

SUFFOLK COUNTY LEGISLATURE

SPECIAL MEETING

TWELFTH DAY

JULY 27, 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, COURT REPORTER  
MINUTES TRANSCRIBED BY LUCIA BRAATEN AND ALISON MAHONEY

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

P.O. TONNA:

All Legislators please come to the horseshoe. Okay. Roll call, Henry. Good morning, everybody. Good morning.

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

MR. BARTON:

Thirteen present (Not Present at Roll Call: Legs. Towle, Haley, Fields, Alden, and Cooper)

P.O. TONNA:

I've never seen you unshaved before.

LEG. BINDER:

I've never been in my life actually.

P.O. TONNA:

Okay. Let's have a salute to the flag led by our Clerk of the Legislature, Henry Barton. Henry, lead us in the salute to the flag, please.

(SALUTATION)

I'd like to recognize our Deputy Presiding Officer, if you could maintain standing for a second for a moment silence. Thank you.

LEG. POSTAL:

Thank you. One of the first women who served as a Suffolk County Legislator was truly an extraordinary woman named Millie Steinberg; she was from the area that currently is represented by Legislator Fisher. And she not only was an extremely bright woman and a very caring woman and an extremely responsive woman, actually kind of setting I guess a tradition and a pattern for not only female Legislators, but I think all of the members of the Suffolk County Legislature.

I had the privilege of meeting Millie in the early part of 1993. She was of quite advanced age at that point, but she still maintained her vitality and her vigor and her energy and her enthusiasm for life and her commitment to fight for those causes in which she believe. Unfortunately, she recently passed away and I would like to ask for a moment of silence in honor of former Suffolk County Legislator, Millie Steinberg.

(MOMENT OF SILENCE OBSERVED)

LEG. POSTAL:

Thank you

P.O. TONNA:

Okay. I'd like to call on the Clerk of the Legislature to read our meeting notice.

2

MR. BARTON:

Mr. Chairman, a notice of a special meeting was filed in my office on July 17th, dated July 5th, 2001, to all Legislators from Presiding Officer Paul J. Tonna. "Please be advised that a special meeting of the Suffolk County Legislature will be held on July 27, 2001, at 9:30 a.m. in the Rose Caracappa Legislative Auditorium located at the William Rogers Legislature Building, 725 Veterans Memorial Highway, Hauppauge, New York, pursuant to Section 2-6B of the Suffolk County Administrative Code for the following purposes; a one hour public portion with six additional items including the balance of last meeting's agenda." It's signed by the Presiding Officer.

P.O. TONNA:

Okay. That's me, right, Henry?

MR. BARTON:

Yes, sir.

P.O. TONNA:

Okay, thank you. All right. That doesn't look like my signature; no, I'm joking. All right, let's -- we have a public portion. I have talked to the majority of my colleagues, at least those I'm on speaking terms with -- no, I'm joking -- and our sense is we have discussed this issue for quite sometime. We have a public portion. Being that this is a special meeting, we would like to do -- at least the majority of us felt that we'd like to give about two hours for a public portion in toto and so that we can then vote and get through with the agenda. Okay? Well, some wanted one hour, I think basically we're hoping that by at least 11:15 we'll be done with our public portion so that we can move on with the agenda. Obviously, every Legislator is going to have an opportunity to vote on that and have their feelings heard, but that is our general sense.

We have a number of cards -- as a matter of fact, right now 52 -- would lead us into about probably around one o'clock this evening. So I want you to know that I don't think it's -- after we've had

extensive public hearings on this issue, we have already heard a number of speakers on this issue, we're going to move in numerical order because that's the way the law dictates. But if there are a number of you who are somewhat organized in the sense of you want to have your three or four people say something instead of having -- what I'm saying is quantity -- quality is a little better than quantity right now. We've already heard the issues or whatever else, so that if some of you say, "You know what? I'm going to repeat what I've already said," or whatever else, to give an opportunity for somebody else that feels similar to your issue that might be able to add some type of nuance or something, I would say if you can organize yourselves that way we could at least move through it. If not, we'll probably end after by about probably 15 or 20 cards, that's all that will be done probably within the two hour period, you know, that's going to be it.

The last thing that I wanted just as a prelude is I'd ask Legislators if we can try as best we can, make sure that we -- this is the public portion, we're to ask questions and questions only. There are some Legislators who like to make statements, you'll have your opportunity

3

when we debate the override vote, but I would ask that you keep things to questions. All right? Thank you very much.

And we'll start with card number one, which is an exception, usually I play games with the cards -- no, I'm joking -- it's Jack Caffey.

MR. CAFFEY:

Good morning. My name is Jack Caffey. I am the President of the Long Island Federation of Labor representing 140,000 members. Our member unions represent workers who keep this country humming, from building our houses we live in, driving our kids to school and checking out groceries. Our work on this living wage bill up to this day and my presence here signals a full force of the federation's support for the passage of this bill. I stand here today with the confidence of the entire labor movement behind me. And in cities across the country, local labor unions have stood with community and religious allies raising basic issues of economic fairness and are inherited in our living wage debate.

In the winning ordinances from Baltimore to Detroit to Santa Monica, the advantages of this bill for working families in our communities are many. Living wages will improve the quality of life of all workers, union and non union, having more good paying jobs that can support family in good for a local economy and our entire community. As a unique leader, I can tell you that when workers are paid decently, they are more productive and have more to time to spend with

their families and their churches. They are more likely to be self-sufficient and more able to spend money in the local economy. For companies and organizations that pay the living wage, studies have found that these companies and these employers are able to retain more workers and actually save money because they don't have to constantly train new staff.

This bill represents the best kind of investment the County can make, an investment in our workers. There's nothing worse for business in the County than poverty. Poor workers do not drive a healthy economy. The bill also speaks to the need of increased accountability from companies doing business with our County. The responsibility for prosperity of the County and its citizens must be shared by all of us. As elected officials are held accountable by voters, these companies must be held accountable to the County; this bill gives us the tools to begin to do that. At the very least, it seems reasonable that companies who benefit from our tax dollars be required to provide at least a measure of accountability that we require as individuals seeking public assistance. Why should a poor, single mother have to jump through hoops when large companies aren't even asked to disclose their intentions with respect to the jobs and the wages?

In his veto memo, Executive Gaffney repeats that we do not have the data to determine the impact. Well, the problem is that we never asked companies we fund that they intend to pay folks. The bill would provide the measure of accountability that we have so far, obviously, lacked. And because we can't, we must wait, says Executive Gaffney, deliberate further, research and discuss. There's nothing wrong with careful deliberation, but I think we've had that. And I think that this is a carefully thought out bill. It even provides a one year

moratorium and the mechanism by which truly disadvantaged businesses are allowed a temporary waiver. The bill also establishes an advisory committee to grapple with the difficulties that arise. We are committed in doing any work necessary ensured that it meets the potential and the fulfillments its intended purposes.

We are grown-ups here, intelligent and engaged elected officials and constituents. The bill is not perfect, but a minor flaw in this bill are nothing compared to the flaws in the system that rewards poverty with public dollars. The time for study is over. While we deliberate, study, research and discuss, real workers continue to live their lives on the edge of desperation. At some point, pretending we don't know how to help solve the problems is just irresponsible and selfish. The time for action is now.

Jack, your time is up, if you can just conclude your statement.

MR. CAFFEY:  
I am concluding now.

P.O. TONNA:  
No, I mean like finish your sentence.

MR. CAFFEY:  
Okay.

P.O. TONNA:  
Okay.

MR. CAFFEY:  
Well, I thank you in behalf of the Long Island Federation of Labor in this endeavor.

P.O. TONNA:  
Okay. Hold it. Any questions? No?

LEG. CARACCIOLO:  
Yeah.

P.O. TONNA:  
Yes, Legislator Caracciolo has a question for you, sir.

LEG. CARACCIOLO:  
A number of not-for-profit organizations that are recipients of County funds have written to Legislators and have cited their concern that in effect what the living wage bill will do certainly would increase the standard of living of those employees they employ on the one hand, but on the other hand it may result wherein they cannot maintain profitability and as such there will be fewer of those employees on staff and payroll and, in effect, government will be aiding and abetting those individuals that are gainfully employed today into, you know, some other status, non employed status. Your comment with respect to that?

MR. CAFFEY:  
Well, I think I pointed out in a portion of that that if, in fact, that some of those companies are caught up into the situation where it would effect them immediately, there is a mechanism in the bill that would relate to a year extension, or if there's contracts in effect with the County that's in play for the next two to three years, those

contracts would be honored up until the time that they are signed and then the law would provide. So it is a phase-in program and not to take away from the existing businesses.

The other aspect I would say you need to take a look at, which we have, we find that the majority of these agencies, most of the CEO's are making in the six figure figures, most. And so no one's asking about those individuals to take a decrease and give it to the young people that are trying to come and find jobs and to do the right thing. So these are the things we have to pass on to the poor people.

Applause

LEG. CARACCILO:

Do you have a -- do you have information that you could share with us with respect to the number of individuals employed by these not-for-profit agencies and other contract agencies that the County provides services to or funding to, how many of those are unionized positions versus non union?

MR. CAFFEY:

We -- I have not basically broke it down and we don't -- we don't look at it as a situation as organized labor versus non union. We believe a living wage should be applied to every working family whether he's union or not.

Applause

LEG. CARACCILO:

Thank you.

P.O. TONNA:

Next speaker, Laura {Matiya}, {Matella}? Laura, I have to apologize. Maietta, how about Maietta?

MS. MAIETTA:

Yes.

P.O. TONNA:

Okay. And then after that is Tony Speelman.

MS. MAIETTA:

Good morning, Legislators. Good morning, Chairman Tonna. My name is Laura Maietta and I live in Mt. Sinai. I'm here to speak on behalf of the living wage bill and its importance for workers like myself. I've been a Home Health Aide for almost eight years, currently work seven days a week, 54 hours, taking care of two patients. In 1994 I was in a terrible car accident that almost killed me while traveling between patients. It happened as I was on my way to deliver adult diapers to a patient that would need to stock up before the snowstorm expected

the next day. On my way there my car hit a patch of black ice and I drove into a tree. I was in a coma for two-and-a-half months. The accident had a tremendous impact in my life and has taken a lot out of me, both physically and emotionally. I have stayed as a home care worker because I feel that my experience can help other people get better. I have learned that life is valuable and short. Even though I make 9.50 an hour, my biggest fear is living without health insurance. When it took me a year-and-a-half to fight for workers compensation, all I thought about was how I was going to pay the \$36,000 hospital bill from my accident. Even today with my Diabetes Type II, I spend \$70 a month to have my blood strips done; this doesn't include the other illnesses that are common to diabetics. What will I do if I get sick? What if I'm in another accident not on the job? The money I make is almost not enough to pay my bills; 575 for rent, \$70 blood strips, \$60 gas, \$70 car insurance, money for food, utilities, personal needs, laundry. It's not just possible to make ends meet. Then the agency tells me to get insurance for \$209 a month, I can't do it; I work 54 hours a week and it can't be done.

One of my patients is an 86 year old polio patient. She needs me as much as I need her. I help her out of bed, bathe her, work her through her physical therapy, cook, shop for food, go to the pharmacy, the library, the video store, the post office and do everything else she needs. She needs one-on-one attention, you know.

The other patient I care for is a young man who was also in a car accident and is now a quadriplegic. He's great, very independent and a great inspiration. Like me, he's a reminder to all of us that you don't have to be old or sick your whole life to need a home care worker. Life just comes at us and we just have to accept it. The families of our patients have their own lives, jobs and responsibilities, our patients don't want to be completely dependent on them for their well-being. We offer them that independence and the security that if anything goes wrong they'll be okay.

The living wage will help me and many others who work full-time and have a hard time making ends meet. I'm asking that you pass this law not just for me but for the patients, the aides, the families and everyone that our work affects. By passing this bill, you will send the message that you appreciate our work for the elderly and disabled who just want to have their lives back. Thank you.

Applause

D.P.O. POSTAL:  
Thank you. Tony Speelman.

MR. SPEELMAN:  
Good morning. If I may, I'll just make a statement first and then I have some testimony to read for somebody that could not be here this morning. My name is Tony Speelman, I'm the Political Director of the United Food and Commercial Workers and we have written our letters and

we have made our phone calls and all we ask of you this morning, on behalf of our 22,000 members, is that you do the right thing and you override this cruel veto from the County executive.

7

Applause

The testimony that I'm going to read is from a Kent Semple. He's thirty-eight years old and he lives in Suffolk County in Manorville and he says the following;

"While I don't consider myself a political person in any way, I have asked for this statement to be read on my behalf to express my full support, and my need really, for you to pass the living wage bill. About five years ago I was diagnosed with morbid obesity and had to stop working. I weigh around 600 pounds, suffer from high blood pressure and have arthritis of the legs. With the exception of a 15 foot walk to my bathroom, I am immobile and I need someone to care for me seven days a week. Unfortunately, even though the County has budgeted for an agency to care for me everyday, the agency is short staffed and can only find someone to care for me four days a week."

"During the last five years, I have had three wonderful home care workers help me through my days. One in particular who took care of me for two-and-a-half years is the reason why I'm having this testimony read today. She worked for the agency for three years but was having a hard time paying for her bills. When she asked for a raise, the agency offered her 30 cents an hour for three years worth of work. This was so little that even though she wanted to stay, she couldn't make ends meet and she left. Since then, my newest home care aide has been very good also. The problem is that he only comes for four days. During the three days I'm left alone, I am confined to my room and I get bored and lonely. I am forced to walk to the kitchen and the pain is unbearable. I'm constantly on painkillers."

"As a patient in dire need, it's not helpful to have these agencies that get our tax dollars be short staffed. If they are not paid decently, the cycle continues and it hurts the patients, but it also hurts the workers. Next week, for example, my current home care worker will be out because of an operation. He won't have any money during the week and if it wasn't for his wife's insurance, I don't see how he would pay the bill. As of today, the agency has not found someone to take his place to take care of me. The home care aides who have cared for me mean a great deal to me and the impact on my life cannot be measured. I need their help. My home care aides are my

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family and my friends. They cook, clean, shop and help me to the tub; they basically doing everything for me. They respect me and if I could pay them well above this proposed \$9 an hour bill, I would."

For that reason, Kent asks you to please override this veto and do the right thing. Thank you.

D.P.O. POSTAL:

Next speaker, Ruth Green; is Ruth Green here?

MS. GREEN:

Yes.

8

D.P.O. POSTAL:

And after Ruth Green, Ninfa Vassallo will be the next speaker.

MS. GREEN:

Good morning, Legislator. My name is Ruth Green and I live in Copiague. I'm here to tell you that this living wage law is a great -- law is great and exactly -- let me see now -- exactly what workers like myself need. So I hope that you pass it and make a law. I need a raise. I've been a home health aide for six years and I only make \$7.50 an hour with no health benefits. I feel like I have done everything to be a good citizen and I still can't get ahead.

Thirty-one years ago I left my nine year job at the post office and moved to the south after I got married. Thirteen years later, I moved back to Suffolk and came here to raise my two children by myself. It was not easy raising two children, but my sister helped us find a one bedroom apartment where I have lived for the last 18 years. For a few years I couldn't find a job, so I was on Public Assistance until my kids were old enough to stay alone. I finally worked with {Multex} Factory for six years and made 7.50 an hour with medical benefits. I've been working as a home attendant since 1995 and I take care of a very nice patient. My patient is 86 years old with heart problems, arthritis, emphysema. Since I can't afford a car, I walk to her house twice a day, one mile each way. My morning shift with her is one to nine -- nine to one, I'm sorry. I feed her in the morning, she's wheelchair-bound so I bathe, cook for her, clean her house and make sure she takes her medication. When I come back in the evening, five to seven, I make her dinner, wash her dishes and get her ready for bed. So everyday I walk four miles a day just so I can take care of her and only bring home \$224 a week.

One of the things I'm most proud of in my life is the way I've raised my children by myself. They have always been my number one priority, and I just hope that they can get ahead by going to college. They're both working except for -- one was just laid off last week. Rents are so expensive here in Suffolk that they still live at home with me, which is good in a way. Okay.

Like I said, to save and to help them go to school, we live in the same one bedroom apartment we moved to 18 years ago. My son still shares a bedroom and I sleep on the living room couch. So here we have a problem; how is that after working full-time for most of my adult life, here I am still not able to pay my bills? I bring home \$896 a month, the rent is 625, LIPA is 131 a month and plus food, we have to eat, \$50 telephone bill. And my sons, they have --

D.P.O. POSTAL:

Ms. Green, I have to ask you to finish up, please.

MS. GREEN:

Okay. Okay. I'll be 60 years old in December and I cannot work another job. I want to know what is my priority supposed to be? Okay, I'm finished.

9

D.P.O. POSTAL:

Thank you.

MS. GREEN:

You're welcome.

Applause

D.P.O. POSTAL:

Ninfa Vassallo?

MS. VASSALLO:

Good morning. I'm Ninfa Vassallo, Director of Home Care for District Council 1707, Local 389. I am here on behalf of 8,000 home care workers Local 389 represents, and especially 500 who live and work in Suffolk County. I would like to speak to you about what the living wage bill would mean for retention, recruitment in the home health care labor force.

We take provide in the high quality care that our members give their clients, the elderly, disabled and sick. Our home health aides care for their clients with skill and love and provide them with companionship. What they ask for in return is to be treated with

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dignity, respect and to be compensated fairly for the service they provide, nothing more, nothing less. As you probably know, New York State is facing an acute shortage of home health care workers. This is hard work, emotionally and physically. It is not glamorous work and given the other alternatives, you can understand what it is difficult to recruit members into the home health field. We would -- why would someone choose to change adult diapers or assist a heavy client onto a commode when they can make the same wages working at McDonald's or at Home Depot? The answer is that home care workers are special people. They perform tasks that many of us would not choose to do because they care for their clients.

