLEY:

-- only has to do with the Operating Budget. That to the issue of

improving services -- this is why this has been bifurcated. To the issue of improving services, that's where the follow-up resolution for a different time, about the 13% increase, that would be utilized in order -- or that's been put forward in order for the company to purchase a larger ferry boat. And it's their contention that once they purchase the larger ferry boat, that that is what's going to improve services, by putting more cars on that particular ferry boat and, thereby, reduce the number of cars waiting on either side of the ferry service. So, as far as improving services, everyone understand, through committee and whatnot, that this resolution is not dealing with improving services, this has to do with the cost of their salaries and benefits.

P.O. TONNA:
Can I make --

LEG. FOLEY:
And that's the following resolution that will deal with improving the services.

P.O. TONNA:
Can I -- Can I --

LEG. HALEY:
Motion to close debate.

P.O. TONNA:
Yeah, right. Can I make a -- can I just make one suggestion and then we'll go -- I think that there is some reluctance among many Legislators to vote on a resolution the first time around when the Legislator who's representing that area has said that he is opposed to it at this point. The concern that I have, Legislator Caracciolo, I mean --

LEG. CARPENTER:
The season is over.

P.O. TONNA:
I know the season is over. I mean, I don't mind tabling it for one -- for one meeting to settle these issues and get this thing done. The concern that I have is that, you know, is this going to be long and drawn out? Are we going to survey more people? Are we going to get a management plan from them that says, "This is how we're utilizing the money?" I mean, what's the end game? And maybe I'd ask you that, and that would help me to figure out how I am going to vote. Is the end game, hopefully, a commitment from their management team to do certain things that you feel would better represent the people in your district? Is it -- I just don't know where we're going with this. I

think that's some of the problems that we have as Legislators. What do you want us to do besides just say no?

LEG. CARACCIOLO:

Well, given the resolution before us, I have to say the answer to that would be to vote no. In the --

P.O. TONNA:

Just they don't deserve it, forget it?

LEG. CARACCIOLO:

If there are people who felt you wanted to give this --

P.O. TONNA:

You've done a cost analysis of the cost of living?

LEG. CARACCIOLO:

Let me answer your question.

P.O. TONNA:

Yeah.

LEG. CARACCIOLO:

If there were people here who felt that we wanted to give the ferry company another opportunity to perhaps come back with a proposal that would be more satisfactory based on improved service with this revenue increase, because what this request reflects is a cost to continue operation, period. You're not going to see an improvement in service.

P.O. TONNA:

When was the last time they got an increase?

LEG. CARACCIOLO:

1998.

P.O. TONNA:

So an 8% increase in three years?

LEG. CARACCIOLO:

Uh-huh.

P.O. TONNA:

And you think that's -- that is --

LEG. CARACCIOLO:

It's not what I think, it's what the people think, Paul.

LEG. BISHOP:

On the motion.

P.O. TONNA:

Well, it's how to run a business. I mean, to tell you the truth --

LEG. BISHOP:

On the motion.

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LEG. CARACCIOLO:

Well, I mean, we can get into --

P.O. TONNA:

I run a business and sometimes, you know, my lab costs go up and --

LEG. CARACCIOLO:

Yeah. But, understand, unlike any other ferry company in Suffolk County, this one is not like any other ferry company. I mean, we could spend a lot of time getting into that, if you want to, all right? There are distinctions here. This is not like the Fire Island Ferries.

P.O. TONNA:

Okay. I'm going to make a motion to table.

LEG. HALEY:

Second.

P.O. TONNA:

Okay, Legislator Haley.

LEG. BISHOP:

Mr. Chairman, on the motion.

P.O. TONNA:

Yeah.

LEG. BISHOP:

I would oppose that. I mean, you and your colleagues who were not on the Public Works Committee have sent it back to us numerous times. And we've taken our responsibility very seriously, so seriously that we do what any good committee does, we kick it right to Budget Review, and they've spent countless hours on this issue, and they have negotiated significant changes from what was initially proposed. It is time to either knock this down or approve it. I would argue that this is different than a project in a Legislator's district. With regard to these ferries, we are acting sort of as a mini Public Service Commission, and we have a duty at some point to take a look at the operations and determine what is fair for the public to pay. Budget Review has met that obligation. They have worked to craft this legislation. I would say now, after months, and it has been months and it has been in the committee for numerous meetings, and it has been discussed ad nauseam in committee --

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

LEG. BISHOP:
-- that it's time to move on this bill.

P.O. TONNA:
Let's vote this up or down. Just up or down. Okay? Roll call. Roll call.

(Roll Called by Mr. Barton)

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LEG. CARPENTER:
Yes.

LEG. FOLEY:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

LEG. ALDEN:
Pass.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Abstain.

LEG. TOWLE:
No.

LEG. GULDI:
Pass.

LEG. CARACCIOLO:
No.

LEG. POSTAL:
Yes.

P.O. TONNA:
Pass.

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LEG. ALDEN:
Yes.

LEG. GULDI:
Abstain.

P.O. TONNA:
Abstain.

MR. BARTON:
Eleven.

LEG. CARACAPPA:
Change my vote to a no.

P.O. TONNA:
There you go. Okay. Let's move on.

LEG. BISHOP:
What happened?

MR. SABATINO:
No. It's defeated, it takes twelve votes. It's defeated. Rate increases require a two-thirds vote. It's defeated.

LEG. FOLEY:

Well, that should have been mentioned. That should have been mentioned prior to -- that should have been mentioned before the vote was taken.

LEG. CARACCIOLO:

Oh, come on, Brian.

LEG. CARPENTER:

So someone on the prevailing side can reconsider.

LEG. BISHOP:

So reconsider on the prevailing side so we could get --

LEG. CRECCA:

Motion to reconsider.

LEG. FISHER:

Motion to reconsider.

LEG. CRECCA:

Second.

LEG. CARACCIOLO:

What's the purpose of reconsideration?