People who want to work helping others need to be able to make a living wage, its that simple. A home care worker with a union contract in Suffolk County makes \$7.25 per hour with health benefits, pension, sick time, vacation time and other fringe benefits. Not union workers fare even worse with low pay, no health care, no fringe benefits, and this does not provide for a family. The best home health -- the best home health care agencies understand the value of the living wage legislation. Good managers want to retain good workers but short-sighted providers are against it.

Funding for home care is split by the County, State and Federal government at 1040 -- at the 1040 and 50 formula. Here in Suffolk County, the majority of home care providers are private and for-profit. And while representatives have come before you to say they'll go bankrupt, they have not painted a complete picture and have not shared that some agencies do, in fact, make good profits. On such example is Allan Health Care. It's one of the biggest home care providers in the country and part of a parent firm operating in New York, New Jersey and Connecticut, and they're also traded on NASDAQ, they're a public agency. Last year they had a \$55.6 million in sales, 17 million more than the year before, and a net profit of 4.1 million, a profit rate of 7.4%, which is very good for this industry. Will a

10

living wage requirement lower the margin a little bit? Probably. But when you net four million in profits off the backs of workers making \$7 an hour, they are the ones who can't afford it.

D.P.O. POSTAL:

Ms. Vassallo, I have to ask you to sum up, please.

MS. VASSALLO:

Yes, okay.

Applause

I just want to say there was a study in 1997 that showed 61% of the home care workers indicated that they don't have enough food -- money for food, 64 for housing, 74 for --75% did not meet the expense for clothing. And in other words, the workers providing assistance to the public are then forced to rely on Public Assistance.

D.P.O. POSTAL:  
Thank you.

Applause

Next speaker, Kevin Willis. And following Kevin Willis will be Rabbi Arthur Schwartz.

MR. WILLIS:

Good morning, Chairman Tonna and Suffolk County Legislators. My name is Kevin Willis, I have lived in Suffolk County 25 years. I'm here today to express my utmost support for the living wage bill you are considering today. Specifically, I would like to share my experience from the perspective of someone who is dependent on those who provide care in our community but are not paid what they're worth, I'm talking about the home care aide.

Like most people I know, my paycheck stretches from week to week. If I'm lucky, my family bills are paid on time. I'm a union member and I've earned a good living most of my years. I honestly don't understand how people will make far less than I and can still make their ends meet. Three years ago I myself had multiple surgeries that left me dependent on somebody else. My health insurance provided me with a care aide for five days a week at or four hours a day. This man was sent to care for me, had to do everything for me; he was my legs and he was my hands. He prepared my meals, he fed me and he washed me. This was a tremendously humbling experience for me. Luckily, my home care aide was remarkable and he gave me the outstanding care I needed at the time most. Still, the 20 hours a week that he spent with me didn't take care of most of my needs, but a far worse problem that I encountered was that when he had a day off or if he called in sick the agency was unable to provide anybody for me. I didn't expect to get someone as good as my aide, but to get nobody was devastating.

I believe the problem of understaffing exists because qualified workers don't make enough to live on. The people work their hearts

out for a rate of about \$7 an hour. I also can't ignore the injustice that my health care paid for the need that I had, but in similar

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situations these people will have nobody to go to. What will they do if they need surgery? No matter how dedicated you are to caring for others, you can't stay in a profession that doesn't pay you enough to support your own family. People in the home care industry will be affected by this bill. At the very least, my experience allows me to understand how valuable their services are to the community, and just to be here today. I don't know where I would be if I didn't have the help of this aide. The time has come to see to it that these people who worked and earned a living wage. The \$10.25 in this bill may not really be a living wage, but certainly a start for Suffolk County.

I believe that we have to see to it that everyone who wants to work is paid a decent wage, especially those people who care for our sick and our elderly. Legislators, I urge you to pass this bill. Thank you.

Applause

D.P.O. POSTAL:

Thank you, Mr. Willis. Next speaker is Rabbi Arthur Schwartz, and following Rabbi Schwartz will be Kathy Burwell.

RABBI SCHWARTZ:

Thank you for this opportunity to speak this morning. What we're dealing with is truly a moral issue. Faith is concerned with everydayness and the trivialities of life and the lives of everyone. We see that concern about the day to day brought home in the speeches of the Hebrew Prophets. Their focus was not the mysteries of heaven or the glories of eternity, but rather the inequities in society, economic issues, everything that dealt with the common life of people. Isaiah, Amos, Isaiah and the rest addressed the social issues of their day. They spoke out against trampling on the rights of the needy, they spoke out against price gouging, about dishonest weights and measures and about economic justice. They taught us that a fair and just community, one deserving of God's blessing, is created by focusing on details. We are commanded to try to make society work for everyone, every man, every woman, both the comfortable and the needy. Even in the core part of the Bible in Leviticus 19, there is a beginning discussion about wages for the day-laborer. That's the focus of faith, the common place.

Now, seeking and doing what is right is not easy. Therefore, we're advised in Deuteronomy, sedic, sedic teared off. "Justice, justice, fairness, fairness you will pursue." That means that fairness is always elusive, it's an ongoing task and it takes a lot of work to achieve it. No doubt, part of that prophetic spirit moved President Franklin Delano Roosevelt when he said, "No business that depends for its existence on paying less than living wages to its workers has any right to continue in this country. By living wages, I mean more than bare subsistence, I mean wages of decent living." That's what we're here for today, to attend to details, to work for what is right and what is good and what is decent.

Please pass this law, it is the right thing for all of Suffolk County. To ask people to make a decent life for themselves and their families

without a livable wage, well, that's like Pharaoh telling the Hebrew children to make bricks without straw. Thank you, again.

Applause

D.P.O. POSTAL:

Thank you, Rabbi. Kathy Burwell? Kathy Burwell?

MR. {BARDOW}:

Yes, hello. I'm not Kathy Burwell.

D.P.O. POSTAL:

I can tell.

MR. {BARDOW}:

My name is Gary {Bardow}, I'm from the Working Families Party and Long Island Progressive Coalition. Kathy Burwell couldn't be here today because she couldn't afford to take the time off from work to speak before the Legislature, ut she felt her testimony was so important that she requested that it be read for her and I'm going to read Kathy Burwell's testimony.

"My name is Kathy Burwell. I live in Farmingville. A little over three years ago I left a job as a machine operator that I had had for ten years. In that job, I had benefits, stability and a good wage, but I didn't feel that I was helping people. I thought home health care would be the better thing to do with my life. Unfortunately, after three years of living with the day-to-day stress trying to make ends meet, I regret that decision. A living wage bill will keep other caretakers from leaving the job that they love."

"When I decided to be a health care worker, I joined an agency and had to pass a course to get my Home Health Aide Certification. Very soon I was assigned two clients. One of my patients was a 95 year old woman, the other a young a man struggling, homebound and immobile. Obviously, these very different patients had very different needs, but each day I would cook, clean and run errands that they couldn't do. I would also feed them, help them shower which was physically very straining; for this I earned \$7 an hour and brought home 120 a week. Even though I drove to each patient's house each day and to the grocery store up to four times a week, I received only \$2 per day in expenses. Sick days and holidays are luxuries home health aides can't afford. Although I rarely got sick, if I couldn't make it to work the agency would tell me there was no one to cover for me. Sometimes I would go to a patient's home no matter how bad I felt because I knew they needed the care; if I didn't show up, no one would.

After a year I asked the agency to give me a raise, they said they

couldn't afford it, but I couldn't afford to live without it; my car insurance alone is a \$125 a month. But what could I do? I needed my car to do my job. Occasionally my car broke down and I had to borrow money from family and friends to fix it for work. Most importantly, the agency did not provide health insurance; \$7 an hour with no health insurance. For three years I went without. Every time I needed to go to the doctor I knew it came directly out of my pocket. I get migraines, bad ones, bad sometimes I just would try to get through the

13

pain because I couldn't afford the prescription. Recently my doctor told me I needed a hysterectomy. My first thought was how was I going to afford the surgery when I couldn't even afford medication? After living like this for three years, the agency finally gave me a raise, 35 cents. After three years of experience, three years of loyalty, three years of wear and tear, physically and emotionally and financially, 35 cents just wasn't enough. I went to the agency and explained that I just couldn't make it on so little money. I told them I had to do house cleaning on the side to make ends meet, I was borrowing money.

D.P.O. POSTAL:

Would you please -- your time is up. I would suggest that you give Ms. Burwell's statement to the Clerk, a copy.

MR. {BARDOW}:

Well, I'll finish with the one sentence.

D.P.O. POSTAL:

Okay.

MR. {BARDOW}:

"I ask you to pass the living wage bill and help other people like me. We take care of the frail, elderly and sick, we should be able to take care of ourselves.

Applause

D.P.O. POSTAL:

Thank you. Next speaker is Nick Lamorte. And following Nick Lamorte, the next speaker will be Dr. Richard Koubek.

MR. LAMORTE:

Good morning. My name Nick Lamorte and I am President of CSEA's Long Island Region. I come before you today not only as representative of the 50,000 union members in the region, but as Chair of the Long Island Labor Religion Coalition, a Vice-President of the Long Island Federation of Labor and a member of the Working Families Party.

My presence here today, my second time speaking before you on this topic, reflects the serious and ongoing commitment of all our leadership to the passage of this living wage law. Some of my previous testimony forewarned you of the arguments the opposition would invoke in an effort to defeat the living wage. Well, I wasn't far off, was I? We heard from companies, their trade associations and even the County Executive. They have told us they can't afford to pay a living wage, they will be forced to cut services, workers will be displaced. The living wage will strain budgets and maybe even cause tax increases. The County Executive implies that the living wage will threaten economic prosperity; economic prosperity for who?

Which brings me to my point why they haven't told you this. The loudest opponents of the living wage pay are often those who can actually afford to pay it. Many of the companies threatening service cuts are for-profit companies, many of them largely profitable corporations with agencies Statewide and well compensated Executive

14

Directors. I don't mean to imply that all County contracting agencies are swimming in money, nor do I mean to suggest that the full implementation of this law will be cost free. But not all the costs need to be borne by the County, especially where for-profits are concerned. And to the extent that County dollars are needed to raise wages, they would be dollars well spent. Better to spend them on wages earned with dignity than handouts to workers forced to rely on government assistance.

In his veto, Gaffney attacks the living wage as an unfunded mandate, unfunded mandate. Well, it's only unfunded if we don't fund it. And I'm quite sure that no piece of policy will ever be as burdensome as poverty.

A lot has happened since I first came before you on this issue. The veto has touched off a passionate public response. Scores of residents and organizations have contacted their elected officials in favor of an override and letters to the editor appear calling for passage of the living wage; this should embolden us to move forward. Meanwhile, five additional municipalities have passed living wage laws bringing the total to an impressive 65 cities, counties, townships and schools that have chosen to embrace a living wage; this should embolden us to move forward.

A report released this week by the Economic Policy Institute names Nassau and Suffolk Counties as the most expensive places to live in the country with a bare bones basic budget for a two parent, two family income of \$52,114 dollars. What has happened to those who make

less? One in five missed meals, doubled up in living accommodations with other family because they couldn't afford their own home or apartment. Fully one-third lack health insurance; this should embolden us to move forward. Above all, workers employed who will benefit by this law have come forward to tell their stories. They are making this case better than anyone else could. They are speaking the truth about hard work that results only in struggle; this more than anything should embolden us to move forward. Let us do that today. Override the veto. Thank you.

Applause

D.P.O. POSTAL:

Thank you. Next speaker, Dr. Richard Koubek. And following Dr. Koubek, the next speaker will be Chuck Mohan.

DR. KOUBEK:

Good morning.

D.P.O. POSTAL:

Good morning.

DR. KOUBEK:

My name is Richard Koubek, I reside at 10 Randolph Drive in Dix Hills. I speak today on behalf of Catholic Charities, the Diocese of Rockville Centre. We are a contracted agency and we are urging you to override the County Executive's veto of the living wage.

Your override vote today calls attention to two larger issues that are part of our nation's current public policy agenda. One issue is welfare reform. Last year in testimony before this Legislature's Social Services Committee, the Suffolk County Department of Labor reported, admitted that the median salary for the people leaving welfare-to-work in Suffolk County is \$8 an hour, often without benefits. Simply put, these people are earning less than the Federal poverty level for a family of four. Some are actually employed by nonprofit agencies contracted by the County to provide transitional services to help these folks leave welfare for work.

Last month each of you received a Catholic Charities study of parish outreach clients which we -- in which we found that the largest group of people seeking help in our outreach centers were working, poor, single mothers. Almost one-third of these people, as you found in our study, have gone without food for at least a day in a previous month and, yes, most were earning \$8 an hour or less. In a just world, in a just Suffolk County, no one who works 40 hours a week should have to

visit a parish outreach center for food or clothing or cash to pay the rent.

Applause

This is why Catholic Charities supports the living wage bill. However, we recognize that many of our colleagues among the not-for-profit agencies are concerned, rightly concerned, that the living wage not be another unfunded mandate. Mr. Gaffney himself has said this and we agree.

The second national issue this bill calls attention to is, in fact, the flat funding and the under funding of not-for-profit agencies by Federal, State and County governments. Many of us subsidize the government by providing more services than our contracts require. Catholic Charities, for example, annually provides \$2.5 million in subsidies; that is we draw from our own funds to pay for the additional services we provide above and beyond our contracts. Ironically, the people who work for County contracted agencies at low poverty wages are in their way also subsidizing the County and so are the parish outreach centers who feed and clothe these people; these are all County subsidies. And because of these subsidies, many of the Social Services agencies are skeptical about the living wage bill. They want to guarantee that the County will provide them with the funds in their contracts needed to pay the living wage. Catholic Charities would also like to see this guarantee. But my agency is willing at this time to take the risk, to move ahead with assurances from the sponsors of the bill that funds will be provided to support the hardest hit agencies and to assist them in paying the bill. Ladies and Gentlemen --

D.P.O. POSTAL:

Dr. Koubek, please sum up.

DR. KOUBEK:

-- we are talking about at most \$10 million out of a \$2 billion budget, that's one-half of 1%. We can do this. You can do it, this County can do it, to stop poverty in Suffolk County. Please override

16

the veto. Thank you.

Applause

D.P.O. POSTAL:

Thank you. Next speaker is Chuck Mohan. And the speaker after Mr. Mohan will be Tom Byrne.

MR. MOHAN:

Hi. Good morning, everyone. My name is Chuck Mohan, I'm representing District Council 1707 of AFSCME. We represent day care, Head Start workers including all the workers in home care, social service areas. But I'm here specifically to represent the 210 members of Long Island Head Start in Suffolk County. Despite what the agency wrote to this body stating that it will cost them \$2.3 million if this bill goes into law, we think that's ridiculous, totally ridiculous. Because out of 300 employees at the agency, 210 are union members, not all of them will be affected with the increase to the minimum of \$9 an hour, not all of them. And I would exaggerate just a little to say that it will be between 50 or 60 employees. Now, how that can translate into \$2.3 million, and I don't know math too well, but I can tell you it cannot translate.

We must realize that day-care -- child care employees perform one of the most important tasks in our society. They nurture the young who will grow up to productive citizens in our society and it has been proven over the years that Head Start is one of the most successful programs for young children in this country. We want that to continue, but we can't praise the program that the workers are nurturing these children and providing good services if we can't provide the workers with a decent salary. And we believe that this bill will at least help. We are not there yet, but it will at least help our members and Long Island Head Start to provide a little more for their children also.

One of the reasons I'm here representing those members is because in the month of July, they're out on furlough. This year for the first time they're not allowed to collect unemployment. So those members who are making less than what you are proposing are out there working a second job to make ends meet; can't even enjoy the summer with their children and their loved ones. On behalf of District Council 1707, I implore this body to vote to override the veto. Thank you.

Applause

D.P.O. POSTAL:

Thank you, Mr. Mohan. Tom Byrne followed by Murial Pettignano.

MR. BYRNE:

Good morning. My name is Tom Byrne and I was President of the CSEO Local, Civil Service Employees Association, 60-016 of State Employees on Long Island for over 22 years and I'm currently Chair of the State Veterans Committee of the Civil Service Employees Association. There are 10,000 State employees that live here on Long Island and we're all hoping you do the right thing today.

I'm particularly pleased to be here this morning both because I know many of you personally and you have, as I do, a deep commitment to this County, residents and the workers, and also because I am convinced the legislation before you is the right thing to do. We heard a lot of debate about the cost of this ordinance, and that is certainly prudent and reasonable consideration. But what disturbs me about all the debate like this -- and believe me, I've seen plenty in over three decades in the labor movement -- is how the concept of cost is so narrow. When I hear people worry about cost, I can't help but think about the human cost of not paying decent wages. The hours workers spend -- don't spend with their families, the houses they don't buy, the comfort and security they don't enjoy, the lesson their kids don't learn about why work pays.

Second, as a guy who knows his labor history, when I hear debates focused on cost, I can't help but think about the many -- so many other things that have supposedly cost the public and business in the past, but that have also been crucial advances towards a more civil society and a humane, productive economy. For instance, the minimum wage established in the 1930's to ensure that hard working Americans had at least a basic standard of living, our child labor laws passed to protect our children from exploitation by business bent on profit. Heck, wouldn't it be a lot cheaper to pay a bunch of 12 year olds \$4 a day to manufacture products and provide services to Suffolk County residents? There's no doubt about it, but there's also no doubt that no one in their right mind would defend the practices today. In fact, with the passage of time, those things sound down right barbaric. Well, my vision of the future includes a time when the fact -- Americans used to allow money to support poverty, jobs sounds patently unacceptable to all of us.

As we here in Suffolk have the opportunity today to take significant step towards the time, that time, a time when the debate about the cost of providing a living wage seems inappropriate, even stingy when the debate is focused on the right question, how much does it cost not to ensure a living wage? This Legislature has a history of being a leader in these social issues and getting things done. Quite simply, people's lives should not be measured against money alone. The Suffolk County living wage is long overdue and the right direction. I urge you to override this veto and support the living wage. Thank you.

Applause

D.P.O. POSTAL:

Thank you, Mr. Byrne. Murial Pettignano. And following it will be Joe Gamper.

MS. PETTIGNANO:

Good morning, Ladies and Gentlemen of the Legislature. I'm here on a different subject to support Joe the Corn Man who is operating on Montauk Highway in Southaven. And the Suffolk County Public Works came and fenced him out and he would like to be able to get back on that site that he was there for ten years. They claimed he was a

traffic hazard which never happened, no accidents ever happened. And that's what I would like to put forth to you this morning. Thank you.

18

D.P.O. POSTAL:  
Thank you.

Applause  
Next speaker, Joe Gamper followed by Gene Roos.

MR. GAMPER:  
Hi. My name is Joe Gamper. I've operated a farmstand in Southaven for last ten to 12 years without any problems, complaints, violations. As of April 1st, I was fenced out by Suffolk County Public Works, they told me I was a traffic hazard and I didn't rent from the County, I didn't pay insurance. That is true. I was never asked in ten years to comply to this. I am looking to comply to it. Legislator Towle is looking to put in a resolution today. I'm a veteran. I'll go by every law. I'm just asking that your attention be focused, take a look at it. And I appreciate your time. Thank you.

Applause

D.P.O. POSTAL:  
Thank you.

LEG. TOWLE:  
Legislator Postal?

D.P.O. POSTAL:  
Yes, Legislator Towle.

LEG. TOWLE:  
Yeah, before Mr. Gamper leaves.

D.P.O. POSTAL:  
Mr. Gamper? Mr. Gamper, Legislator Towle has a question.

LEG. TOWLE:  
Actually, it's just to follow up on what Mr. Gamper said, so we're all on the same page today, and in case there are any questions that you may have before he may wind up leaving today. I'm going to look to make a procedural motion to lay on the table the resolution regarding the problem of Mr. Gamper. As I had mentioned, at Legislator Caracciolo's request, I did meet with the Department of Public Works and the Parks Department about a month ago, and, unfortunately, we were not able to resolve this matter, so we've been forced, obviously,

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to move forward with the resolution. We won't be able to consider the resolution today, we'll be able to consider it at our August 7th meeting, but I am going to ask for your consideration to lay it on the table and get it through the process.

D.P.O. POSTAL:

Thank you, Legislator Towle. Thank you, Mr. Gamper. Next speaker is Gene Roos. And following Mr. Roos, the Reverend Thomas Goodhue.

MR. ROOS:

Good morning --

19

D.P.O. POSTAL:

Good morning.

MR. ROOS:

-- distinguished members of the Suffolk County Legislature. My name is Gene Roos, I live in Mastic Beach. Thank you very much. I'm here on behalf of Joe Gamper, the "Corn Man." He's the -- I've spoke before on this. He's the gentleman who was unfairly, arbitrarily and capriciously fenced out by the Suffolk County Department of Public Works. He's the only vendor in Suffolk County that's been fenced out. Like I said before, we have thousands of hotdog trucks that work on the Long Island Expressway service roads, we have the coffee vendors. We need the coffee vendors and we need the hotdog vendors.

We're here about a living wage this morning and I'm here to speak about a gentleman that has a negative wage, a zero wage. He's made nothing. He's been on the side of the Montauk Highway. He's a fine gentleman. He's a fine outstanding former Marine. And we need to have this legislation drawn up, and we thank Legislator Towle for his effort. Please bring this legislation about with lightening speed. The corn season is almost over. If we don't get him back in business soon, he'll be selling Christmas trees on the side of the road.

Thank you very much for your time. Bye-bye.

D.P.O. POSTAL:

Thank you, Mr. Roos.

Applause

Next speaker, the Reverend Thomas Goodhue.

REVEREND GOODHUE:

Hi. I'm Tom Goodhue, I live in Amityville, and I'm the Executive

Page 23

Director of the Long Island Council of Churches, and we operate a large social service program in Suffolk County.

On the one hand, it's easy to support the Living Wage Bill, because we don't get any money from Suffolk County, and what you do or don't do is not going to have any immediate impact on our budget. But, on the other hand, in some ways, it's very difficult to be here. Certainly, as an executive of an agency, I know how hard it is to pay fair wages, especially as in the case with us, when you're dependent upon donations for people to do so.

I certainly would want to say that I think it may be hard for many of you to vote to override this veto, I can appreciate that, and at the same time, I think it is the right thing. I know that it is the right thing for us to pay our employees fairly, as much as we have had to struggle within recent years to do so, and I think it's the right thing for you to do, even though it will certainly create new burdens for you. You have to know that if you don't fully fund this, I'll be back next year and so will most of the other people in this room to be angry about that. It, also, though, is something which in the long run is the right thing to do, because it will reduce the burdens on many people.

20

We see folks in our offices in Suffolk every week who have to decide by the end of the month, even though they are all working as many hours as they can find work, they have to decide whether or not to pay the rent or put food on the table, whether to fill their child's prescription or to pay the utilities before they're cut off. It is certainly going to in the long run make life easier for all the people of this County, however hard it may be for us to make the adjustments in the short run, if in the long run we can become a place in which everyone earns a decent wage. So I would urge you to do the right and difficult thing today. Thank you.

Applause

D.P.O. POSTAL:

Thank you. Sister Margaret Altheisser.

AUDIENCE MEMBER:

Not present.

D.P.O. POSTAL:

Okay. Myra Kantor. Myra Kantor, followed by Tom -- Tom Byrne I think just spoke, didn't he? No?

MR. BYRNE:

You want me to go up again?

D.P.O. POSTAL:

No. No. I thought I recognized the name. Actually, you can't. But following Miss Kantor will be Martha Mercedes.

MS. CARPENTER:

My name is really Beverly Carpenter and I'm here today to present testimony for Myra Kantor. She could not be here. I am a member of the Gray Panthers of Suffolk County, and I am also today representing Working Families.

"Good morning, Legislators. My name is Myra Kantor and I'm from Ronkonkoma. When I heard about the Living Wage Law, I knew I had to speak up and tell everyone about my health aide Karen, who's has cared for me for five years. I wish I could be there to testify in person, but let me explain why I can't."

"I'm 66 years old and suffer from high blood pressure, COPD, which is a little worse than emphysema, epilepsy, kidney problems, and I just had open heart surgery. I need to use a breathing machine, an inhaler four times a day, and have two oxygen tanks in different rooms in my apartment. Karen is always here for me seven days a week, 365 days a year, and that definitely includes Christmas. When I'm well, she does the important things, so I never have to worry about clean clothes, making my bed. She reminds me to take my medicine, cooks my food, and helps to clean my apartment and get my mail. She's even come to the hospital to take care of me and keep me company and keep my spirits up."

"In the five years Karen's been with me, she's never called in sick.

Last year, when she was away with her family for five days, the agency only sent for someone to watch me for two days. This year she told the agency a month in advance that she was going to need to be away to take care of her mother. Even with a month's notice, the agency found one person to come only four out of the 14 days. Do you know what they said to me? They said, "Don't worry. If you can't manage, just go to the hospital." It's disgraceful that we allow this to happen to patients like me and the people who take care of us. What they're paid is slave wages. No wonder they can't get people to work for them."

"A few years ago I had an aide that had to leave me. Back then I didn't realize how little they were paid. She used to ask me to help her with her cab fare, and I did that just about three times a week,

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but she had a family to raise and bills to pay, and in the end, she couldn't afford to stay. You want to know who the agency sent me after her? A woman nine months pregnant. I was so -- I was more concerned about her than I was about myself, so I just asked her to leave."

"If it wasn't for the way all of my aides have taken care of me, especially Karen, I would be convinced that the agencies are paying these slave wages of six and seven dollars an hour to get rid of the old and sick. But it's just awful how they don't even give them transportation money or vacation or time -- vacation time or days off. How are they supposed to take care of their own?"

"Use your vote today to show us seniors that all of the years we spent working for you throughout our lives, raising you, teaching you, fighting for you, that our sacrifices mean something to you and those who care for us. Pass this living wage, which, by the way, I don't think is enough, but it's the right start. Get more health aides and give them the pride they deserve. They are not slaves, they are parents, sisters, daughters, and just good people who make our lives better. Since my" --

D.P.O. POSTAL:

Please sum up, Miss Kantor.

MS. CARPENTER:

"Since my husband died of cancer, Karen is not just my aide, she's my daily companion and friend. If we can't help these workers help us, how do you expect them to help themselves? Thank you."

D.P.O. POSTAL:

Thank you.

Applause

Martha Mercedes.

P.O. TONNA:

Just before we go to the next card, I think we have five minutes to -- whether we want to extend it or -- so I'd ask all Legislators to -- in the horseshoe, our hour is almost up. In five minutes, our hour is up for the public portion. So do we want to extend the --

22

LEG. GULDI:

Motion to extend for one hour.

LEG. FOLEY:

Second the motion.

P.O. TONNA:

For one hour or a half an hour, what do we want to do? One hour?

LEG. GULDI:

For one hour.

P.O. TONNA:

Okay.

LEG. GULDI:

Motion for one hour.

P.O. TONNA:

Okay. There's a motion to extend for one hour by Legislator Guldi, seconded by Legislator Foley. On the motion. I just want to get an idea. We're not going to extend it after that. It's one hour.

LEG. CRECCA:

One hour from now?

P.O. TONNA:

No, 10:55.

LEG. D'ANDRE:

They came a long way, let them speak.

P.O. TONNA:

One hour.

LEG. GULDI:

One hour is sixty minutes.

P.O. TONNA:

Okay.

LEG. BINDER:

I'd like to make a further motion, if it's all one side. The other side hasn't gotten a chance.

P.O. TONNA:

Well, I would say, has it been all one side?

LEG. BINDER:

Yes.

P.O. TONNA:

Well, come to me in a half an hour and then we'll talk about it.

LEG. GULDI:

Maybe there is only one side, Allan.

MR. BARTON:  
Please, use your microphones.

P.O. TONNA:  
No. We want to be as fair as possible. Okay. There's a motion and a second for one hour. All in favor? Opposed? Okay. We extended for one hour.

MR. BARTON:  
15.

P.O. TONNA:  
Okay.

LEG. CRECCA:  
I had a motion for consideration. I would make a motion. I don't know if we can do this, but I'd ask Counsel to make a motion that each speaker get two minutes instead of three.

LEG. D'ANDRE:  
No, no. No, no. Let them speak.

LEG. CRECCA:  
The idea being is that we could get more people up in the time.

LEG. D'ANDRE:  
Let them speak. Don't start meddling in --

LEG. FOLEY:  
You have to waive the rules.

P.O. TONNA:  
All right. Actually, Andrew, I think that's a very good idea. I just -- you can't.

LEG. FOLEY:  
You'd have to have waive the rules.

MR. SABATINO:  
You can't because there's a statute. It's in the Administrative Code that was adopted years ago.

LEG. CRECCA:  
Okay. I wasn't sure, that's why.

P.O. TONNA:  
It's a double secret statute that --

LEG. CRECCA:  
It was just give --

P.O. TONNA:  
-- Rocky and Bullwinkle put in in the 1940's.

LEG. CRECCA:  
Gotcha.

24

P.O. TONNA:  
But we got it. Okay. Thank you very much.

LEG. CRECCA:  
Withdrawn.

P.O. TONNA:  
Let's continue.

MS. NELSON:  
Ready?

D.P.O. POSTAL:  
Go ahead, Miss Mercedes.

MS. NELSON:  
Good morning.

D.P.O. POSTAL:  
Good morning.

MS. NELSON:  
My name is Rhonda Nelson.

D.P.O. POSTAL:  
Oh.

MS. NELSON:  
And Miss Mercedes, unfortunately, couldn't be here, because she couldn't afford to take the day off, so she asked that I read her testimony. "My name is Martha A. Mercedes" --

D.P.O. POSTAL:  
Excuse me.

P.O. TONNA:  
Martha, I'm sorry, you're not allowed to do --

D.P.O. POSTAL:

She could submit it. You could submit it to the Clerk, but --

LEG. FOLEY:

Someone else did.

D.P.O. POSTAL:

I know.

P.O. TONNA:

She did?

D.P.O. POSTAL:

Somebody else did read a statement.

25

P.O. TONNA:

Okay. I just -- the people -- the person who fills out a card speaks you can submit that to the Clerk. I mean, I guess somebody else did that just before. That's not -- that's not, you know -- all right.

D.P.O. POSTAL:

You're the Chair, so --

P.O. TONNA:

All right. As the Chair, I'm sorry, you're going to have to submit the testimony, and we don't have people filling out cards for other people to speak. I'm sorry.

LEG. FOLEY:

Mr. Chairman, there were already this day --

P.O. TONNA:

I know there was one, but it's --

LEG. FOLEY:

There was more than one and we've set the precedent for the day.

P.O. TONNA:

No. The precedent is -- no, I'm not --

LEG. FOLEY:

Well, we had -- at least two or three speakers have spoken, Mr. Chairman --

LEG. GULDI:  
Mr. Chairman.

LEG. FOLEY:  
-- on behalf of others who couldn't be here.

LEG. GULDI:  
Mr. Chairman, I have a question for the speaker.

LEG. CARACAPPA:  
She could have been done already.

LEG. GULDI:  
I have a question for the speaker. She filled out a card. Could you read the statement, please?

P.O. TONNA:  
No. I don't -- no, no.

Applause

P.O. TONNA:  
George. George, what we do is we have chaos, then, and people filling out cards for other people, it's not a good precedent to start. I'm sorry that I wasn't aware of it.

26

LEG. GULDI:  
It's my question.

P.O. TONNA:  
Ma'am, I apologize. You're going to have to put the thing in. There is no question. The speaker submits the testimony. If that person came, they can fill out the card. There are people who filled out cards with their names on it who want to speak.

LEG. CARPENTER:  
Mr. Chairman.

P.O. TONNA:  
Thank you.

LEG. CARPENTER:  
If I could.

P.O. TONNA:  
Yes.

LEG. CARPENTER:

If you would just explain to everyone that when someone does submit the testimony, that the Clerk's Office will make copies and we will have them --

P.O. TONNA:

Right.

LEG. CARPENTER:

-- right here this morning to be reviewing as we're discussing the issue.

P.O. TONNA:

That's right. But the important thing is that people who fill out the cards speak. People who don't fill out cards, you know, or fill out cards and can't be here to speak, I'm sorry. I just --

LEG. FOLEY:

Mr. Chairman, just on the point. Mr. Chairman, on the point.

P.O. TONNA:

Let's go to the next -- yes.

LEG. FOLEY:

Mr. Chairman, just on the point. Those who in good faith filled out the cards this morning may not have been aware of that particular rule that governs this Legislature. Since they were not aware of that rule, I don't think we should, let's say, penalize those who have yet to speak when earlier this morning we did allow three or four people speak on behalf of others. So, Mr. Chairman, I would ask --

P.O. TONNA:

No. No.

LEG. FOLEY:

-- that those who in good -- in good faith filled out those cards, not aware of the rule that was just articulated by the Chair here, that since we've already set the precedent for today to allow others to speak on behalf of those who couldn't afford to be here today --

P.O. TONNA:

No.

LEG. FOLEY:

That at least for today's purpose, that we continue with the precedent that's already been set and allow these other folks to speak on behalf of those who couldn't be here.

P.O. TONNA:

Brian, I take that under advisement. But if you fill out a card, you're supposed to fill out your own name.

LEG. FISHER:

Mr. Chairman.

P.O. TONNA:

There's no filling out of cards of people's -- other people's names, or something like that. That -- then the people --

LEG. FOLEY:

But they may not have been aware of that.

P.O. TONNA:

-- then the people who are waiting here who filled out cards don't get the opportunity. I'm sorry.

LEG. FOLEY:

They may not have been aware of that.

P.O. TONNA:

It's tough. Okay.

LEG. FISHER:

Mr. Chairman.

P.O. TONNA:

Yes.

LEG. FISHER:

Rather than having the young woman who had come to the podium, who has filled out a card, although it wasn't with her name, she has been here, she has waited.

P.O. TONNA:

I know.

LEG. FISHER:

Perhaps she could paraphrase or in her own words --

P.O. TONNA:  
No.

LEG. FISHER:  
-- just at least state her own position.

P.O. TONNA:  
No, no. It's not her -- she wants to give testimony to somebody -- somebody else. I'm sorry. It's not her name on this -- on this card. All right. Marty -- oh, you want to say something? Sorry, Marty.

LEG. HALEY:  
No. I just want to say that I think we have to make sure there's some decorum here. You have to make sure that those people who have spent the time and waited here for a long, long time to speak have the opportunity.

P.O. TONNA:  
Right.

LEG. HALEY:  
Those people who can't and don't want to speak, just filling out a card doesn't mean they could just plug anybody in.

P.O. TONNA:  
Right.

LEG. HALEY:  
So, Mr. Chairman, I want to tell you that I support --

P.O. TONNA:  
Okay.

LEG. HALEY:  
-- your position.

Applause

P.O. TONNA:  
Yeah, yes. Ginny, go ahead. It's no disrespect to the person who was up here or anybody else, it's just a -- it's a process that's a fair process and we should, you know, go by that. Go ahead.

LEG. FIELDS:  
Can I just ask, is there some kind of sign outside that says to the speakers, the people that come in, that they can only fill out a card in person for themselves? Is there some kind of notice for these people that instructs them, or someone?