LEG. CRECCA:

Wait a second. Wait a second. Did it fail?

LEG. CARACCIOLO:

It failed.

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LEG. CRECCA:

I'll withdraw my second, then. I'm sorry, I got confused.

LEG. CARACCIOLO:

Thank you.

P.O. TONNA:

Okay.

LEG. FOLEY:

Mr. Chairman.

P.O. TONNA:

Yes.

LEG. FOLEY:

For future purposes, when we -- before we vote on alteration of rates, could we have either Counsel, or staff, or someone --

LEG. BISHOP:

I mean, that's dirty pool. Nobody knew that.

LEG. FOLEY:

-- just tell us prior to the vote that it requires 12 votes, not a simple majority.

LEG. TOWLE:

Anybody could have --

LEG. FOLEY:

I can't.

LEG. TOWLE:

Anybody could have asked that question.

LEG. FOLEY:

But most people -- most people think it's a simple majority.

P.O. TONNA:

Okay.

LEG. FISHER:

I second the motion to reconsider.

LEG. BISHOP:

You're on the prevailing side?

LEG. FISHER:

No, I wasn't.

LEG. CARPENTER:

No, she voted for it.

LEG. BISHOP:

No, she voted for it. You need somebody who --

LEG. CARPENTER:

You need someone who defeated it.

LEG. HALEY:

Mr. Chairman, could we move along, please?

P.O. TONNA:

1510. 1510, Page 15.

D.P.O. POSTAL:

All right. 1510 (Approving renewal and extension of Ferry license and fares for Tony's freight Service, Inc.). Motion by Legislator Tonna, seconded by Legislator Carpenter.

LEG. FOLEY:

No. On the motion.

D.P.O. POSTAL:

On the motion.

LEG. FOLEY:

Does this require twelve votes or a simple ten votes?

LEG. CARPENTER:

No. It's --

MR. SABATINO:

It's just ten.

D.P.O. POSTAL:

Mr. Counsel?

MR. SABATINO:

Ten votes, because it's just a license approval.

LEG. CARPENTER:

It's not an increase.

D.P.O. POSTAL:

Okay. Any other --

LEG. BISHOP:

We'll ask Counsel every time now, since, he -- you know, he's going to sit there and let us know --

LEG. CARPENTER:

Motion.

D.P.O. POSTAL:

Okay. Are there any other questions? There's a motion. I'm sorry. Did you have a question, Legislator Haley?

LEG. HALEY:

No.

MR. SABATINO:
Let me just make sure of something.

LEG. FOLEY:
There weren't any changes in the fares?

D.P.O. POSTAL:
Counsel is checking.

MR. SABATINO:
Let me just make sure it's not changing the fares. Hold on.

LEG. FOLEY:
I thought there were some changes in the fares.

LEG. CARPENTER:
It's not.

LEG. HALEY:
Where is it?

D.P.O. POSTAL:
Top of page 15

LEG. HALEY:
No.

D.P.O. POSTAL:
Oh.

LEG. HALEY:
Where is Tony's Freight Service?

D.P.O. POSTAL:
Oh.

MR. SABATINO:
I apologize. This lumped together the license and the fare increase --

LEG. FOLEY:
Right, right.

MR. SABATINO:
-- so it's a two-thirds vote.

LEG. FOLEY:
Okay.

LEG. HALEY:

Where is this? Where is this located?

LEG. FOLEY:
Brown's River in Sayville.

220

LEG. CARACAPPA:
It goes over to Fire Island. It goes out of Sayville.

MR. BARTON:
But there was no request for a change in rates.

LEG. HALEY:
What does the local Legislator want to do.

MR. BARTON:
It just approves the extension of the same rate structure.

LEG. FOLEY:
Oh, it's the same rate structure?

MR. BARTON:
Same rate structure. Their application doesn't change any of their rates.

LEG. CRECCA:
Excuse me. I have no idea. Everybody's just talking out and I have --

LEG. FOLEY:
Well, no.

D.P.O. POSTAL:
Can we just --

MR. SABATINO:
Yeah, but the problem --

D.P.O. POSTAL:
Can we have order? Now there was a question. I think, Legislator Crecca, were you asking where this ferry goes?

LEG. FOLEY:
No. Madam Chair, the question is whether there's been any change in rates. The Clerk is telling us there isn't a change, the Counsel is saying there is a change.

MR. SABATINO:

Okay. It's a little bit technical. I apologized before, because the two are lumped together. It's not the way it's normally done. It's my fault for not picking it up. But the reason that it's a rate alteration is because the previous rate increase expired March 14th of this year. These people didn't apply in a timely fashion, so right now, there's no authorized rate in place. As a result, this proposal is to reestablish rates. So it's not extending rates, it's establishing them from scratch. That's why you need a two-thirds vote.

LEG. FOLEY:

It's not an increase, then.

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D.P.O. POSTAL:

Okay. Are there any additional questions? We have -- I believe we have a motion and a second Mr. Clerk?

MR. BARTON:

Yes. Yes, you do.

D.P.O. POSTAL:

All in favor? Opposed?

MR. BARTON:

18.

D.P.O. POSTAL:

1510 is approved. 1567 (Amending the 2001 Capital Budget and Program and appropriating funds in connection with construction of a highway maintenance facility (Salt Storage Facility) Town of Smithtown (CP 5048). Motion by Legislator Foley, seconded by --

LEG. ALDEN:

On the motion

LEG. D'ANDRE:

May I make that motion? It's Smithtown.

D.P.O. POSTAL:

Sure. Motion by Legislator D'Andre, seconded by Legislator Foley. On the motion, Legislator Alden.

LEG. ALDEN:

Through the Chair to the Chairman of that Committee.

LEG. FOLEY:

Yes.

LEG. ALDEN:

Does this replace an existing building? And how much is this for?

LEG. FOLEY:

The amount is \$600,000. Does it replace an existing building? You have to give me a moment to look at that.

MR. POLLERT:

Yes.