P.O. TONNA:  
Well, for now on in, we'll -- I'll make sure I check with the Clerk's Office to that. Okay? We have to tighten up -- I think what you're saying is, and I think Legislator Foley and yourself have both said, that on the Legislative part, we need to tighten it up, so that people

understand what the rules are, and I can understand that. And I take full responsibility for that. And I'll talk with the Clerk of the Legislature later and we'll come up with some procedure for that. Marty Malconian. Marty? Going once, twice, sold. Michelle Lynch? Is there a Michelle Lynch here?

LEG. BISHOP:  
I think these people may be outside.

P.O. TONNA:  
Going once -- if they're outside, they're outside, but we call their name and that's it, especially when we have 52 -- 54 here who are waiting. Are you Michelle?

MS. MC CARTHY:  
No.

P.O. TONNA:  
Okay.

MS. MC CARTHY:  
This is going to propose the same problem.

P.O. TONNA:  
Sorry.

MS. MC CARTHY:  
I'm here on behalf of 1199.

P.O. TONNA:  
Okay.

MS. MC CARTHY:  
What I have to say --

P.O. TONNA:  
I don't know who -- I mean, 1199, I guess is a union.

MS. MC CARTHY:  
SEIU is a union.

P.O. TONNA:  
But there is -- there is no -- I can't, it's -- I have a name, Michelle Lynch.

MS. MC CARTHY:  
Right.

P.O. TONNA:  
Is there a Michelle Lynch here?

MS. MC CARTHY:  
No, she's not here.

30

P.O. TONNA:  
Do you have a --

MS. MC CARTHY:  
I'm -- my name Joanne McCarthy. I'm here on her behalf.

P.O. TONNA:  
Okay. You could commit the testimony, then, to the clerk. All right?  
Sorry. Ma'am, if you were here, you could fill out a card and get an  
opportunity to speak. Nancy Sylvester? Is there a Nancy Sylvester  
here? Once, twice, sold. Nancy Sylvester. Is there a Nancy Sylvester  
here? Nancy, Nancy.

LEG. BISHOP:  
No. This is another one where they had somebody read their testimony.

P.O. TONNA:  
I have two Nancy's here, one filled out, and then another one filled  
out in two different handwritings. To me, you know, that's two people  
filling out a card for Nancy. Okay. Judy Pannullo.

LEG. FIELDS:  
Pannullo.

P.O. TONNA:  
Pannullo. Judy, is that how I pronounce your -- Pannullo?

MS. PENNULLO:  
Pennullo.

P.O. TONNA:  
Okay. All right. Then there's another one, Tony Speelman, he already  
spoke. Where is that guy, that sneaky guy. Where is Tony? Tony, come  
on, admit it. I knew. All right.

MS. PANNULLO:

SM072701.txt

Good morning. My name is Judy Pannullo. I'm the Director of the Long Island Progressive Coalition and State Representative of the Working Families Party. I'm here today, obviously, to talk about the living wage for Suffolk County.

We all know this is not a living wage. At best, it's a minimum wage for Suffolk County. It's a bipartisan measure, the right thing to do, and it seems like the very least we can do.

All of the sitting Legislators here today who were interviewed by the Working Families Party were asked if they would vote for the living wage, and if they would vote for an override, if the County Executive vetoed the measure. Each and every one interviewed said they would vote for an override and now we expect you to honor that promise.

I hope and expect you will all do the right thing and vote for the override of the Suffolk County Executive's veto and pass a living wage, and I hope that each and every one of you do it. Thank you.

Applause

31

D.P.O. POSTAL:

Thank you. Ernesto Mattace, Jr.

MR. MATTACE:

Good morning.

D.P.O. POSTAL:

Good morning.

MR. MATTACE:

My name is Ernest Mattace, Jr., from the RWDSU/UFCW Local 338. I'm Political Director. And I'd like to put this on the side.

I listened to testimony this morning and I decided it was time to talk about some personal issues and how it affected my family. We talked about and listened to home health care aides. I had a widowed mother who lived by herself for 20 years. Three years ago she became very ill and she couldn't take care of herself anymore, but she refused to leave her home. So we got a home health care aide to come in and help her for 40 hours a week. That lady was an angel. Took care of my mother, took care of her needs. Before she got to my mother's house in the morning, she took care of another client for two hours. After my mother, she went and took care of another client for another hour, besides working on weekends to support her family. It got to the point where she couldn't stay home anymore, so she came with us, and the aide came to my home as well to take care of her. She became part of her family, and I listened to her in her struggle and how she

Page 37

SM072701.txt

supports her family on the minimum amount of money that she gets in the other jobs that she has to do besides working as a home health care aide.

It's important to understand that we're in a generation that's going to affect every one of us here. We have to take care of our parents , and we need those aides to help them and to help us, and they have to have the right and the ability to support their families. And I believe that this is a very important vote and I ask you to override the veto. Thank you.

Applause

D.P.O. POSTAL:

Thank you. Seth Stein. Is Seth Stein here?

MR. STEIN:

Hello. I'm just speaking on behalf of the Alliance of Long Island Agencies, which is an association of not-for-profit organizations that provide services for persons with mental retardation and developmental disabilities. We have about -- services for about 20,000 consumers, Nassau and Suffolk, and about 10,000, over 10,000 employees. And we have been working for many years with the State Legislature to get additional funding to provide living wage for direct care employees that work in our programs and services, and we were successful. Last -- in the last Legislative session last year, we and all the agencies across the State used a special appropriation to provide salary enhancements for the lowest paid employees in our programs. And in this budget, if it ever is passed, there's another, an additional salary enhancement on top of the other one, so there'll be about \$1,250 of salary enhancement that will go into the base for our

32

lowest paid employees. And our problem with this bill is simply that, that it's an unfunded mandate. Suffolk County has for years, for years, gone to Albany and lobbied, complained, argued that the state imposed unfunded mandates on Suffolk County for the services that are subject for the most part in the living wage bill. And now, the County is proposing to pass a bill that passes on that same unfunded mandate from the State to the County to the agencies that provide those services. And we have been working to get a living wage and we've been successful in getting money to pay a living wage, but the programs and services that are subject to this bill that these agencies provide are reimbursed under funding mechanisms that limit the money that the agencies get. For the most part, the County is participating in paying a rate that's set by the State and they pay a share of it. They don't participate in the setting of the rate. And that rate setting methodology limits what we can pay our employees.

Applause

The solution to the problem is to get the State to increase that reimbursement, and then to have the County, instead of support, and contribute their share to that cost, so that the employees at the lowest level can be increased. We support that, and we've worked at it and we've been successful at it. And if we could get the County's support in Albany, we think we could do even better and extend that to other programs and services beyond just the ones that have benefitted from the salary enhancements that have been passed by the Legislature.

Secondly, that's the -- so we have no opposition at all to paying a living wage, but we have to get money to pay the living wage to the people that you want us to pay it to, and that's the problem that this bill proposes in the most fundamental sense.

Applause

D.P.O. POSTAL:  
Please, sum up.

MR. STEIN:  
Excuse me?

D.P.O. POSTAL:  
Please, sum up, your time is up.

MR. STEIN:  
Yes. And then I think the answer -- there are other issues in the bill with regard to disclosure and privacy issues, which also have to be addressed with regard to employees, which the County doesn't even give out the names and home address of its employees to anybody, and, yet, this requires disclosure of that confidential information. It seems to me is that issue also in and of itself, separate and apart from anything else in this bill, mandates that the Legislature take -- reconsider this legislation and take a second look at it and figure out how we can provide the money to pay for the cost of this, and secondly, protect the privacy of the employees of these agencies. Thank you.

33

MR. STEIN:  
Thank you.

D.P.O. POSTAL:  
Next speaker is Seth Stein. Is Seth --

MR. STEIN:

That's me.

D.P.O. POSTAL:

Excuse me. Next speaker is Paul Arfin. Paul, are you here?

MR. ARFIN:

What's being presented here this morning for the most part until Seth is the impression that the vote has to do with good and evil, right and wrong. I think it's more complicated than that, and I would like to suggest why.

Those of us, first of all, who oppose the bill as it's presently put forth, are all for better wages. And as Seth was saying, the issue was where does the money come from. If in one organization, CPC, that provides services to the handicapped, to the poor, to the disabled, to the people who -- some of whom are earning these wages that everybody's been talking about, it would cost our agency \$325,000 to comply with this bill, just one agency.

And one point that has not been discussed is, for the sake of discussion, and I'll be very specific, in our agency, 84% of the people earn less than \$9 an hour, 84%. If we have a lot of people, those 16% consist of many people who are making 9.25, 9.50. However, they've been working for us for five, ten, fifteen years sometimes. Are we supposed to comply with the nine and leave their salaries alone?

The other point I'd like to make, and I'm cutting down on what I handed out to you, is that the bill doesn't address -- it's especially prejudicial to heavily -- organizations and heavily regulated industries like child care, home care, and services to the disabled. In these fields, salaries are much lower than most other industries, where financially breaking even is very difficult, if not impossible.

I ask that you postpone any commitments you have made to support this legislation until further study is conducted to attend to the details, as the Rabbi said, to attend to the details. I know that some of you have informally, if not formally said, "Paul, it's a year, we'll work out the details, which implies some acknowledgment that there's details to work out." Would it be so terrible? Couldn't you fulfill any commitments that you've made by delaying the vote on this until those details are worked out? Thank you.

Applause

D.P.O. POSTAL:

There's a question, Paul. Paul, there's a question. Legislator Foley.

LEG. FOLEY:

Thank you, Paul, for your testimony this morning. If you could, as a follow-up, just give us a breakdown, if not at the moment, in the near future, about the cost to your agency of, one, complying with raising the rates, just for those who are under \$9? Because the 3.25 figure, or the 2.30 figure, includes both those whose wages will be raised to \$9, and you also in that number include comparable increases to direct service employees; is that not correct?

MR. ARFIN:

All the numbers are --

LEG. FOLEY:

You put them all together.

MR. ARFIN:

-- direct service.

LEG. FOLEY:

All right.

MR. ARFIN:

I said 3.25 to comply with the bill.

LEG. FOLEY:

Okay. And the legislation, it would be 2.30 to bring those --

LEG. FOLEY:

An additional, an additional 2.30.

MR. ARFIN:

-- those above the nine to give them a comparable wage increase.

LEG. FOLEY:

And that would be --

MR. ARFIN:

And I could document that. I have an Excel work sheet. I can show it to you. It's been shared with some of the Legislators and the County Executive.

LEG. FOLEY:

Would you not agree, though, that notwithstanding the comments you made later in the paper about that it's unrealistic that the State or Federal dollars can be secured, would you not agree, though, that since the Legislature and the Governor, there are literally billions of dollars of surplus monies within the State budget, and that there will be increases for school districts? That being the case, there'll be increases in some other direct human service agencies. I don't think it's as unrealistic as you think it is to secure these dollars. And just one of the ways that we are looking at this legislation in this county, in Buffalo County and other counties in the state, that

this a way for a grass roots challenge to the State and Federal Government to live up to their responsibilities. And I think if we work together, as opposed to working against each other, that we can put together a strong organization that will challenge the State and

35

the Feds live up to their responsibility to give us additional funding for these particular areas. I'm not as pessimistic as you are. I think we can do it. We have --

D.P.O. POSTAL:

Brian, please, a question. There are a lot of people waiting to speak.

LEG. FOLEY:

Okay. Are you not aware, are you not aware that we have received a letter from the State Assembly Chair of the Health Committee, who's in full support of this particular legislation?

MR. ARFIN:

No, I wasn't aware of that.

LEG. FOLEY:

Okay. Were you not aware that there are --

MR. ARFIN:

And that deals with --

LEG. FOLEY:

Are you not aware that there are State leadership folks, particularly in the Assembly, who are willing to take up this challenge; are you not aware of that? Are you not aware of that?

MR. ARFIN:

No, I'm not aware.

LEG. FOLEY:

Okay.

MR. ARFIN:

No, I'm not aware of it.

LEG. FOLEY:

Well, I think, being aware of that now, I think the chances are better than they were before. But thank you, Madam Chair. I'll have more to say later.

Applause

D.P.O. POSTAL:

Next speaker is Tom Bernard. Tom Bernard. Can the Clerk make the microphone available?

MR. BERNARD:

Hello.

D.P.O. POSTAL:

Is there any way we can --

MR. BERNARD:

Good morning.

36

D.P.O. POSTAL:

-- move the podium so we can see Mr. Bernard and Mr. Bernard can see us? Thank you.

MR. BERNARD:

Thank you.

D.P.O. POSTAL:

That's great. Much better. Thank you.

MR. BERNARD:

I don't have a prepared statement, but I just wanted to get back to what kind of things we're really talking about what this money will go for. I wake up in the morning, I cannot get out of bed. I cannot go on the toilet unless I'm pumped up in a {hoylift}, an expensive chair. I cannot get up and eat or anything. And all these chores, much, much more. I mean, Janet, who's the woman I live with, I know I'm infinitely blessed. But seven years ago, Janet had to have heart catheterization. Last year she was involved in a car accident, had a severe back injury, and she helped me seven days a week, and for Medicaid to tell me that, and I called every agency in the whole County and they can't find anybody to come work with me.

If you pass to make this living wage a law, it will -- there would certainly be more people and they could be more particular about who gets hired. It would be a great, great thing. Everyone that lives needs a living wage. Thank you.

Applause

D.P.O. POSTAL:

Thank you, Mr. Bernard. Next speaker is Anita Fleishman.

MS. FLEISHMAN:

Good morning. The painful part about listening to this testimony is that I don't think there is anyone in this room and outside of it that is not in favor of increasing a living wage. However, I am the Executive Director of the Pederson-Krag Center, a not-for-profit out-patient mental health and substance abuse agency in contract with Suffolk County. We currently run seventeen programs across seven sites throughout the County, and approximately 4,500 men, women and children are enrolled in one or more of these programs. My statement today, hopefully, will be brief.

First, I wish to express my support to the 17 members of this Legislature that are acting upon the ambitious objective of increasing the minimum wage for a number of dedicated workers.

Secondly, however, I wish to express my support and gratitude to Legislator Allan Binder for voting against this bill, and convey my deep respect to County Executive Gaffney for his veto of it.

Applause

37

I do not believe these two statements are contradictory, for I believe no one would disagree with the spirit or intent of this bill. The courage to vote against it and veto it at this time has only to do with the timing of its passage and its funding. An override of the County Executive's veto will preclude the possibility of a full exploration of the consequences of a nonfunded mandate on many agencies that continuously struggle with balancing their budgets. Imposing additional costs without a clear picture of its impact may very well result in harming the very same individuals who you are hoping to help by the passage of this bill. The cost of this bill should not be funded through layoffs, program closures, and with the resulting subsequent diminution of critical services to a fragile population. I respectfully request that we truly work together for its passage, but only after these crucial issues are resolved. Thank you.

Applause

D.P.O. POSTAL:

Thank you. Next speaker is Carlo Oliveri. Carlo Oliveri?

MR. SCHNECK:

Good morning. Unfortunately, Carlo Oliveri had to leave this morning due to --

D.P.O. POSTAL:  
If you have a --

MR. SCHNECK:  
-- he's recovering from surgery.

D.P.O. POSTAL:  
If you have a statement, you can either leave it, but you may not speak in his place.

MR. SCHNECK:  
Okay. So let me say this. My name is Brian Schneck. I work with Carlo Oliveri with the United Auto Workers.

D.P.O. POSTAL:  
Mr. Schneck --

MR. SCHNECK:  
UAW strongly urges all these lawmakers here today to support this override.

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

MR. SCHNECK:  
Do the right thing for working people. Thank you.

Applause

D.P.O. POSTAL:  
Thank you. Next speaker, Anthony Macagnone.

38

MR. MACAGNONE:  
Good morning. I'm Anthony Macagnone. I'm a representative of the United Brother of Carpenters, Suburban New York Council, Board of Directors, Coalition to Save Long Island Jobs, also Councilman, Town of Oyster Bay. And like many of you, I, too, have to work two jobs to make ends meet, and I know the pain and suffering it had on my family and how hard it is that I don't see my kids all the time. But I have two real good paying jobs. What we're talking about now is people who are trying to raise their wages up to \$9 an hour and 10.50 an hour of jobs that aren't good paying. I believe the New York State AFL/CIO came out with figures stating that on Long Island, to feed a family of

SM072701.txt

four and to get housing for a two-bedroom apartment would take 175 hours per month at minimum wage. Okay. We're calling this the living wage. This is hardly a living wage, but it is a step in the right direction.

All right. If I can, I'd like to read a quote from someone, President Theodore Roosevelt. He can't be here today because he's dead.

LEG. BISHOP:  
Can't speak then.

MR. MACAGNONE:  
Can't speak then?

D.P.O. POSTAL:  
He didn't sign a card. Anyway, go ahead.

MR. MACAGNONE:  
Thank you, Legislator Bishop.

LEG. BISHOP:  
He was an Oyster Bay resident, though.

MR. MACAGNONE:  
Thank you, Miss Postal. He was an Oyster Bay resident.

LEG. FOLEY:  
We're trying to help the living here.

MR. MACAGNONE:  
All right. At times, we all need a helping hand from our brother. But, in turn, it's our obligation to help another when they need a helping hand. And we're trying to help people that are trying to make a living and trying to be able to pay taxes and stay on Long Island and raise their family there. So I urge you to all vote in favor of the living wage and override the veto. Thank you very much.

Applause

D.P.O. POSTAL:  
Thank you. Next speaker, Rosa Sanchez.

MS. SANCHEZ:  
Good morning. My name is Rosa Sanchez and I come to you again to ask

Since the last time I was here, I have begun taking care of the patients, and I take care of them seven days a week, twice a day. I get up and put them to sleep, bathe them, dress them, and help them with their physical therapy. The other one that I work for is home-bound, and I care for her five days a week, three hours a day, and handle all her cooking, shopping, housekeeping and medical needs. In totally, work 36 hours a week and earn 7.75 an hour without medical benefits. On the weekend, I continue to work the midnight shift at the shelter for battered women. Both jobs are very fulfilling to me and I have always wanted to help people. Still, sixty-one hours a week and I don't even bring home 23,000 a year.

Also, since the last time I was here, my eldest son has started a second job. He was scheduled to start college education, but now we have a new medical bill, one for his diabetic attacks that had added another \$3,000 to our debts.

It seems impossible to believe that a family of four and three children, who are 22 year, 19 and 14, cannot stay afloat with four jobs. The strain of paying the mortgage, taxes, home and car insurance, food, the utilities, and the medical expenses is overwhelming. I got another letter last week letting me know my house will be for auction.

I have come to ask that you pass this bill for the families that want to live out the American dream, the families who want to work and earn enough for the basic needs like food, rent, clothes and medical benefits without having to work two jobs. The dream of being able to send your kids to college, so they can better themselves, there are many people like us out there who work very hard to achieve these dreams. The living wage will help me, my family, and many other working families in Suffolk County.

Before I leave, I just want to thank all of you 17 Legislators that stood up for us and passed the bill last month. A special thanks also to Mr. D'Andre, who recognized my struggle for raising the three kids by myself while working two jobs. Your promise to help pass this bill means a lot to me and I just wanted to thank you again for that.

LEG. D'ANDRE:

Well, we're going to reward you by helping your dream.

MS. SANCHEZ:

Thank you.

Applause

D.P.O. POSTAL:

Thank you, Ms. Sanchez. Next speaker is Ruth Gaines.

MS. GAINES:

Greetings, Deputy Presiding Officer Postal, and members of the Suffolk Legislature. Today I stand before you as a social work at the Jesus

Is Lord Fellowship Church.

And I just want to share a story with you about this young woman who has asked me to share the story. She's a 23 year old woman. She's a parent of six -- two children, ages six and two years old, and she lives in Suffolk County. She is presently residing in Central Islip. She wants to thank you for your past support in regards to the living wage. She says that she's currently working at a day-care center in Commack, and that the tuition there is anywhere from \$570 for two years old to \$900 and more per month for infants. They are -- they are at a center. There's approximately a hundred children who attend. She makes \$7 an hour, and after a year, she can either have medical insurance, or a raise of 50 -- for \$50. She says her son attends the day-care center and she pays straight from her check \$115 per paycheck for him to attend. This leaves her with approximately \$210 biweekly, and if she misses a day of work, that reduces her paycheck. She cannot take time off. However, with her small children, as you know, there's times when you just can't go to work, and she has no personal days or holidays until after one year of employment. She says that, approximately, she is bringing \$480 per month, not to mention car insurance, pampers, basic necessities for two weeks. After that, she has left approximately 5 or \$10 to last her for two weeks. And she thanks God for her parents, because if not, she would be homeless and in the street with her children.

She says that the parents at the day-care pay high tuitions and that they are trying also to make ends meet. But she wonders why day-care workers are not being paid fairly. She states that she changes Pampers on a daily basis, she goes through the day's curriculum for the two year olds, and she feeds them lunch, she cleans up after them, and she gives them snacks. She deals with the many different personalities that the children have, emotional, mental and even physical disabilities.

Her reason for stating all of that was that she doesn't feel that she is -- she's getting paid to deal with this, and it is not fair, because she loves what she does, but she can not live with this. She states that her -- the precious little ones that she takes care of are supposed to be our most prized possessions, our greatest gift ever, our future leaders. However, have we ever stopped to think the types of people that are willing to work for \$7 an hour and --

D.P.O. POSTAL:

Ruth, I have to ask you to sum up, please.

MS. GAINES:

And how much -- how much these workers have to -- have to sacrifice. Maybe, if we offer some kind of incentives or pay enough where we

SM072701.txt

could take care of our own children, she had stated, she would be able to take care of her -- we would be able to take care of our resources, and she asks for you to continue to support the living wage.

D.P.O. POSTAL:

Thank you.

Applause

41

Next speaker is Marie Theroux. Marie Theroux.

AUDIENCE MEMBER:

She had to go back to work.

D.P.O. POSTAL:

Paul Sonn.

MR. SONN:

Good morning. My name is Paul Sonn. I'm from the Brennan Center for Justice at NYU Law School, and we've been assisting this body and interested parties with some of the legal and technical issues raised by the legislation.

I'd like to speak briefly to the cost issue, because it's a central one that's been raised this morning. And it seems like there's broad consensus that this proposal is the right thing to do, and the smart thing to do.

The concern voiced by the nonprofit community is that they're afraid of being saddled with an unfunded mandate. Well, I think it's been clear all along, the intent of the proposers of this legislation has not been to saddle people with an unfunded mandate, and the understanding is that it will be necessary to provide supplemental assistance to nonprofits to make it possible for them to pay the living wage. But the good news is there is every reason to believe that the amount of funding needed will be affordable.

You all saw the County Executive's veto letter in which, after receiving input from the service contractor community, he estimated a \$10 million additional cost resulting from the Living Wage Bill. Now, even if it were true that the County had to bear 100% of that cost, I mean, many people might think that for a County such as this that would be affordable. But if one looks carefully at the numbers, there's every reason to believe that that number is very much exaggerated. Just pointing out two line items in particular, the County Executive attributed \$2.3 million just to the Head Start

Program. Consultation ,however ,with DC-1707, and you heard their testimony this morning, they believe that they -- that that number is entirely fanciful, that there are -- 50 to 60 people would be affected, likely wage cost annually in the ballpark of two, \$300,000, not \$2.3 million. That's \$2 million that really seems to be pure inflation in that \$10 million price tag.

Even more significantly is the home care portion that's been a subject of central discussion. The County Exec counted \$4 million in extra home care costs into that \$10 million total. He did that by assuming that the County would pay 100% of the additional home care wages. However, as we've discussed before, under the fairly general State Medicaid home care funding formula, ordinarily 90% of the cost is borne by the State and Federal governments. However ,under the current -- the typical methodology has also been explained, normally there is a two year lag and if the normal sort of rate setting procedure were used there might be an interim two year period before the State and Federal assistance kicked in. There is, however, every

42

reason to believe that an immediate rate increase could be obtained and that's what's explained in my letter, my testimony. The State regs provide for a procedure that addresses exactly the problem confronting Suffolk which is where rates are manifestly too low to maintain -- to attract a home care work force to meet the needs of approved clients. Everyone agrees that that's true in Suffolk, there's a real crisis.

D.P.O. POSTAL:

Please sum up, Mr. Sonn. With

MR. SONN:

As explained in my letter ,there's every reason to believe that immediate State approval for the higher rate increases for home care could be obtained, that would shift \$3.6 million to the State and Federal governments. The bottom line price tag is probably closer to five million, something that's affordable for the County. Thank you.

D.P.O. POSTAL:

Legislator Lindsay has a question.

LEG. LINDSAY:

Wait a minute, Paul. Paul, before you go anywheres.

LEG. FISHER:

Paul, there are a few questions.

LEG. LINDSAY:  
Am I on?

D.P.O. POSTAL:  
You're on.

LEG. LINDSAY:  
Okay. As you ably pointed out, it seems like the two areas of concern by the providers are health care and the home care for the elderly, and you pointed out about the reimbursement rate. What do you think the chances are of getting the reimbursement rate increased if we do not take this step and increase the wages at the bottom level?

MR. SONN:  
There's virtually no chance. It's sort of a chicken and egg problem. The County has to start and document that there's a crisis in home care, that the wages are too low at the County level and that the County is unable to fulfill its obligation under Medicaid to provide home care services to approved individuals like the many who have testified. If the County does not set that record and take that first step, the State is not on their own unilaterally going to raise the rates.

LEG. LINDSAY:  
So in other words, if we pass the living wage, raise these people's salary, it will justify a rate increase by the Federal and the State government.

MR. SONN:  
That's right. The procedure is the County would then file an application pursuant to the regulation noted in my testimony for an immediate rate increase based on the manifest inadequacy of the current rates. You know, there's every reason to believe that that would be granted, particularly with the support of Suffolk's Legislative delegation in Albany.

LEG. FOLEY:  
Very good.

D.P.O. POSTAL:  
Legislator Fisher.

LEG. FISHER:  
Actually, Paul, you've answered my question which is what mechanism would there be for us to be able to fund this mandate, so that we're

not imposing an unfunded mandate. At the beginning of your testimony you mentioned not-for-profits, but we're also concerned with the for-profit agencies who have suffered under Medicaid allowances which have not been as generous recently and also with client hours having decreased. So we want to be certain that they can continue to provide the services.

MR. SONN:

That's an excellent point. I was using the word non-profit because I -- somewhat inaccurately because I understand that for home care, Suffolk's program is virtually a hundred percent for-profit.

LEG. FISHER:

Right.

MR. SONN:

But the reimbursement of -- the rate increase for home care I was talking about applies to all agencies and, in fact, because only for-profits provide it to Suffolk it would be exclusively for for-profit agencies. I mean, particularly in home care, people agree, you know, there aren't -- there needs to be a rate increase, there's no magic bullet without the rate increase. You know, it likely would not be feasible, but there's every reason to believe that the rate increase will be approved.

LEG. FISHER:

The home care industry has indicated that they have had a very strong lobbying effort in New York State to no avail, there have been continued decreases. So our statement here is that with the passage, with the override of the living wage bill, that we would be making an even stronger effort to have the Medicaid reimbursement rates increased on the State level.

MR. SONN:

That's correct. The County Legislature will be documenting really the crisis state of the County's home care program and the manifest inadequacy of the rates currently to enable the County to meet its obligation to provide -- home attendants to approved individuals. This

would then provide the basis -- provide sort of the basis for an application that would be immediately filed with the support of this broad coalition and the State and the County's Legislative delegation to the Department of Health for approval of that rate increase.

LEG. FISHER:

Paul, can you clarify again the two year lag? Because I think there is great concern as well with the private agencies, that with the two

year lag it will result in their having to borrow against -- from banks in order to meet their payroll debt and then they would have debt service which would be incurred. So how would that work, can you go over that again, please?

MR. SONN:

Yeah, thank you for asking, it's an incredibly complicated system. I mean, if the County did nothing more, after two years the rates would be bumped up automatically under the normal rate setting process. However, that would cause hardship during that intervening two year period either for the County or the agencies or both. That is why the appropriate step to take is to file an immediate rate increase application based on the regulation quoted and discussed in my testimony, which provides for immediate rate adjustments where the rate, current rates are inadequate to supply a pool of home care workers to meet the County's needs, and that is clearly the case. The County gets sued every day of the week, it has to enter into settlements. The gentleman who last spoke, the County was unable to provide him with an attendant, they settled for, you know, some number of thousands of dollars and they now pay his wife, his partner to provide the services for him because the County was unable to come up with an approved home attendant. I mean, it's very likely that this litigation and these other expenses are -- I mean, there would be savings in litigation costs if we got the rates up to a decent level.

LEG. FISHER:

Although we have the New York Code of Rules and Regs, that's what you're referring, 505 --

MR. SONN:

That's correct.

LEG. FISHER:

Okay. That would still require a vote of the Assembly and the Senate, or not?

MR. SONN:

No, no. It does not require legislation but it does require administrative approval by the Department of Health and the Department of the Budget, that is the procedure. Under the applicable standards by rights, it should absolutely be granted in Suffolk because the rate -- everyone agrees, it's been documented extensively for, you know, a number of years, that the rate is simply too low to attract the pool of workers needed. However, approval is not automatic but given the broad and powerful coalition that is here, the sway of your Legislative delegation in Albany, there is, you know, every reason to believe that the approval would be granted. If approval is granted, that would then freeze up as detailed in the letter approximately 1.6

million a year in State funds and then \$2 million in Federal funds automatically flow, and that would -- that would apply immediately.

Again, even in the worse case scenario, the rates would be raised eventually after two years, but that's highly undesirable and to be avoided because there would be the hardship during the intervening two years.

LEG. FISHER:  
Precisely. Okay, thank you, Paul.

LEG. ALDEN:  
I have a question.

D.P.O. POSTAL:  
Legislator Alden.

Applause

LEG. ALDEN:  
Could you come back?

D.P.O. POSTAL:  
Paul? Paul? There are other questions. Legislator Alden and then Legislator Caracappa.

LEG. ALDEN:  
In regard to the two year lag, it seems like it's almost like dishonest at best what is going on with New York State, but is there a lobbying program and also can you tell me where you are as far as with New York State trying in trying to do away with that and come back to a more sane or realistic type of reimbursement formula?

MR. SONN:  
That's a very large question requiring lengthy -- I mean, it's -- ideally the formula should be changed, you know, in many ways; whether a global change will take place, that's politically very complicated. However, we think immediate approval of a Suffolk rate increase to get it up to a minimally adequate level is likely and feasible.

LEG. ALDEN:  
How long ago did it go to the two year lag?

MR. SONN:  
It's a -- it was established -- it's been in place for a number of years, I'd have to consult with other people.

LEG. ALDEN:  
Okay. All right, thank you.

MR. SONN:  
Thank you.

D.P.O. POSTAL:  
Legislator Caracappa.

46

LEG. CARACAPPA:

Thank you. Paul, one more, just a quick -- sorry, buddy. That's why you're so thin, back and forth, back and forth. With relation to the 1.6 million from State and the two million from the Federal government that we'll automatically get, is that a cap or can --

MR. SONN:

No.

LEG. CARACAPPA:

If we go to the delegation, as you've been speaking about and which I'm banking on and those who are supporting the bill are banking on, we're going to go to that delegation both on the State level and the Federal level with the hopes of them giving us a bigger infusion of money. So my question is are we capped at those numbers or can we get more?

MR. SONN:

No. No Federal approval is required. Medicaid is an entitlement program where once the state approves the rate, the Federal government has no option but to provide their 50% share. And I'm sorry, could you --

LEG. CARACAPPA:

The cap.

MR. SONN:

No, they are not capped. There are County-wide sort of ceilings that have been in place, but Suffolk has not approached its ceilings so we do not believe that those would be a factor in granting -- in an approval being received for this increase.

D.P.O. POSTAL:

Thank you, Paul. Our next speaker is Robert Muller.

Applause

Robert Muller?

MR. MULLER:

Good morning, Distinguished Members of the Legislature. My name is Bob Muller, third generation resident of Islip Terrace and I'm here to ask you to override Executive Gaffney's veto of Resolutions 14 -- 1594 and 1595. Although I'm honored to appear before you today, it's with

great displeasure that I find myself forced to .

The veto of the resolutions to me shows a disregard for the will of the citizens. These resolutions have not only received a strong public display of support, but the Suffolk County Water Authority and the Suffolk County Planning Commissioner have also backed these resolutions and, of course, this Legislature did pass those resolutions as well. These resolutions have the ability to address a variety of concerns related to the property in question which is the property on the corner of Sunrise Highway and Connetquot Avenue in Islip Terrace. Serious environmental community pride in a generation of equity and safety concerns are at hand here. All citizens of and

47

visitors to Suffolk County can benefit from the passage of these resolutions; likewise, a great deal of damage can be done with regard if these are not passed.

In short, I hope this Legislature will show the concern and wisdom expected of it by overriding Executive Gaffney's veto of 1594 and 1595. If this property is allowed to be destroyed, every building there will stand as memorial to contempt for the will of the public. Thank you.

D.P.O. POSTAL:

Thank you, Mr. Muller. Next speaker, Christy Johnston. Is Christy Johnston here?

MS. JOHNSTON:

Yep. Good morning.

D.P.O. POSTAL:

Good morning.

MS. JOHNSTON:

My name is Christy Johnston and I am representing the New York State Association of Health Care Providers, we represent home care providers throughout the state. I have a couple of different, general comments to make and then I'd like to address some of the points that were recently made on some of the reimbursement issues and some of the political realities from our perspective in Albany.

Today we are urging you to sustain the veto of Resolution 441, not because we disagree with the concept of the proposal and not because we disagree with the importance of the issue and its impact on workers, but because the intent of legislation doesn't always deal with the operational issues and we feel it's really important to begin with the difficult work of determining how to fund and how to

implement such a proposal so that it is able to be sustained, so that patients, workers, businesses are not displaced in the process.

When I spoke at the meeting last month, a large emphasis was placed, and again today, on the ability to secure funding at the State level and to try and push through some of -- increasing the support for funding home care, and unfortunately the reality from our perspective, as we lobby on a day-to-day basis and having this as one of our key advocacy issues throughout the year, throughout most recent years, the reality is we're not getting the support that we need. In fact, we spend most of our time fighting proposed cuts, the bare-bones budget that is likely to be enacted next week, we will be lucky if a cut not included for home care, certainly no additional funding is in there. I do have a copy of the {Godfried} letter. We have spoken to the Assembly Majority, we have spoken to the Senate Majority, we've spoken to the Governor's Office. And while everybody is very supportive of the issues and is beginning to identify and recognize what's going on down in Suffolk County and the potential fiscal impact at the State level, no public dollars have been committed to help assist in this process. The two year lag is a real lag and even if the two year lag is in place and even if the funding does become available after that two year period, it doesn't automatically go to the providers. The

48

State does have the opportunity to disapprove rates. The County does have the opportunity to disapprove those cost report rates. And in fact, Suffolk County in the past, my understanding is you've worked on negotiated rates before so not -- providers haven't always received the cost report rates.

We have had discussions at the association level with the reimbursement departments and divisions in the Department of Health about finding a way to immediately accommodate such a dramatic increase in the cost for providers. They chuckled, I'd have to say, weren't quite sure how that would work. And we have also had discussions with the Division of Budget which accurately, as was stated before, they also have the ability to approve or disapprove rates.

D.P.O. POSTAL:

Mrs. Johnston, I have to ask you to sum up and then Legislator Binder has a question.

MS. JOHNSTON:

Okay. In essence, I think from our perspective the funding really is a valid issue. This is not an issue that the industry is opposed to categorically, it's something that needs to be thought through, operational issues need to be identified and figured out.