LEG. FOLEY:

The answer is yes, coming from the Budget Review Office. It is. The backup, the last page of the backup is the memo from Commissioner Bartha to DeMarzo, and it mentions the fact that this is to replace an existing building that is in extreme deteriorating condition and low capacity.

LEG. HALEY:

Move it.

222

D.P.O. POSTAL:

Okay.

MR. BARTON:

On the bond.

D.P.O. POSTAL:

Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. D'ANDRE:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. CRECCA:
Yep.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

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LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:

18 on the bond.

D.P.O. POSTAL:

Same motion, same second, same vote. 1650 (Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3-Southwest with the developer of Wingate Inn). Motion, Legislator Foley?

LEG. FOLEY:

I'll make the motion.

D.P.O. POSTAL:

Second?

LEG. LINDSAY:

I'll second it.

D.P.O. POSTAL:

Legislator Lindsay. All in favor? Opposed? I'm opposed.

LEG. FIELDS:

Opposed.

D.P.O. POSTAL:

Legislator Fields. Legislator Carpenter, is -- Fields and Guldi and Caracciolo.

MR. BARTON:

14-4.

D.P.O. POSTAL:

16 --

LEG. CARPENTER:

Yes.

D.P.O. POSTAL:

And, Legislator Carpenter, you were in opposition?

LEG. CARPENTER:

No, no, no.

D.P.O. POSTAL:

Oh, okay.

MR. BARTON:
14-4.

D.P.O. POSTAL:
1650 is approved. 1683 (Authorizing feasibility study for expansion of Suffolk County Sewer District No. 3-Southwest). Motion by Legislator Carpenter to approve? Angie? I second that. All in favor?

LEG. CRECCA:
On the motion.

D.P.O. POSTAL:
On the motion, Legislator Crecca.

LEG. CRECCA:
Quick question for Budget Review. Is there a -- is there a financial impact with this?

MR. POLLERT:
No, there is not.

LEG. CRECCA:
Okay.

D.P.O. POSTAL:
It's in-house. I believe it's --

LEG. CRECCA:
That's fine. I have nothing else to say then.

D.P.O. POSTAL:
Yeah. There's a motion and a second. All in --

LEG. CARACCIOLO:
On the -- on the resolution.

D.P.O. POSTAL:
On the resolution, Legislator Caracciolo.

LEG. CARACCIOLO:
Is it just a study?

D.P.O. POSTAL:
Yeah.

LEG. CARACCIOLO:
That's all?

D.P.O. POSTAL:
Yep.

LEG. CARACCIOLO:
Okay. Well, sometimes titles say one thing and there's other things embodied, so --

225

D.P.O. POSTAL:

Right. Any other questions? All in favor? Any opposed?

MR. BARTON:

18.

D.P.O. POSTAL:

1683 is approved. 1736 (Allocating funding for pay-as-you-go financing for the purchase of highway maintenance equipment (CP 5047.516)).

LEG. FOLEY:

Motion.

D.P.O. POSTAL:

A motion by Legislator Foley, seconded by Legislator Carpenter. All in favor? Any opposed?

MR. BARTON:

18.

D.P.O. POSTAL:

1736 is approved.

LEG. FOLEY:

Thank you.

D.P.O. POSTAL:

1757 (Amending the 2001 Capital Budget and Program and appropriating funds in connection with the removal of Toxic and Hazardous Building Materials and Components at various County Facilities). Motion, Legislator Foley, seconded by Legislator Fisher. Roll call on the bond.

MR. BARTON:

On the bond.

(Roll Called by Mr. Barton)

LEG. FOLEY:

Yes.

LEG. FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

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LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. CARACAPPA:
Yep.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yeah.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1760 (Appropriating funds in connection with the reconstruction of Culverts (CP 5371). Motion, Legislator Foley, seconded by Legislator Caracappa. Roll call on the bond.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

LEG. FOLEY:
Yes.

LEG. CARACAPPA:
Yes.

227

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. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. TOWLE:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. POSTAL:

Yes.

LEG. TONNA:

Yes.

MR. BARTON:

18 on the bond.

D.P.O. POSTAL:

Same motion, same second, same vote. 1762 (Appropriating funds in connection with the reconstruction of CR 58, Old Country Road, Town of Riverhead (CP 5529). Motion, Legislator Caracciolo, seconded by

228

Legislator Guldi. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yep.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:

Same motion, same second, same vote. 1763 (Appropriating funds in connection with the construction of shoulders on CR 67, Motor Parkway, Town of Islip (CP 5533). Motion, Legislator Crecca, seconded by Legislator Fields. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. CRECCA:

Yes.

LEG. FIELDS:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yep.

LEG. TOWLE:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

D.P.O. POSTAL:

Yes.

P.O. TONNA:

Yep.

MR. BARTON:

18 on the bond.

D.P.O. POSTAL:

Same motion, same second, same vote. 1765 (appropriating funds for engineering in connection with drainage improvements on CR 58, Old County Road, Town of Riverhead (CP 5543). Motion Legislator Caracciolo, seconded by Legislator Guldi. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

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.

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LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yep.

LEG. TOWLE:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1766 (Appropriating funds in connection with the Riverhead County Center Power Plant Upgrade (CP 1715). Motion, Legislator Caracciolo, seconded, Legislator Guldi.

LEG. ALDEN:
On the motion.

D.P.O. POSTAL:
Roll call on the bond.

LEG. GULDI:
The other way around.

LEG. ALDEN:
On the motion.

LEG. GULDI:

That's my district.

D.P.O. POSTAL:

Oh, I apologize. Motion by Legislator Guldi, seconded by Legislator Caracciolo. Roll call on the bond.

LEG. ALDEN:

On the motion.

D.P.O. POSTAL:

Oh, on the motion, Legislator Alden.

LEG. ALDEN:

Again, through the Chair to the Chair of the committee. Had

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alternative fuel sources been looked at for this power plan upgrade?