D.P.O. POSTAL:

Thank you. Legislator Binder?

Applause

LEG. BINDER:

Thanks. Have you heard of the previously -- I just heard the mechanism mentioned as to this immediate relief in an emergency; do you know about that?

MS. JOHNSTON:

I would actually be interested in taking a look at what the assessment and the analysis is. We have had our reimbursement folks and our association take a look at the language, they've talked to the Department of Health and have not received a response of the nature that we would have liked which would have been yes, we can do and accommodate this immediately. Even -- they indicated that even if that were a possibility and they could move forward with that, they would need approval from the Division of Budget and our conversations this past week with staff in the Division of Budget were not particularly encouraging. This is also an administration that has been supportive of monumental cuts to the home care industry, to the services that are provided to the Medicaid beneficiaries throughout the State and we have had cuts of over 700 million in the past six years.

LEG. BINDER:

So it would be your feeling that considering the history of what's gone on in Albany, is it fair to say that you are not expecting, even if we yell crisis, a crisis of possibly our own making here by legislation, that they would be funding the industry?

49

MS. JOHNSTON:

I think that's an accurate statement.

LEG. BINDER:

So then if that's the case and the question that wasn't asked before, if -- let's just give a hypothetical and I think the probable hypothetical, that this immediate relief is not forthcoming, everyone's looking for a way to cover themselves here because we have a mechanism, but let's say this mechanism doesn't work, the money doesn't come down, give me a scenario as to what happens -- see, you ever a broad view, I'm not asking one just provider, you being the broad view -- what happens to the provision of home health care in Suffolk County without this relief? Let's assume that it's not

forthcoming.

MS. JOHNSTON:

Well, I think providers struggle and make very difficult decisions on how they are able to remain in business. I think what you're talking about here with your legislation are directing the increases to those who work on cases with the County. It doesn't take into account, as someone mentioned before, other workers within the agency who may be at higher levels that need to be increased to keep them working, and I think ultimately impacts patient care. Whether or not providers continue to deliver services to the Medicaid program which they are very dedicated to. I mean, the infrastructure in New York State for long-term care services is through the Medicaid program regardless of a lot of income levels. So --

LEG. BINDER:

Now currently, by law the rate for private pay is larger than the Medicaid rate.

MS. JOHNSTON:

Correct.

LEG. BINDER:

If there is a substantial increase in the Medicaid, because now we'd have -- let's say we do end up funding this, so we fund at a higher Medicaid rate, what happens to the private pay rate?

MS. JOHNSTON:

Private pay rate by virtue of the regulations, Medicaid needs to be the lowest charged to the general public, private pay rates would also go up. Providers --

LEG. BINDER:

By probably about the same amount, is that --

MS. JOHNSTON:

At least the same amount. It would need to be slightly more so it impacts throughout the entire payer system.

LEG. BINDER:

Could you foresee, is it possible that those providers of home care that are not -- they could be in Suffolk County, but they don't have

contracts with Suffolk County, they could be from Queens, Nassau, wherever, they may even have private pay in Suffolk County, but they don't have a county contract, could you foresee them competing with our contracted home health care agencies for a business that they're

forced to have at a higher private pay level?

MS. JOHNSTON:

I would say certainly. It is a competitive industry as most industries are and you would see other companies that don't -- aren't required by the County law to increase wages be able to operate more competitively with the private market and other market places. I think you also see a broader impact as you move county to county. I think you see a lot of displacement in Nassau County, you might find your workers moving and the trickle effect.

LEG. BINDER:

So now if your -- because I don't know the finances particularly of home health care, but I would think that a substantial amount of money is made to support their company from the private care -- private pay. If a number of agencies come in from other counties, other places, or just let's say non Suffolk County contracted, and they can't compete, would home health care agencies that contract with the County, would they drop County contracts? Would we lose those County providers right now that provide Medicaid services in Suffolk County?

MS. JOHNSTON:

I would say looking at the bigger picture and in the short-term you would have Suffolk County providers who do business with the Medicaid program potentially losing additional private pay business which would shrink their business mix and when you're in health care you want your business mix to be as versatile as possible so you can continue servicing all the different lines including the public payers. And as that increases and becomes the majority of your caseload, at the same time as increasing your requirements and your costs, as you're increasing the wages and not necessarily receiving reimbursement at the State level in the short-term or even in the long-term, I would say that you would have businesses making decisions and ultimately displacing not only patients but workers in the process.

LEG. BINDER:

And give me a time line on when that could start happening, that we could can start losing companies. As you know, we recently, in the very past --

MS. JOHNSTON:

Right.

LEG. BINDER:

-- increased the number of agencies that would be on County contract because we were losing.

MS. JOHNSTON:

Right.

LEG. BINDER:

The number was shrinking because of how many agencies went out of

business, merged, but we lost a lot of agencies in Suffolk just because they couldn't handle the economics without this legislation.

MS. JOHNSTON:  
Right.

LEG. BINDER:  
How fast could it be that we might find a drop-off of home health care agencies from County contracts to focus just on private pay and then keep contracts with other counties and other municipalities?

MS. JOHNSTON:  
I would say that you're looking at a very short time frame because, as you just mentioned, there are agencies that have already been closing without regard to anything that you all are considering doing. That the Medicaid and the Medicare Programs, the reimbursement has been restricted so significantly over the past five or six years that they've already started leaving the business. And I think you will have providers taking a look at this right now and saying, "Is this something I want to do? Can I make this commitment?"

LEG. BINDER:  
I mean, we even did -- we even, by putting nurses out there and doing tough evaluations, we even limited but I think that was the right thing to do but it definitely constrained the industry. So could we be looking at a crisis in a short term just not having enough providers who are County contracted to provide Medicaid services to those who are in need of Medicaid home health care?

MS. JOHNSTON:  
I would say yes. And I would also say that taking a look at the -- my understanding is the County has -- relative to other counties in New York State, is pretty successful in fulfilling their Medicaid cases right now and you certainly don't want to go the way of other areas of the State where cases are totally going unfilled at this point.

LEG. BINDER:  
Thank you.

Applause

D.P.O. POSTAL:  
Thank you very much. Our last speaker is Karen Dargo.

MS. DARGO:  
I'm so glad I'm last here, right before lunch. Good morning or good afternoon. My name is Karen Dargo and I'm President of the Long Island Chapter of the New York State Association of Health Care Providers. The Long Island Chapter currently represents 40 licensed home care agencies with many of them contracting with Suffolk County's Department of Social Services to provide personal care services under

the Medicaid Program. Of course, I'm speaking about the living wage.

Again, as I have stated to you in the past, while a well intended bill, this unfunded mandate would disrupt the entire home care delivery system in Suffolk County. And as also stated previously, as providers of Suffolk County's personal care Medicaid Program, our

52

reimbursement comes over 90% from the Federal and State Governments and less than 10% from the County. The County cannot compel the Federal Government or the State to increase their funding in order to cover the wage increases mandated by this legislation.

For the last -- for the past six years Medicaid home care programs have received ongoing funding reductions that have taken over \$700 million out of the state's home care programs. Based on the complexities of the reimbursement structure unique to our industry, a mandate such as this without appropriate fiscal support would force licensed home care agencies who have been servicing the residents of Suffolk County for decades to discontinue providing services for the County or even go out of the business. This would then force people out of work and patients in need of services would be denied access to care. What about the patients we take care of? These harsh outcomes would quickly become realities.

Home care providers in Suffolk County strongly support their workers. The paraprofessionals in this industry are the backbone of the home and community based delivery system. While providers have been increasing wages over the years without adequate reimbursement, we are keenly aware of the need to further increase wages and benefits, yet can only do so in a well thought out manner with appropriate fiscal support. There are no guarantees.

We are in favor of the concept of this bill, but with no mechanism in place which would allow us to be reimbursed, how do we survive? Please tell us how this will be paid for. I had an opportunity to meet with the County Executive last night who told me that while many of the Legislators believe the money will be in the County budget, he said that's not the case. As Christy Johnston just spoke to you and alluded to, the picture in Albany is very grim and we have been fighting this battle to get increased reimbursement for years without any success.

While we implore you to sustain the County Executive's veto of this piece of legislation in its present form, we want you to know that we are committed to working with the sponsor of the bill and the Legislature to further study the fiscal problems associated with the bill and participate in the collection of data and information

necessary to truly understand the impact on our workers, our patients, our communities and the local economy. We support the County Executive's formation of a task force to review the impact and make recommendations for potential amendments to the current legislation. Let's sustain the veto of this bill in its present form and allow time to redraft the legislation to address the concerns that we brought before you today. Please help save our industry.

Applause

If providers are unable to sustain this living wage increase, the impact will go far beyond the workers; ultimately it will be the patients and their families who will suffer. Thank you very much for your time and consideration of my comments.

Applause & Boos

53

D.P.O. POSTAL:

Question, Ms. Dargo. A question from Legislator Fisher.

LEG. FISHER:

Ms. Dargo, I did hear some boos as well as cheers there and I think that it's very important that we see that there are two sides and it's a complex issue. And you may have noted the questions that we asked of Paul Sonn which is that we are looking very carefully at this and that we expect -- are you aware that there will be one year before the implementation of this program?

MS. DARGO:

Yes, that I'm aware of, July 1st.

LEG. FISHER:

And the questions that were asked of Mr. Sonn refer to a -- I suppose a much more optimistic view of how we could get the funding. Are you aware of the New York State Code to which he referred, for which we could seek immediate relief?

MS. DARGO:

I am aware, but like Paul said, there is no guarantee. And again, like I stated, I mean, we have been lobbying, like Christy Johnston just spoke about, we have been in contact with the Division of Budget again, there is no guarantee. And what happens if that's not the case and that money is not going to be passed along? These agencies again that are servicing the clients of Suffolk County, the patients, are going to be in danger of going out of business, so there's no guarantee. And that's why we feel that we want this to be sustained

and let's retake -- you know, take a look again because it's a good issue and we're not opposed to increasing wages. But we think based on -- even based on the questions that have been asked and the comments that have been taking place today, that more discussion, more thought, more research needs to be done on this topic.

LEG. FISHER:

Okay. And do you believe that having -- well, I suppose you don't. Do you believe that it might be possible that having an ordinance such as this on a County level would push the State process, might have an impact on the State process and the direction which the State has taken? Which without it has been on a downward spiral for six areas, that perhaps this might impact on that downward spiral and begin to turn it around?

MS. DARGO:

Again, there's no guarantee and I can't see that that would happen.

LEG. FISHER:

Okay, thank you.

LEG. BINDER:

Madam Chair? Madam Chair?

D.P.O. POSTAL:

Legislator D'Andre. Ms. Dargo? Legislator D'Andre and Legislator

Binder, did you have a question?

LEG. BINDER:

Yeah, just a quick question.

D.P.O. POSTAL:

Legislator D'Andre is first; did you have a question?

LEG. D'ANDRE:

Let's vote.

D.P.O. POSTAL:

Okay. Legislator Binder.

LEG. BINDER:

The question was about whether this would force New York State, that was your question, would it force New York State to do this? I mean, isn't -- shouldn't -- let's put it in stark reality; isn't the question whether -- in watching us commit hari-kari in home health care, would they send a mop to clean the blood? I mean, isn't that what it really comes down to, because would that really give us any

money?

MS. DARGO:  
Right.

D.P.O. POSTAL:  
Is there an answer?

MS. DARGO:  
We appreciate your support, Legislator Binder.

D.P.O. POSTAL:  
Okay. Are there other questions for the speaker? Okay.

MS. DARGO:  
Thank you.

LEG. POSTAL:  
Mr. Chairman?

P.O. TONNA:  
Yes.

LEG. POSTAL:  
I'd like to make a motion to discharge Introductory Resolution 1508, that's been distributed, it's adopting a Local Law to strengthen and implement application of the County Human Rights Law to public accommodations, employment and housing.

P.O. TONNA:  
Okay. It needs to age for an hour, right?

LEG. POSTAL:  
It needs to age for an hour.

55

P.O. TONNA:  
And then we'll debate it on the merits or whatever else.

LEG. COOPER:  
Second.

P.O. TONNA:  
Okay, seconded by Legislator Cooper.

LEG. BINDER:

On the motion.

P.O. TONNA:

On the motion. This is just to lay it -- this is just to discharge it.

LEG. BINDER:

To discharge. I'm just wondering why this has to be discharged and why we can't go through the normal committee process on this.

P.O. TONNA:

Has this gone through committee already?

LEG. POSTAL:

Yeah. This has -- if I could respond.

P.O. TONNA:

Yes. Do you mind, Legislator Binder?

LEG. BINDER:

Please.

LEG. POSTAL:

This has been in committee. You may recall that this was sort of a subsequent version to a bill that was approved, actually approved by the Legislature. There was some question and clarification and expansion of that bill, and there were two virtually identical bills before the Legislature at one meeting, one by -- sponsored by myself, one sponsored by the County Executive. We decided to avoid confusion and you'll remember that the County Executive's bill came with a Certificate of Necessity because he vetoed the original human rights bill and in his veto message talked about the need for clarification, and so his bill was a response to a veto of the bill we had approved. That's why this has been a very lengthy and complicated process to, in essence, approve what we have already approved. And it's now sponsored by the Presiding Officer, the County Executive and myself.

P.O. TONNA:

Okay, hold it one second. I just ask --

LEG. BISHOP:

Is this a debatable motion?

LEG. BINDER:

Yes, a motion to discharge is debatable.

P.O. TONNA:

Yeah. Just all mobile phones, all beepers, everything is supposed to

be either off or on vibrate, okay? Thank you. All right, Legislator Caracappa.

LEG. BINDER:

Well, no. Let me just --

P.O. TONNA:

Oh, wait. Legislator Binder, go ahead, you can finish.

LEG. BINDER:

Yeah, I -- I understand it was before us. Again, I don't understand why we have to go around the committee process and the body. If it's going to pass anyway in the committee, I would urge my members let it go through committee, it will be here, there's no rush, it's not going to change, a couple of weeks doesn't change anything but it gives an opportunity for us to do the business we're supposed to do in our committees and I don't know why we would have to discharge a major change in policy in Suffolk County. It might give you a little bit more time to take a look at it again, sit down, contemplate what it says, the words in it, they do have impact in law, let it go through the committee. I don't see any reason for discharge so I'm going to vote no.

LEG. POSTAL:

Well, if I could respond, Mr. Chair?

P.O. TONNA:

Sure.

LEG. POSTAL:

This was in committee, very honestly. And at the last meeting and probably the meeting before, but definitely the last meeting there was not a majority of the committee in support of approving the resolution; that was not based on any need for additional information, it was just the position of a number of members of the committee. So there was not a majority in support and so my motion to discharge is, I guess, an opportunity for ten members of the Legislature who feel that this bill should be approved to have that opportunity to do it, even though there is not a majority of the committee that would approve it.

P.O. TONNA:

Okay. I just -- we understand the discharge, I just want to --

LEG. CARACAPPA:

Mr. Chairman?

P.O. TONNA:

Yes, Legislator Caracappa.

LEG. CARACAPPA:

Just for clarification. To Counsel; Legislator Postal is right, the bill died in committee, it failed the last time we had committee cycle prior to our last June meeting. We had our June meeting, the full member -- full Legislative meeting, all the members. Is this bill eligible to be discharged once it died in committee and we made it

through a Legislative meeting of the entire Legislature, can we still discharge it now, or does it need to be refiled?

MR. SABATINO:

The reason that there has to be a discharge motion if the bill is going to be considered at all is because, you're correct, the bill was defeated two committees ago in a 2-2 -- a 2-0-2 vote. Because it was defeated in committee and it can only be reconsidered at the same committee meeting -- no, at the same committee meeting, it can't be reconsidered at the subsequent committee meeting. As a result, the

only way to get a bill that's been defeated in committee is through either a written discharge or a motion to discharge on the floor.

The second rule that applies is as long as that happens within six months the bill is still alive. So this bill was laid on the table on June 5th, so that motion to discharge can be made here at the full Legislature all the way up to the end of this year.

LEG. CARACAPPA:

So there is no statutory restraints and it falls under the six month rule.

MR. SABATINO:

It's under the six month rule, that's the key. And the other key is that it can't be considered in committee because under the rules it can only be reconsidered at that same committee meeting and that committee meeting has come and gone twice.

LEG. CARACAPPA:

Thank you.

P.O. TONNA:

Yes. You're done? Okay, I just want to state, you know, I've tried as best I can to say that for one cycle, if there is a discharge petition out of committee, that I ask the committee chair, you know, where they are on a bill, for one cycle. And I understand that the committee chair of Public Safety is not in favor of discharging this petition, am I -- I'm correct, right?

LEG. CARPENTER:

Yes. This is a special meeting and I did not know that this was going to be considered to be discharged at this special meeting.

P.O. TONNA:

Okay.

LEG. CARPENTER:

We're meeting a week from Tuesday a full session again, so I would think that given the other issues that we have before us today, that we wait and address this at the next opportunity.

P.O. TONNA:

All right. So I just want you to know for one cycle, I'm going to vote against discharging it at this meeting and then, you know, the next meeting is whatever. Okay. So let's just have a roll call on the

58

vote.

LEG. BISHOP:

Well, withdraw the --

LEG. POSTAL:

Let me --

P.O. TONNA:

No, have your vote so that --

D.P.O. POSTAL:

I want to --

P.O. TONNA:

-- there's a motion, unless there's another meeting.

LEG. POSTAL:

Well, I would like to ask our Counsel something. I would like to ask the Counsel. If this bill was in committee and was defeated in committee, it was not approved in committee, so that if there's a motion to discharge it at this time and that motion is not successful, can that motion be made at the next meeting?

MR. SABATINO:

Yes. The motion to discharge can take place from now until that meeting in December when it would expire. So within the six months you can make a motion to discharge as many times as you want.

P.O. TONNA:

Okay, great.

LEG. POSTAL:

Okay. So, you know, I will withdraw the motion but I will make the motion to discharge at the meeting on August 7th.

LEG. BISHOP:

Okay. Mr. Chairman, I'd like to make a motion at this time.  
Mr. Chairman? Okay, is there a motion?

LEG. BISHOP:

She withdrew it.

P.O. TONNA:

Okay.

LEG. BISHOP:

Mr. Chairman, I'd like to make a motion at this time.

P.O. TONNA:

All right, yes, yes. Legislator Bishop.

LEG. BISHOP:

Thank you. I'd like to make a motion to override the veto of  
Resolution No. 441 --

59

LEG. FOLEY:

Second.

LEG. BISHOP:

-- which is establishing a living wage in Suffolk County.

P.O. TONNA:

And seconded by Legislator Foley.

Applause

P.O. TONNA:

Okay. On the motion? Do you want to just call the vote? Let's vote.  
Does anybody want to speak? Great. Roll call.

MR. BARTON:

Legislator Bishop.

LEG. BINDER:

No.

P.O. TONNA:

Wait. You want to speak, Legislator Binder?

LEG. BINDER:

Sure.

P.O. TONNA:

No, I'll give Legislator Binder the opportunity to speak. Legislator Binder.

LEG. BINDER:

I think what you've heard is -- from a lot of people who would oppose this legislation is that I think there's pretty much unanimity in the feeling that people need to make better wages. People need to make more money, people need to live better in their work, do better on Long Island, Suffolk County. But the question always has to be with legislation at what price does government come into the field and use its governmental power, its regulatory power to affect a change?

This is not like the national minimum wage question. The national minimum wage question is across the board, everyone on the same playing field, everyone has to deal with the same thing. This legislation is specific to those who are contracting in Suffolk County. And as such, being specific as to only those companies causes effects that can be seen and some effects that can not be seen.

When you drop the pebble into the water, sometimes you can see the ripples and sometimes you can't see where they go to. One of them I think we could have seen, we should have seen, and now I think is very apparent is in the home health care field, the provision of home health care. While we care for those who make less money, a woman came up she was making 9.50 an hour, so maybe she should -- and she should make 10.25 an hour, she should probably make more than that. But the question is, the question is do we impose that within the system that we have to live of reimbursement, within the system of provision of

60

care in Suffolk County, with the accompanying serious problems that will, will befall Suffolk County. And it's people who are Medicaid patients, the people of our County who desperately need home health care who are on Medicaid.

New York State is not going to run to help us. If we file some sort of an emergency question, "We've created an emergency, please help us, we're drowning," New York State is not going to run to help us, they're not going to run to give us money, not going to run to offer us funding. What they're going to do is leave us out there as they have in the past, it wouldn't be the first time New York State has left us out there to fend for ourselves. And so what happens? One of the problems with not only this two year lag everyone's heard about, but go beyond it.

I was trying to make the point in questions and answers before to the

representative from the home health care industry that if we increase their Medicaid rate, they increase private pay by statute, by law, there's no way to get around that law, New York State law provides that the home health care providers cannot charge government -- charge private pay less than they're charging us, so they have to charge more. So now their new private pay rate which they make -- this is how they partially keep themselves afloat, now their private pay rate is going to be increased by law and that will open the door for anyone who is into a County contract to come in and takes those same clients, patients at a lower rate. If you're a -- if you're a provider, it is better for you to walk away from a County contract because of the amount of money you will lose in private pay. If they walk away from us, I don't know what we do for the provision of home health care in Suffolk County for Medicaid patients, there's no way around that. There's no way around that scenario; it exists, we will cause it. And it's being discussed here today and you're all hearing it, so you can't say you didn't hear it when it was discussed. That's where it goes and that's just one of the places.

I was talking to someone who runs a bus company, owns a bus company, and his bus company provides for school districts and for us, has to increase his salary rate, he's going to have to increase it across the board, he can't do it just on the County contract, he'll also do it for schools. That means we're going to be affecting school taxes because we're going to increase the cost of transportation in schools where bus companies have costs on both sides. That's one of the hidden things you can't even see. I can go on for child care, Head Start who's saying they're going to basically have to close up shop here.

There has been an outcry from the Social Services agencies. Now, we can yell at them and say, "You don't know what you're talking about," the same Legislators who I see on a regular basis for 12 years here have shown all kinds of support for the provision of Social Services in Suffolk County, but now are willing to say to them, "You don't know what you're talking about. You don't know, it won't affect you like that. Don't worry, be happy, you're okay. Oh, and by the way, we're going to fix this bill. We've got all kinds of changes coming, we've got a whole thing of amendments, we're going to fix this. But let's vote for it today, even if it's a bad bill." That makes us look

really good as a Legislative body, a deliberative body. We're going to vote for something we know is flawed, we know we have to change, but we're going to vote for it knowing we can put a task force together to make changes; that's not the way to make legislation.

The point is that we are -- we are Legislators who have a responsibility, responsibility, yes, to if we can, if we can find a way, increase rates for those at the bottom of that totem poll who need to make more to live. We have empathy, sympathy, our care -- we care about them. At the same time, you cannot say we want to take care of one and sacrifice the children, sacrifice those who need the provision of home health care, sacrifice those who need help that government provides, mental health. We can't make that decision, you can't put a bill out there. The idea, really, for legislation is to see if you can do one with the other, that's the idea of good legislation. See if we can help those at the bottom end when we're talking in terms of not making enough money, at the same times, not putting at risk those who are most in need in this County.

This Legislature has such a wonderful record, Republican and Democrat, of supporting and taking care of those most in need in Suffolk County. It is unfortunate that we're talking about with a piece of flawed legislation putting those same people at risk. I don't -- I have a lot of high hopes for sustaining this veto and I think it's very unfortunate, but I will be staying with my position and I will sustain the County Executive's veto.

Applause

P.O. TONNA:  
Thank you very much. Legislator Bishop?

Applause & Boos

LEG. BISHOP:  
Thank you, Mr. Chairman.

P.O. TONNA:  
I would ask that everyone, please, it's tough enough with Legislators, I'd ask that the public keep some level of decorum. Thank you.  
Legislator Bishop.

LEG. BISHOP:  
Thank you, Mr. Chairman. Before I begin my remarks, I'd like to acknowledge the efforts of people I've worked very closely with over the last few months on this legislation. No matter what the outcome, I want them to know that I appreciate their efforts, Paul Sonn from the Brennan Center, Erica Bossi, Larry Moskowitz, Dan Cantor, Chuck Pohanka, everybody at the Labor Religion Coalition, especially Dick Koubek who has been remarkably strong, and the Long Island Federation led by Jack Caffey.

Also, I want to say to my colleagues that yes, I did make a commitment to -- if we do decide to sustain the veto -- to override the veto, to

work with the County Executive on fine tuning the legislation. We have a year. That was built into the law because we know it's an exceedingly complicated issue and there are many different pressures on this and we want to get it correct. But first and foremost, we want to make a statement that we are standing with those that have been traditionally left behind.

What this legislation does is it affects three distinct groups of entities. One would be those companies that come to Suffolk County and receive a direct subsidy. There's about three to \$4 million a year in tax abatement and IDA, financing deals that we provide. When we provide a direct subsidy to a company, we should know that that company is paying wages that do not keep people in poverty; that has proved to be non controversial, nobody has brought opposition on that point. Less -- still also non controversial is the notion that for-profit companies outside of home health care, which is so heavily State and Federally aided, should also pay a living wage, and that's a second category. And then the third category is the not-for-profits and that's where most of the controversy on this bill has occurred, in the not-for-profit sector.

When you pay somebody \$7 an hour and ask them to survive in Suffolk County, you are providing them with a mission impossible. You are insisting that they spend less time with their family, that they work two jobs to survive. You're providing them less purchasing power not for luxury items, but for everyday essentials like food, housing, clothing. You're creating moral reliance on government because inevitably, those who are earning \$7 an hour who have a family have to turn to government for assistance, so you're providing them aid in any case. And you're also increasing the risk that they will drop out of work and rely on the system for sustenance and thus create a cycle of dependency that we've all spoken about and we've all taken positions against in the past.

For people who receive their service, for the frail elderly, for the children in day care, you're ensuring that they will not have a consistency in service, that they are being serviced by an industry that is now like McDonald's, dependent on workers who work two months at a time and then leave. That means that it's no longer a profession, that it's just a drop off point for these workers, it's not what it should be. So we need to address that. It also, when we have people who earn \$7 an hour, forces more people into facilities because there is a shortage, a tremendous shortage of home health care aides, and we know that that costs at least 25% more.

This system that I've just described and Legislator Binder has described is our system. This is a government created system. Just because we contract with a company, it is still our tax dollars that are going into this company. So we have an obligation, if we see a system that is immoral and failing, to correct it; that's what the living wage is attempting to do. Now, these companies, for the most part, occupy an interesting ground, they're private companies but

they're mostly funded through government dollars. They're guaranteed a profit in the home health care. We heard from their attorney that they're guaranteed a profit of 3%, plus administrators are paid a salary, others are traded on NASDAQ; we heard earlier about testimony

63

of a company that showed millions of dollars in profit and 7% gain last year in profit. So they occupy an interesting ground. But they do not claim to -- while they claim to be in this private sector, they do not claim in their testimony to play by the same rules as the rest of the private sector. For example, when faced with a problem with turnover which, as we all know, creates cost in terms of advertising and training, they don't assume that they're going to have savings if they decrease turnover by increasing wages which is how the private sector would handle it. They simply want to stay within a system that we know is failing.

As Nick LaMorte said so well, it's better to spend on wages with dignity than handouts that degrade, and that's the issue. We are ultimately paying for all these folks who are earning less than the living wage but we're doing so in the most inefficient manner possible. This is an issue of morality. What level of exploitation are we willing to commit to or to allow, rather? These people work for companies that are paid by our tax dollars, as I said. So what level of exploitation are you comfortable with? What is the obligation to the frail elderly, to the children who are served by these agencies? And we heard testimony today from people who have -- who rely on home health care aides and can't find them or had them ripped away from them. What type of pressure are we going to provide on the State and Federal government which has consistently failed to meet its legal obligation that already exists in law to reimburse us at the correct level and to prevent a crisis?

Are we comfortable with the fact that our reimbursement rate is at \$21 that we receive from the State and Federal government, yet we pay out only \$15; we keep the six and we pay administrators in our own government. Is that something we're comfortable with, is that a system that we want to continue? What type of meaning do we give our own words? How many people around this horseshoe have talked about making work pay, how the poor can escape poverty if they work? Well, the flip side of that is you have to have jobs that pay right and this is our system.

Government is all about priorities. The worst case scenario that we've heard, and the number constantly changes, but from what I can glean from the ever changing number is it's about \$10 million as an absolute worse case scenario. How many times have we voted for an open space project that approaches that number because some community

was threatened with development that it didn't welcome? How many road projects at that amount? What was the cost of the salary increases for thirty-nine members of the Detective Investigator Union, thirty-nine members; what was that cost? Two million dollars. How many have been lobbied on the side already about voting for raises for management employees? How many accepted a pay raise themselves? Those are all issues of priorities. Where are you going to put your priorities, or is anybody ever going to remember those who have been left behind time and again who do the most grueling work there is in Suffolk County?

Why are we here? If we're here to demand accountability of those who receive government contracts, if we're here to protect our children and our elderly, if we're here for those who play by the rules and

64

have been left behind, then vote for the living wage and vote to override. Thank you, Mr. Chairman.

Applause

P.O. TONNA:  
Legislator Fisher, you have the floor.

LEG. FISHER:  
There is very little that can be said after that eloquent statement by Legislator Bishop, and he certainly articulated the reasons why we need to override this veto. I would like to thank the people in the home care -- home health care industry who have helped to educate us as to how the system works. And I pledge to you that I will do everything that I can so that we don't lose services, so that your entities which take care of our frail and our elderly will continue to be able to operate. It's very important that we do give some certainty to those people who are working that they will be able to afford to work.

As a member of the Social Services Committee, I had heard Dr. Koubek come before us and give us the members earned -- the wages earned by those people who were coming out of welfare and into the work force, and people who were poorer working than they were when they were not working. We can't continue to support a system that allows that to happen. And so I fully support my colleague, Legislator Bishop. And I pledge to those of you who are providing those services for the people of Suffolk County that we will work so that you can continue to maintain the level of service that you currently provide.

Applause

P.O. TONNA:  
Legislator Haley.

LEG. HALEY:  
Just a quick note. I haven't heard a great society speech in quite sometime, I think it was in the 60's, something like that. It was pretty good, though, I admit that.

Let's be frank; we're here to be politically correct today, nothing more, nothing less. In my almost six years as a Legislator, most times we spend the extra time, we table resolutions and make sure we get it correct before we pass it. It's the first time I ever remember something of this substance that's going to be passed and then corrected later on, and it's rather obvious it's a function of politics in this County. I guess that's unfortunate, but we're all political animals.

The only thing I have to say is that I really hope that this Legislature at the end of the day when it realizes that it could cost us and taxpayers a substantial amount of money, the same type of vote will take place to make that tough decision to raise taxes. Thank you.

Applause

65

P.O. TONNA:  
Legislator Lindsay?

LEG. LINDSAY:  
Yeah, I just want to add my two cents. First of all, we heard a lot today about the plight of the providers, and I'm not callous to their plight and I have heard everything that they've said. But what about the workers, what about the plight of the workers?

We've heard testimony over and over again from both the workers and the patients how they can't afford to work in this industry, they have to take jobs in McDonald's or other jobs where they can make a living and feed their family and provide health care benefits. You know, David Bishop mentioned before about the process that this County went through a few years ago and this nation went through about welfare reform, about getting people off the public dole and give them honest labor. But Ladies and Gentlemen, if you do that without giving people the tools to go from welfare to work, what are you doing? What are you doing? I mean, you're just substituting one awful system with another.

If you want to increase the reimbursement rate, you have to start today. You have to start today by overturning this veto and then the whole system should work, the providers should get their reimbursement rate and the workers should get a salary that they can live on and the patients will be able to retain the same people that service them so handily. There isn't a choice here, we have to overturn this veto today, we have to. Thank you.

Applause

P.O. TONNA:  
Legislator Carpenter.

LEG. CARPENTER:  
Thank you. In his remarks, Legislator Bishop used the word priority a number of times, and in reviewing the County Executive's veto message carefully, he used the word too, and it was in a quote that he used, "Economic prosperity of our residents and businesses has always been a priority for my administration." And over the years I've seen many veto messages, but I can't ever remember the County Executive saying in the veto message that he would like to propose a compromise. So I think in doing so, he has clearly articulated the fact that this is something that should go forward.

And to the providers who have come forward after the legislation was passed, I think that you have done a good job in educating everyone to the process, especially the County executive, because he has listened to your concerns and has suggested that a task force be formed. But I think that we need to do that with the legislation in place, because the implementation date is not until July of 2002 and I think it's important that he is offering a compromise because I think if this is going to work, it's going to work with everyone working together. So because of that, I am going to support overriding the veto and making

66

sure that we work together to make it work. Thank you.

P.O. TONNA:  
Legislator Towle.

Applause

LEG. TOWLE:  
Thank you, Mr. Chairman. I would have to say probably in the last six years that I've been here I have not received more correspondence on an issue than this particular one.

LEG. BISHOP:

More than the smoking?

LEG. TOWLE:

And I brought -- and I brought -- no, not even the smoking, I actually have to say I got more on this, Legislator Bishop. I got some very compelling letters from both sides of the issue and I supported the bill originally, even though I thought it should have been tabled at that point, because I believed we did not have the fiscal impact in front of us. And since the bill has passed, we've gotten a clearer picture of what's going on. The Long Island Coalition for Children with Special Needs, they estimated it will cost them 150 to \$500,000; St. Charles Education and Therapeutic Center, over a million dollars; The Clubhouse of Suffolk County, over \$35,000; Family Service League, \$130,000; Aides at Home, \$200,000. And as Legislator Binder pointed out before, I think one of the most compelling reasons to discuss this issue, Head Start; "As a result, we will no longer be able to provide day-care services in Suffolk County if this legislation is executed."

No one in this building or no one in this County doesn't support giving someone a living wage. I think that's an issue that you will clearly find everyone on the same side. I think, though, to pretend that the Federal government or the State government, particularly the State who hasn't been able to pass their budget since April and we're in July now, to pretend that the money is going to be there is just not realistic. It's not realistic, it's not fair to the people who want a living wage and who have earned it, and it's particularly not fair to these groups that have to manage their budgets.

Legislator Lindsay said he wanted to give his two cents; I'd recommend he keep that two cents because we're going to have to pay this. There's no question about it. And whatever the amount turns out to be, we should commit to do that, that's the responsible thing to do. Legislator Haley talked about the fact that we've not passed bills without really having their financial impact in front of us and making sure that money is there, and that's I believe a very true statement. And I think we should have the complete fiscal picture and I think we should be prepared as Legislators before we run for election this year since we do not have the luxury that the State Legislators, we're going to have to vote on a budget this year. And we really don't have until July of 2002 because we do our budget this year for next year and we should plan on including additional funds in our budget for next year to cover whatever this cost may be. Whether it's \$10 million, because I've heard that, Legislator Bishop, I've heard as much as \$30 million, and I honestly don't know what that number is.

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time in the 13 years that I've dealt with Fred Pollert, he didn't have an answer to my question because the amount of hours and time it's going to take to put that together could literally be months. So to pass this bill today to send a message is one thing. To pass this bill today and not provide the funding for it is another, and that is irresponsible. It's irresponsible to both sides. It's particularly irresponsible because, like Legislator Haley, I believe

this is more of a political statement than it is an actual statement to take care of either side, and that's a shame that it's come down to that, it really is a shame.