LEG. FOLEY:

Yeah. Okay. This resolution is a planning resolution only. And I think in the planning phase, that, in fact, that issue that you --

LEG. ALDEN:

That's what I'm asking.

LEG. FOLEY:

That issue that you bring up will be investigated, will be looked into.

LEG. ALDEN:

Also, the combination of maybe an upgrade as far as the size and the ability to sell off excess power from that?

LEG. FOLEY:

Those are very good points, and I think those should be part and parcel, and I'll make sure, through the committee, that they will be part of the planning process.

LEG. ALDEN:

Thank you.

LEG. FOLEY:

Thank you for bringing it to my attention.

D.P.O. POSTAL:

Anything else? Roll call on the bond.

MR. BARTON:

On the bond.

(Roll Called by Mr. Barton)

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

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LEG. CARPENTER:
Yes.

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. POSTAL:
Yes.

P.O. TONNA:
Yeah.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1769 (Appropriating funds in connection with intersection improvements on CR 19, Patchogue-Holbrook Road @ Old Waverly Avenue, Town of Brookhaven (CP 5040). Motion, Legislator Lindsay, second, Legislator Foley.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. COOPER:
Yes.

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LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yeah.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1772 (Appropriating funds in connection with the rehabilitation of Smith Point Bridge, Town of Brookhaven (CP 5838). Motion, Legislator Towle, seconded, Legislator Foley. Roll call on the bond.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

LEG. TOWLE:
Yes.

LEG. FOLEY:
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. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yeah.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote. 1777 (Appropriating funds in connection with drainage improvements on CR 40, Three Mile Harbor Road, Town of East Hampton (CP 5542). Motion, Legislator Guldi, seconded by Legislator Caracciolo. Roll call on the bond.

MR. BARTON:
On the bond.

(Roll Called by Mr. Barton)

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
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.

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LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yes.

LEG. TOWLE:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yep.

MR. BARTON:

18 on the bond.

P.O. TONNA:

Great. Same motion, same second, same vote. 1780 (Authorizing the execution of an order on consent with the New York State Department of Environmental conservation for the purpose of satisfying noncompliance issues associated with Sewer District No. 18-Hauppauge Industrial). Motion by Andrew Crecca, seconded by Legislator D'Andre. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

1764 (Appropriating funds in connection with drainage improvements on CR 39, North Road, at various locations, Town of Southampton (CP 5537). Motion by George Guldi, seconded by Legislator Caracciolo. All in favor? Opposed?

MR. BARTON:

Mr. Chairman.

LEG. ALDEN:
A bond.

MR. BARTON:
Mr. Chairman

P.O. TONNA:
17 what?

MR. BARTON:
Have to do 64 and 71. There's one bond for both resolutions.

P.O. TONNA:
64 and 71 together?

MR. BARTON:
Yes, as a bond.

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P.O. TONNA:
Okay.

MR. BARTON:
So you can approve the resolutions --

P.O. TONNA:
Okay.

MR. BARTON:
-- but then I have to do one vote on the bond.

P.O. TONNA:
Okay. Motion by Legislator Guldi, seconded by Legislator Caracciolo.
Roll call.

MR. BARTON:
Okay. On the bond for both.

P.O. TONNA:
Both.

(Roll Called by Mr. Barton)

LEG. GULDI:
Yes.

LEG. CARACCIOLO:

Yes.

P.O. TONNA:

Stay focused. We have eight more minutes, please, or whatever.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yep.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

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LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yes.

LEG. TOWLE:

Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yeah.

(Vote: 18)

MR. BARTON:
Same vote on the companion resolutions?

P.O. TONNA:
Same motion, same second, same vote.

MR. BARTON:
Thank you, sir.

PARKS, SPORTS, & CULTURAL AFFAIRS

P.O. TONNA:
Okay. 1774 (Approving a proposed equitable adjustment change order between J. Petrocelli Contracting, Inc. And the County of Suffolk, and authorizing the Commissioner of Public Works to execute and pay for same from available Suffolk County Ball Park operating funds). Motion by Legislator Caracappa, seconded by Legislator Carpenter. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1655 (Requesting Legislative approval of a contract award for Dental Laboratory Services to be provided to the Suffolk County Department of Health Services). Motion.

LEG. POSTAL:
Mr. Chairman.

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P.O. TONNA:
Yes.

LEG. POSTAL:
I'd like to make a motion to refer 1655 back to committee.

LEG. BISHOP:

Where are we?

LEG. POSTAL:
Page 16.

P.O. TONNA:
Dental Lab Services to provide --

LEG. FOLEY:
Second the motion.

P.O. TONNA:
Okay. Could I just ask, on the motion, why did it get out of committee then?

LEG. POSTAL:
At the time -- well, if I could -- I could answer it, because I'm on the committee. But, at a time, I was not aware that there's been a reduction in dental services at least one of the County Health Centers because of Child Health Plus. And I know that there's a contract with an outside provider. I have since found out that this means that there are a lot of children who are not eligible for Child Health Plus who can no longer secure dental services --

P.O. TONNA:
Fine.

LEG. POSTAL:
-- at health centers.

P.O. TONNA:
Fine. Okay. There's a motion and a second. All in favor? Opposed?

MR. BARTON:
18. It's sent back to committee.

P.O. TONNA:
Fine. 1658 (Appropriating funds in connection with the purchase of equipment for Health Centers). Roll call on the bond. I'll make a motion, seconded by Legislator --

LEG. FIELDS:
Fields.

P.O. TONNA:
Fields. Sorry.

MR. BARTON:
Okay. On the bond.

(Roll Called by Mr. Barton)

P.O. TONNA:
Yes.

LEG. FIELDS:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
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.

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LEG. POSTAL:
Yes.

MR. BARTON:
18 on the bond.

LEG. POSTAL:
Same motion, same second, same vote.

P.O. TONNA:
Okay, hold it. 1496. Motion --

MR. BARTON:
Same vote on the companion resolution.

P.O. TONNA:
Same motion, same second, same vote.

MR. BARTON:
Thank you.

LEG. CARACAPPA:
Paul, 1496?

LEG. FOLEY:
No, no.

P.O. TONNA:
14 -- okay. You know what, can we just get these other -- you want to vote on it -- can we just --

LEG. CARPENTER:
Let's do it in order.

LEG. FOLEY:
In order, let's go.

LEG. POSTAL:
Let's move along.

P.O. TONNA:
Okay. 1496 (Adopting Local Law No. -2001, a Local Law to extend smoking ban to 50-foot radius outside of County Buildings and Hospitals). Motion by Legislator Carpenter.

LEG. POSTAL:
Second.

P.O. TONNA:
Seconded by myself.

LEG. CARACAPPA:
Motion to table.

LEG. HALEY:
Second.

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P.O. TONNA:
Motion to table, Legislator Caracappa, seconded by Legislator Haley.

LEG. GULDI:
Roll call on the tabling.

LEG. CRECCA:
Wait a second. What are we on?

P.O. TONNA:
Okay. Roll call.

LEG. FOLEY:
Tabling.

MR. BARTON:
1496.

P.O. TONNA:
1496.

MR. BARTON:
On the motion to table 1496.

(Roll Called by Mr. Barton)

LEG. CARACAPPA:
Yes.

LEG. HALEY:
Yes.

LEG. COOPER:

Pass.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
Yep.

LEG. CARPENTER:
No.

LEG. ALDEN:
Pass.

LEG. FIELDS:
Yes.

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LEG. LINDSAY:
No.

LEG. FOLEY:
No to table.

LEG. FISHER:
No.

LEG. TOWLE:
Yes.

LEG. GULDI:
No.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
No.

P.O. TONNA:
No.

LEG. COOPER:
Yes.

LEG. ALDEN:
No.

MR. BARTON:
10-8.

P.O. TONNA:
10-8 to table? Okay. 1694 (Establishing Smoking Prevention and Cessation Program for adolescent males in Suffolk County). Legislator Haley?

LEG. HALEY:
Motion.

LEG. CARPENTER:
Motion to table.

P.O. TONNA:
Motion to table by Legislator Carpenter. You know what, I'll second that anyway.

LEG. HALEY:
On the motion.

P.O. TONNA:
On the motion.

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LEG. HALEY:
This -- all this really does is --

LEG. CARPENTER:
Motion to table.

LEG. HALEY:
This is a companion -- excuse me.

P.O. TONNA:
Yes. They can discuss.

LEG. CARPENTER:
Motion to extend to 12:30.

LEG. HALEY:

This is, in essence, a companion to the bill we previously passed --

P.O. TONNA:

Give me four more minutes. I could do it beforehand, Angie.

LEG. HALEY:

-- providing a cessation program for adolescent females. The only thing this really does is make sure that within their programs they --

LEG. CARPENTER:

Did I go into a long discussion when you were tabling?

LEG. HALEY:

Excuse me, Legislator Carpenter.

P.O. TONNA:

Wait, wait. Go ahead.

LEG. HALEY:

To make sure that they have gender specific approaches for both male and female. That's really all it's going to --

P.O. TONNA:

Okay, great.

LEG. HALEY:

-- this is going to do.

P.O. TONNA:

All in favor?

LEG. POSTAL:

Of what?

P.O. TONNA:

Of tabling. There's a motion to table. All in favor?

LEG. BINDER:

Roll call.

LEG. CRECCA:

Second on the motion.

LEG. HALEY:

Is there any seconds?

P.O. TONNA:
Opposed?

LEG. CRECCA:
Second on the motion.

LEG. BINDER:
Roll call.

P.O. TONNA:
Yeah, I seconded it.

LEG. BINDER:
Roll call.

P.O. TONNA:
Wait, wait. Right? Okay. Roll call on the tabling motion.

MR. BARTON:
On the motion to table.

(Roll Called by Mr. Barton)

LEG. CARPENTER:
Yes.

P.O. TONNA:
Sure.

MR. BARTON:
All right. I'll go down the list.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Yes.

LEG. CRECCA:
No to table.

LEG. ALDEN:
No to table.

LEG. FIELDS:
No.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
No to table.

LEG. HALEY:
No.

LEG. FISHER:
No.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
No.

LEG. CARACCIOLO:
No.

LEG. POSTAL:
No.

MR. BARTON:
Six.

P.O. TONNA:
All right. There's a motion to approve by Legislator Haley.

LEG. CRECCA:
Second.

LEG. CARPENTER:
Second.

P.O. TONNA:
Seconded by Legislator Crecca -- by Carpenter, Legislator Carpenter seconded it. Okay. All in favor? Opposed? Approved.

P.O. TONNA:
1729 (Designating September as "Alcoholism and Drug Addiction Recovery Month" in Suffolk County). Motion by Legislator Fields.

LEG. POSTAL:
Second.

P.O. TONNA:
Seconded by Legislator Postal.

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MR. BARTON:
18 on 1694.

P.O. TONNA:
All in favor? Opposed? Approved. 1730 (Designating week of September 30, 2001, as "Kawasaki Disease Awareness Week"). Motion by Legislator Cooper.

MR. BARTON:
18.

P.O. TONNA:
Second by myself. All in favor? Opposed? Approved? Kawasaki Disease is a terrible disease that affects the heart. Okay.

MR. BARTON:
18 no 1730 to approve.

LEG. COOPER:
Yes. It strikes mostly children.

P.O. TONNA:
Right. 1785 (Authorizing the approval for the Department of Health Services, Bureau of Public Health Nursing to pay membership dues for the participation in the National Association for Home Care). Motion by myself, seconded by Legislator Fields. All in favor? Opposed?

MR. BARTON:
18.

ECONOMIC DEVELOPMENT & ENERGY

P.O. TONNA:
Okay. 1521 (Directing the Legislative Office of Budget Review to conduct an economic analysis of the benefit to Suffolk County of its Atlantic Ocean Beaches). Motion by Legislator Carpenter, Seconded by myself. All in favor? Opposed?

MR. BARTON:
18.

LEG. FIELDS:

Opposed.

P.O. TONNA:

Okay. Opposed, Legislator Fields.

MR. BARTON:

17.

LEG. FISHER:

Opposed.

MR. BARTON:

16.

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P.O. TONNA:

And Legislator Fisher.

LEG. POSTAL:

And I'm abstaining.

P.O. TONNA:

Okay.

MR. BARTON:

All right. Hold on a second, please.

P.O. TONNA:

There's a women's caucus for you.

MR. BARTON:

Please. Mr. Chairman. Mr. Chairman.

P.O. TONNA:

Yeah.

MR. BARTON:

I've got to get that vote, I'm sorry.

LEG. BISHOP:

Roll call. Do a roll call.

LEG. GULDI:

Abstain.

MR. BARTON:
All right. Mr. Guldi's an abstention.

P.O. TONNA:
Okay.

LEG. POSTAL:
Oh, don't do a roll call. You don't need a roll call.

P.O. TONNA:
Just --

MR. BARTON:
Fisher's a "no."

P.O. TONNA:
Just her other colleagues in the women's caucus voted against it.

MR. BARTON:
Legislator Fields?

P.O. TONNA:
Oh, and Guldi.

MR. BARTON:
Legislator Fields, your vote was?

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LEG. FIELDS:
No.

MR. BARTON:
Legislator Postal?

LEG. POSTAL:
I'm abstaining.

MR. BARTON:
Abstaining. Anybody else? Mr. Guldi? Okay.

LEG. CARACAPPA:
Mr. Chairman.

P.O. TONNA:
Okay, wait. I got one more here. Just wait, before we get to the senseless resolutions.

MR. BARTON:
The vote is 14-2, 2 abstentions.

P.O. TONNA:
Okay. We got --

MR. BARTON:
1521 is approved.

P.O. TONNA:
1721 (Authorizing Economic Development Grant to the Village of Greenport). Motion by Legislator Caracciolo.

LEG. CRECCA:
Second.

LEG. ALDEN:
Explanation.

P.O. TONNA:
Seconded by --

LEG. FOLEY:
Second. Second.

P.O. TONNA:
Wait, wait. Let's get a second.

LEG. FOLEY:
I'll second the motion.

P.O. TONNA:
By Foley.

LEG. FOLEY:
Second.

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P.O. TONNA:
All right.

LEG. ALDEN:
On the motion.

LEG. TOWLE:
Explanation.

P.O. TONNA:

Okay. Guys, we have two CN's. I would really like to get this in.

LEG. ALDEN:

On the motion, though.

P.O. TONNA:

What?

LEG. ALDEN:

1721, on the motion.

P.O. TONNA:

On the motion. It passed already.

LEG. CRECCA:

Mr. Presiding Officer.

P.O. TONNA:

Oh, no, he wanted a -- it didn't pass yet. What was the explanation?

LEG. ALDEN:

Also include whether we've ever done this before, what it's for and --

P.O. TONNA:

What is this?

LEG. CARACCILO:

Well, Counsel can answer we've done it before. I know we did it for Brunswick Hospital.

MR. SABATINO:

Well, we've done -- we've done this type of thing once before, which was the Village of Patchogue. But what's happening here is there's -- it's a waiver of interest and penalties and it's a stretch out of the principal payments on an installment payment plan of five years. It's being done under Section 30 of the Suffolk County Tax Act. Brunswick Hospital was done under Local Law 18 of 1997. What happened here is there's been documentation that was requested several years ago from the Village in the form of a written report from, in this case, Conoscenti and Associates establishing that the economic benefit derived from the facility that is being, you know, funded through this, in this case was \$8.1 million dollars per year, which is far in excess of the 24 -- I'm sorry, \$31,000 of interest and penalties being waived. So instead of giving the Village a direct grant of \$31,000 and some change, it's being done indirectly in the form of the

give-back of the interest and penalties.

LEG. ALDEN:

And it's for what? Paul?

P.O. TONNA:

Yes.

LEG. ALDEN:

What's the project for?

LEG. CARACCIOLO:

Cameron.

MR. SABATINO:

This is --

LEG. CARACCIOLO:

This is part of a revitalization project in the Village of Greenport where the whole site has been redeveloped and the adjacent property. In effect, at my request, the Village paid for an economic impact study to determine, once this project is complete, how much will be generated in all types of revenue, including sales tax. Tom Conoscenti prepared that report and he -- that report was distributed at the committee meeting, where I believe this was approved unanimously. And it was indicated in that report that Suffolk County will receive \$8 million a year in sales tax revenues from this revitalization.

LEG. ALDEN:

Is this the one where we bought that -- the boat yard? Is that --

LEG. CARACCIOLO:

No, no, no, no.

LEG. ALDEN:

Is this that same piece of property?

LEG. FOLEY:

No.

LEG. CARACCIOLO:

No, no, no.

P.O. TONNA:

Okay.

LEG. CARACCIOLO:

To answer that question, the answer is no.

LEG. TOWLE:

How much is the relief?

LEG. CARACCIOLO:

Paul, the total relief here is how much?

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MR. SABATINO:
It's 31,895 dollars -- 96 dollars.

P.O. TONNA:
Okay.

LEG. TOWLE:
At one time?

LEG. CARACCIOLO:
Yeah.

P.O. TONNA:
All right. Roll call.

MR. BARTON:
On 1721?

P.O. TONNA:
Okay. Roll call.

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:
Yes.

LEG. BISHOP:
Is this up or down or on the tabling?

LEG. FOLEY:
Yes.

LEG. D'ANDRE:
What are we doing?

LEG. COOPER:
Yes.

LEG. D'ANDRE:
What are we voting on?

MR. BARTON:
This is on the motion to approve 1721.

LEG. BINDER:
Pass.

P.O. TONNA:
Stay focused, please, everybody, four more minutes.

LEG. BISHOP:
Yes.

LEG. D'ANDRE:
Pass.

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LEG. CRECCA:
Yep.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Abstain.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. POSTAL:
Yeah.

P.O. TONNA:
Yes.

LEG. BINDER:
Yes.

LEG. D'ANDRE:
Yes.

LEG. HALEY:
Mr. Chairman, can we go to the CN's?

P.O. TONNA:
Yeah, I am.

MR. BARTON:
17, 1 abstention.

P.O. TONNA:
Great.

LEG. CRECCA:
Mr. Chairman, I make a motion to lay on the table as late-starters

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Introductory Resolutions --

P.O. TONNA:
No, I --

LEG. CRECCA:
-- 1884 through 1889 consecutively, and they be assigned to committees
as you so designate.

LEG. GULDI:
Second.

LEG. HALEY:
Second.

LEG. CRECCA:
1899.

P.O. TONNA:
There's a second. Can we make that motion, Paul?

MR. SABATINO:
Yes.

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

LEG. CARACAPPA:
CN's, Mr. Chairman.

LEG. CRECCA:
And that was -- for the Clerk, that was 1884 to 1899.

MR. BARTON:
Yes, I gave him the numbers.

P.O. TONNA:
Okay, great.

MR. SABATINO:
Plus Sense 83.

LEG. CRECCA:
Plus Sense 83. I would amend the motion to include Sense 83.

P.O. TONNA:
Okay, great. All in favor? Opposed? Approved.

MR. BARTON:
18 on the motion to lay --

P.O. TONNA:
Great.

MR. BARTON:
-- the most number of late-starters in the history of the Legislature

256

on the table.

P.O. TONNA:
Yeah, right, I know. Let's not do that again.

LEG. CRECCA:
Henry, January is coming soon, be nice.

LEG. ALDEN:
Henry, I'm opposed. I'm opposed to that.

MR. BARTON:
Okay. So that was 17.

P.O. TONNA:
Okay. 1795 (Initiating Port Jefferson-Wading River "Rails to Trails"

Project for pedestrian/Bicycle Path). Motion to approve by Legislator Haley, second by Legislator Towle. All in favor? Opposed?

MR. BARTON:
18.

LEG. CRECCA:
Whoa, whoa, whoa.

P.O. TONNA:
1893 (Authorizing use of Smith Point County Park property by Mastic Beach Ambulance Company, for "Help Us Save You Program").

LEG. D'ANDRE:
Where are you?

LEG. CRECCA:
Hold on a second, Mr. Chairman.

P.O. TONNA:
We're on the sense resolution -- I mean, the CN's. Secondly, I have a motion, 1893, a motion by Legislator Towle.

LEG. GULDI:
Second.

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

MR. BARTON:
18.

P.O. TONNA:
Okay. We go to the Sense Resolutions. Sense Number 36 (Memorializing resolution requesting State of New York to appeal school aid decision). Motion by Legislator Caracciolo, seconded by myself. All in favor? Opposed? Approved?

MR. BARTON:
18.

P.O. TONNA:
Sense 44 (Memorializing resolution requesting State of New York to grant authority to Suffolk County to repeal the Suffolk County portion of the sales and compensating use tax on hybrid electric vehicles.) Motion by myself, seconded by Legislator Cooper. All in favor?

Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
Sense 45 (Memorializing resolution requesting Federal government to roll back social security tax on senior citizens). Motion by myself.

LEG. D'ANDRE:
Second.

P.O. TONNA:
Seconded by Legislator D'Andre. All in favor? Opposed?

LEG. BINDER:
Oh, wait a minute. Isn't that --

P.O. TONNA:
Approved.

LEG. BINDER:
Isn't that one that --

P.O. TONNA:
Sense --

LEG. BINDER:
-- that repeated the other resolution that was there?

P.O. TONNA:
I have no idea.

LEG. BINDER:
That we didn't pass the first time.

LEG. GULDI:
I'm going to abstain on 45.

P.O. TONNA:
Okay. You abstain on 45. Who else wants to abstain?

MR. BARTON:
Anybody else?

LEG. FISHER:
I abstain.

P.O. TONNA:
Okay. Who else? No.

MR. BARTON:
16, 2 abstentions.

P.O. TONNA:
Okay. Sense 48 (Memorializing resolution requesting State of New York to authorize Town Code Enforcement Officers to issue violations to absentee landlords). Motion by Legislator Carpenter, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
Sense 49 (Memorializing resolution requesting State of New York to prohibit custodial arrests for fine-only traffic offenses). Motion by Legislator Postal, seconded by Legislator Carpenter. All in favor? Opposed? Approved.

MR. BARTON:
18.

LEG. CRECCA:
Opposed.

P.O. TONNA:
Okay, you're opposed. Okay. Number 50, motion by Legislator --

MR. BARTON:
Mr. Chairman.

P.O. TONNA:
Yes.

MR. BARTON:
On 49, who was opposed?

LEG. CRECCA:
Crecca.

P.O. TONNA:
Legislator Crecca.

MR. BARTON:
Crecca/Binder. 16, 2 opposed.

P.O. TONNA:
Okay. Number 50 (Memorializing resolution requesting State of New York to expand unemployment benefits to non-professional employees of educational institutions). Motion by Legislator Towle, seconded by Legislator Fields. All in favor? Opposed? Approved.

MR. BARTON:
18.

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P.O. TONNA:
Number 51 (Memorializing resolution requesting State of New York to allow hybrid vehicles in high occupancy vehicle (HOV) lanes). Motion by myself, seconded by Legislator Cooper. All in favor? Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
Okay. 52 (Memorializing resolution requesting State of New York to roll back sales tax on price of gasoline). Motion by Legislator Cooper, seconded by Legislator Fields. All in favor? Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
53 (Memorializing resolution requesting State of New York to enact Empire State Professional Nursing Scholarship Program). Motion by Legislator Fields, seconded by Legislator Tonna. All in favor? Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
54 (Memorializing resolution requesting State of New York to adopt strong measures to discourage aggressive driving behavior). Motion by Legislator Fields, seconded by Legislator Towle, because I know about aggressive driving. All in favor? Opposed? Approved.

MR. BARTON:
18.

LEG. TOWLE:
Whoa, whoa, whoa.

P.O. TONNA:
55 (Memorializing resolution requesting State of New York to require treatment of eating disorders by health insurance companies). Motion

by Legislator Postal, seconded by Legislator Towle. All in favor?
Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
56 (Memorializing resolution requesting State of New York to require
labeling of chemicals known to cause cancer or reproductive toxicity).
Motion by Legislator Fields, seconded by Legislator Caracciolo. All
in favor? Opposed? Approved?

MR. BARTON:
18.

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P.O. TONNA:
57(Memorializing resolution requesting State of New York to require
mandatory DNA testing in statutory rape cases). Motion by Legislator
Caracappa, seconded by Legislator D'Andre. All in favor? Opposed?
Approved.

MR. BARTON:
18.

P.O. TONNA:
58 (Memorializing resolution requesting State of New York to improve
the system of Medicaid administration). Motion by Legislator Tonna,
second by Legislator Postal.

LEG. FISHER:
Wait. You're going to fast.

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

LEG. FISHER:
You're going too fast to read them?

LEG. FOLEY:
You've got to slow down.

MR. BARTON:
18.

LEG. CRECCA:
Slow down.

LEG. POSTAL:
He's doing very well.

P.O. TONNA:
59 (Memorializing resolution requesting State of New York to limit aggregate local financial share of cost of Medicaid). Motion by Legislator Tonna, seconded by Legislator Postal. All in favor? Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
60 (Memorializing resolution requesting State of New York to eliminate the local financial share of program enhancements under Medicaid). Motion by Legislator Tonna, seconded by Legislator Towle. All in favor? Opposed? Approved.

LEG. BISHOP:
Paul, could you explain this?

MR. BARTON:
18.

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P.O. TONNA:
62 (Memorializing resolution requesting Federal government to authorize compensation for World War II POW labor camp mistreatment in Japan). Motion by myself, second by Legislator D'Andre. All in favor? Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
66 (Memorializing resolution requesting United States Postal Service Board of Governors to complete the Riverhead Post Office renovation and the East Marion Post Office relocation). Motion by --

LEG. CARPENTER:
Twelve o'clock.

P.O. TONNA:
-- Legislator Caracciolo, seconded by Legislator Tonna. All in favor? Opposed? Approved.

LEG. CARPENTER:
Twelve o'clock.

LEG. CRECCA:
Cosponsor on 66.

MR. BARTON:
18.

P.O. TONNA:
No, we're not, we're almost there.

LEG. CARPENTER:
Twelve o'clock.

P.O. TONNA:
We've got -- we've got a minute and a half. Motion by Legislator -- 70 (Memorializing resolution requesting Federal Communications Commission (FCC) to restrict advertising of R-rated movies). Motion by Legislator Fields, seconded by Legislator Caracciolo. All in favor? Opposed? Approved.

MR. BARTON:
18.

LEG. GULDI:
Abstain on that, Henry.

P.O. TONNA:
71 (Memorializing resolution requesting United States Government to enact National Affordable Housing Trust Fund Act of 2001). Motion by Legislator Postal, seconded by myself. All in favor?

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LEG. GULDI:
70.

P.O. TONNA:
Oh, wait a minute. Which one is this?

LEG. POSTAL:
It's affordable housing.

MR. BARTON:
On 70, it's 17, 1 abstention, Guldi.

LEG. POSTAL:
The Federal Government gives money to the --

P.O. TONNA:
Okay, this isn't rent control.

LEG. POSTAL:
No, no, it's not rent control.

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

LEG. CRECCA:
Hold on a second. On Number --

LEG. CARPENTER:
This is crazy.

LEG. CRECCA:
It is. I mean, just slow down. If it's that important, then we'll extend the meeting for three or four minutes, but I can't even write the little "A's" next to the things as fast as you're going.

MS. FARRELL:
You can't.

P.O. TONNA:
Okay.

LEG. CARACCIOLO:
Okay.

MR. BARTON:
Try to get the motion, the second and the vote.

LEG. CARACCIOLO:
Henry.

P.O. TONNA:
We've got 25 seconds and I'm not voting --

LEG. CARACCIOLO:
Henry, on 71, I'm an abstention.

P.O. TONNA:
I'm not extending.

MR. BARTON:
Abstention.

LEG. CARACCIOLO:
Abstain.

LEG. BINDER:
On the motion.

LEG. D'ANDRE:
Abstention on 71.

LEG. BINDER:
On the motion.

MR. BARTON:
Okay. Mr. Chairman, on 71.

LEG. D'ANDRE:
Abstention on 71.

P.O. TONNA:
What?

LEG. CRECCA:
I'm also going to abstain on 71.

LEG. BINDER:
On the motion on 71.

LEG. POSTAL:
Yes. Would you like me to explain it?

LEG. BINDER:
Right, just explain --

LEG. CRECCA:
Yeah, it would have been -- I might vote for it if --

LEG. POSTAL:
I'm sorry. What this does is just says that we want money that --

LEG. FOLEY:
Motion to extend the meeting three minutes.

LEG. COOPER:
Second the motion.

LEG. POSTAL:
Second.

LEG. CARPENTER:
Second.

P.O. TONNA:
Okay.

LEG. BINDER:
On the motion.

P.O. TONNA:
There's a motion to extend by three minutes, second.

LEG. BINDER:
On the motion to extend the motion.

P.O. TONNA:
All in favor?

LEG. BINDER:
On the motion --

P.O. TONNA:
Sorry, done.

LEG. BINDER:
-- to extend the meeting.

[THE MEETING WAS ADJOURNED AT 12:00 MIDNIGHT]

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