If we really want to make a change, then we should not override this bill today. We should redraft the bill, make the corrections that you pointed out are flaws in this bill, Legislator Bishop, and file it with the appropriate amendments that the funding will be there if it's not provided by the State and Federal government. And let's tell the taxpayers of Suffolk County now, let's tell the employees of Suffolk County through these agencies and these agencies themselves that we're prepared as a Legislature to raise taxes, because that is what probably will happen in order to cover this bill. And I'm prepared to say today that I will vote to raise taxes to provide people fair and living wages, I am prepared to make that commitment publicly. And that's why I am not going to support the County Executive's override this morning.

Applause

P.O. TONNA:

Okay. You mean you -- you're going to support the County Executive's

LEG. TOWLE:

I'm not supporting overriding it.

P.O. TONNA:

Oh, okay. Legislator Caracciolo and then Legislator Caracappa.

LEG. CARACCIOLO:

Mr. Chairman, while I await some data from Budget Review, I'll yield and reserve my time when that information is provided.

P.O. TONNA:

Thank you. Okay, I guess we're not going to have lunch today. Anyway, Legislator Caracappa.

LEG. CARACAPPA:

I'll be brief, Mr. Chairman. As one of the cosponsors, I just figured I'd say my two cents along with Legislator Lindsay. David Bishop did say most of it right, and I do honestly see both sides of this issue and I think we all do, let's be honest with each other. We see some possible flaws and I as a cosponsor will work with all of you to make those flaws perfect. I don't know if that's a bad way of saying it, but we'll make this bill right and it will be workable for everybody,

especially those workers.

I am one of the few on this Legislative body that come from a labor background -- I know Legislator Lindsay does too -- and it gives me a very different perspective. It makes my job as a Legislator or an administrative role much easier, especially when you're talking about people's lives, people's families and the struggles. Because I can tell you, I shoveled the stuff against the tide in the hottest days and the humid days like we've had recently, I've frozen my fingers and toes in a payloader pushing snow drifts up for 40 hours on end, and when I got home after those long hours of work, even though I think I did have a good job, when I looked at what I brought home and was able to put in the bank, it was disheartening as a worker. So this gives me better perspective. I ask my colleagues to put that perspective into their own minds as we're about to see George Guldi fall backwards.

LEG. BISHOP:

That perspective tipped him over.

LEG. GULDI:

You almost knocked me over, Joe.

LEG. CARACAPPA:

But I ask you to think about the worker who is doing that tough job. This isn't about me, believe me when I say this, but I'm just trying to show everybody that there are real -- and we heard them come here today and maybe sitting behind this nice dais we forget where some of us come from, we forget that there's a huge, much bigger side out there that's providing the services that make us look good.

One final point. We've been called political animals here and I take maybe certain personal umbrage to that. But I can tell you, and I'll say this half jokingly but I say this seriously, too, come November there will be some of us here that's going to be very thankful there's a living wage out there. Thank you.

Applause

P.O. TONNA:

Thank you. Legislator Fields. You still awaiting your data, sir?

LEG. CARACCIOLO:

Yes.

P.O. TONNA:

We might have to vote. I mean, if it takes two hours to accumulate the stuff.

LEG. FIELDS:

I just ask the colleagues who sit on both sides of this -- of my seat today to think about what testimony they've heard from these -- from both sides, but more importantly the people who have -- not more importantly, but just as important, the people who go out each day and do the jobs that most other people would never even think about doing, they wouldn't even apply for that job. And there are many, many more

69

people who would not apply for that job as we're seeing by the crisis that we're going through with trying to find employees and trying to sustain those employees, and we are going through a crisis. So I don't know how we can possibly say no to those people and I don't know how we can say no to that testimony.

I know that we are all hard workers ourselves and I, as Legislator Fisher stated, I will pledge to work equally as hard as any of the lobbyists who have gone to the State and we will go, we will go to the State and lobby right with you. This can be done. We have never in this Legislature, that I can look back on in the past and hear stories about, been afraid to lead by example, and we have got to do that. We've got to look at this and say we're not going to just -- we can always find reasons not to do something and this Legislature is no different. We can find a reason to do it, it's a good reason. Legislator Bishop gave great testimony today. We have to do this, we have to lead by example and I will vote to override that veto.

Applause

P.O. TONNA:

Thank you. Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you, Mr. Chairman. I think to really understand this issue, you have to understand the numbers. We've heard several colleagues speak about numbers. What this is going to mean to contract agencies, what is this going to mean to employees, what is this going to mean to society, and is there a societal benefit by keeping wages where they are or by making some adjustment? That's one question. Then there's the real human issue, the issue here of human dignity and providing individuals with a wage that they can provide not only for themselves but, as one speaker earlier mentioned, her children. So I'd like to just walk through some numbers and then I want to make some parallels about some of the other issues that are pending before the Legislature, issues like management salary increases that were -- was alluded to earlier by Legislator Bishop. And it will be interesting in a week or two, when we come back here in August, to see how some of

the people who are opposed to this measure, where they stand on that.

P.O. TONNA:

Why don't you go right ahead.

LEG. CARACCIOLO:

So let me start with -- in Suffolk County, Mr. Pollert, what is the U.S. Census poverty level for a family of four?

P.O. TONNA:

Well, I know that.

LEG. CARACCIOLO:

Okay. But based on the data you gave me, that figure is \$17,463.

P.O. TONNA:

That's correct. I'll verify that.

70

LEG. CARACCIOLO:

And I don't know if that's adjusted for the cost of living --

P.O. TONNA:

No.

LEG. CARACCIOLO:

-- in New York or Suffolk County.

P.O. TONNA:

No. That's all around the country.

LEG. CARACCIOLO:

That's a national average.

P.O. TONNA:

For a family of four.

LEG. CARACCIOLO:

Mr. Lipp or Mr. Pollert, in Suffolk County, what would be the minimum amount that one could find affordable housing?

MR. LIPP:

Conditions vary obviously by town, by --

LEG. CARACCIOLO:

An average, Bob.

MR. LIPP:

Well, off the top of my head, I would say probably in the neighborhood of a thousand.

LEG. CARACCIOLO:

A thousand dollars a month.

P.O. TONNA:

A month?

MR. LIPP:

That's right.

LEG. CARACCIOLO:

That would be just a shelter cost.

MR. LIPP:

Correct.

LEG. CARACCIOLO:

What does government pay to provide emergency housing to those who can't provide housing for themselves when we house individuals in motels, what does that cost a month?

MR. POLLERT:

The cost is substantially higher because we're housing people in motels, the cost runs into millions of dollars a year. In addition to that, the County has a waiver and can pay above the poverty level or above the normal rate of reimbursement on housing. Nevertheless, we

do have problems with housing. But when we have emergency housing, the cost is into the thousands of dollars per month.

LEG. CARACCIOLO:

Per month.

MR. POLLERT:

Per month.

LEG. CARACCIOLO:

Per month. So when we look at the issue here, let's understand that it's like the old Fram commercial, you're going to pay one way or you're going to pay the other way. If you don't provide individuals with a living wage and we do not have the jurisdiction that the Federal government has and the Congress has of imposing or increasing the minimum wage but we do have discretion on those who do business with the County in requiring them to pay a living wage, and that's what this legislation is about. So when you look at the numbers, if

an individual today is making something more than the minimum wage and then many of the fields that are impacted, contract agencies that would be impacted by this legislation, it's been said that the average wage paid is about seven, seven and a quarter, 7.50 an hour, what does that wage come to on an annualized basis, Mr. Pollert?

MR. POLLERT:

Based on a wage of 7.50 per hour times a 40 hour work week, assuming they took no vacation time, would give them a gross income of approximately \$15,600 per year.

LEG. CARACCIOLO:

Fifteen thousand. So a single parent that's raising children doesn't even earn enough money to get themselves above the poverty level, the national statistic; not the local because if you adjust it locally it's going to be much higher than that, point one.

Point two, government everyday subsidizes individuals who go into emergency rooms for health care, emergency health care. Why? Because 40 million Americans, and the number goes up every year, do not have health care benefits. That's a national disgrace. That's something that has languished in Washington for years and doesn't seem to matter which administration is in office, nothing's being done about that. But we at the local level have to provide and subsidize and contribute to the cost of those who go into or find themselves in those situations and need that care.

Mr. Pollert, what would you estimate Suffolk County's annual cost for individuals that we have to make contributions to for Medicaid and Medicare health care? What would that amount -- what would that dollar amount be?

P.O. TONNA:

It's over three hundred million, right?

MR. POLLERT:

The County actually has two programs. One program is through the County Health Clinics where we try to provide a safety net and then

ultimately the Medicaid is the final safety net; those two numbers would come into the hundreds of millions of dollars.

LEG. CARACCIOLO:

So what we're talking about here is in addition to providing individuals that work for contractors who are contracted with Suffolk County, a living wage they would also be required to pay health benefits; is that correct, provide health benefits?

P.O. TONNA:

It depends, there's two different dollar amounts, \$9 --

LEG. CARACCIOLO:

Nine dollars you get health benefits --

P.O. TONNA:

-- versus 10.25.

LEG. CARACCIOLO:

-- 10.25 you don't, I understand that. So again, like the old Fram car commercial, you pay now or you pay later. We're paying. We're paying hundreds of millions of dollars to provide people with emergency housing. Why? Because many of them who want to be gainfully employed can't sustain themselves and even provide shelter. In terms of a household budget, what amount of the total would one consider shelter costs, Mr. Pollert or Mr. Lipp?

MR. POLLERT:

Approximately one-third I believe is the number that they use as a benchmark.

LEG. CARACCIOLO:

So in Suffolk County, if the average cost of shelter is \$1,000 a month, and that's low, that's low -- I was speaking with someone yesterday and this is someone who is -- has himself in a situation now, a marital situation where he and his wife have separated and he's had to find shelter for himself, he's paying some \$2,800 a month for a two bedroom condominium, 2,800; fortunately he can afford that. Previous to that, he had a place on a seasonal basis at \$1,200 a month, that was the least expense cost that he could find in Suffolk County. And this is a person of means and fortunately he can take care of himself, but what about all of those who can't? So if one-third of a household budget is attributed to shelter at 1,000 a month, that's 12,000 a year. And we talk about an individual making 15 or 16 or 17,000 a year and you subtract taxes from that amount, at that tax bracket, Mr. Pollert, what would be the net monthly income ?

MR. POLLERT:

Frankly, I don't know offhand because at that point in time, they would probably be exempt from most of the taxation. Perhaps it would be an alternative tax, but at that point in time when you hit the poverty level, they're basically exempt from taxes.

P.O. TONNA:

That's on a Federal level. You still pay sales tax, you still pay every other tax, but that's from the Federal level.

LEG. CARACCIOLO:

Yeah, that's right. So what my point is --

P.O. TONNA:

If you're below the poverty line you don't pay.

LEG. CARACCIOLO:

-- Mr. Chairman is the net income is substantially less than the gross income, or is less. But to be fair, individuals who find themselves in a situation where they're making 15 to \$20,000 a year, would they qualify for any public assistance, Mr. Pollert?

MR. POLLERT:

It would really depend upon the number of families that they -- of the number of members of the family. They may be eligible for getting health benefits, they may be eligible for food stamps, but I'm not sure if they would be eligible for a monthly stipend.

LEG. CARACCIOLO:

If they were eligible for food stamps, what is the maximum allowance per month?

MR. POLLERT:

That I don't know offhand.

LEG. CARACCIOLO:

Anyone on the -- you know, around the horseshoe know the answer to that?

LEG. FOLEY:

It depends on the size of the family.

LEG. CARACCIOLO:

I understand that, but what's the minimum?

P.O. TONNA:

There are a number of variables, there are a number of variables.

LEG. CARACCIOLO:

Do we know what the minimum and maximums are?

P.O. TONNA:

No. But I think the point, Michael, if I could just infer your point, your point is when you're still making a certain amount of money you still qualify as a recipient for nutritional aid, for housing aid, for a lot of things; in other words, it doesn't make it.

LEG. CARACCIOLO:

And you can't make it; not that you don't make it, you can't make it.

P.O. TONNA:

Right.

LEG. CARACCIOLO:

If housing is one-third a cost, what amount would be needed for --

P.O. TONNA:

At \$15,000, it's not one-third, it's three --

LEG. CARACCIOLO:

Well, I'm just saying. No, I understand that. No, we're talking about of a total household budget, one-third of the cost, shelter, how much would be needed for other necessities like transportation, like food, like insurance? Because everybody has to have insurance, you have to have car insurance, you have to have rental or homeowner insurance, you have to have, you know, these things. So what would be a typical household budget in Suffolk County rock bottom, food, shelter and other essentials; not luxuries, essentials?

MR. POLLERT:

Frankly, we had not anticipated any of these questions. But clearly, the poverty level in Suffolk County, which is a high cost County with a housing shortage, is substantially higher than the published Federal statistics. There has been some discussion that the poverty level should be moved up locally, but, again, I'm not sure what the breakout on an average household budget when you're at the poverty level would be, because clearly you're spending a disproportionate amount on housing, food and shelter of your budget. So I just don't know what the answers are.

P.O. TONNA:

Okay.

LEG. CARACCIOLO:

Okay. Mr. Chairman, I think the point's been made --

P.O. TONNA:

Absolutely.

LEG. CARACCIOLO:

-- that in terms of what benefit individuals are going to receive from it, it is negligible. This isn't going to break the bank and the legislation has a one year period for us to work together with all the interested parties, with State and Federal government officials to try to find if funding is -- supplemental funding is needed to do so.

P.O. TONNA:

Right.

LEG. CARACCIOLO:

This doesn't impact us tomorrow. And I would urge those who are here

and proponents of this legislation to hold Suffolk County's feet to the fire to make sure that this doesn't -- that it happens a year from now and that in the intervening time excuses aren't found and made for not following through on this piece of legislation.

P.O. TONNA:  
Thank you very much.

LEG. FOLEY:  
Move the question, Mr. Chairman.

75

P.O. TONNA:  
No, I'm not going to, there's still Legislator Guldi who wants to speak.

LEG. GULDI:  
If I may.

P.O. TONNA:  
But Legislator Foley, for the record, I want you to know, I'm absolutely impressed. Thank you. Go ahead.

LEG. FOLEY:  
Well, you're going to be unimpressed because virtually everyone else has spoken, so.

LEG. HALEY:  
No, no, no.

P.O. TONNA:  
Okay.

LEG. GULDI:  
I'll be brief. I'll be brief.

P.O. TONNA:  
Really?

LEG. GULDI:  
Yes.

P.O. TONNA:  
Okay, go ahead.

LEG. GULDI:

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Just a couple of points. I represent -- people in the audience won't know, I represent the east end. And in addition to paying 30 cents a gallon more for gasoline than everyone else in Suffolk County and making the newspapers for our esteemed nightclubs, we actually have a couple of phenomena out there that I want to -- that bear directly on the questions before us today.

There's a new definition of what I call homeless in the Hamptons. Because it came to my attention that a couple from East Hampton Town, in one of the best pieces of paradise, with both parents working full-time, they had one child, one five year old child, and what happened to them is they lost their \$1,800 a month rental housing because it was sold out from under them to become a luxury resort piece of housing. They could not find replacement housing within the region, they couldn't find replacement housing that they could afford on the east end east of the William Floyd Parkway. And since they both worked east of the village, they were looking at a two and a half hour each way rush hour commute, or a five hour commute to get the housing they could afford. We heard about it the fifth month that both parents working and the five year old were living in the car.

Now, to the extent that we have a living wage proposal before us that

76

is not indexed to the actual cost of living, I commend my colleagues who sponsor this for going -- taking a step in the right direction. But this is not truly a living wage bill, this is living wage light. At \$9 an hour, you can't afford to live in Suffolk County.

Applause

Please, let me finish my remarks. You can't afford to live in Suffolk County even with both parents working. So what we're here as a Legislative body doing is we can't reach the wage rates, we can't directly reach the wage rates in every sector, we can only really reach the wage rates in the public sector and in our contract agency sector. So we end up with a debate and dialogue about really who's going to pay. Is it going to be the taxpayers who are going to pay, is it going to be the not-for-profits who can't meet the ten times salary ratio --

P.O. TONNA:  
Six times.

LEG. GULDI:  
-- who are going to have -- six times in the bill? Six times salary ratio, are they going to have to bear the burden, or are the workers going to have to bear the burden? Because that's really what it's

Page 90

SM072701.txt

about. It's not about avoiding a burden, it's about who bears it. And to the extent that we delay one day implementing a living wage policy in Suffolk County, each day we do that we compound the poor housing and the human suffering and the lack of nutrition and the lack of educational opportunity that comes with paying substandard wages. And to the extent that we do that, we are culpable for doing it.

I, therefore, urge my colleagues to join me in overriding the veto, taking this necessary step today and readdressing this issue together with our housing needs in Suffolk County so that we have a real, meaningful living wage policy going forward, not just in our contract agency but Countywide.

Applause

P.O. TONNA:

Thank you. Legislator Foley.

LEG. FOLEY:

Just to sum up, Mr. Chairman. Less than a month ago 17 of our 18 colleagues had voted in favor of this particular resolution. It's my hope and expectation that we can get close to that number today. The fact of the matter is we need to have consistency in this particular Legislative body. There have been times in the past that in less than three weeks time we've seen Legislators flip flop on certain votes. I hope that today we get as close to 17 as possible so we can send a clear message not only to this County but to the State at large that this County Legislature fully supports a living wage for those who live and work within Suffolk County. Thank you.

P.O. TONNA:

Thank you very much. Okay. Just before we vote

77

Applause

I came to the concept of living wage and I think it is a bit of a misnomer because it really doesn't provide a living wage here on Long Island, let's be honest about that. Nine dollars an hour for a single mother who is raising two children, \$9 an hour is not going to make it.

We spend over -- almost half our budget supplementing, whether it be through our Social Services budget or through our Health budget, we spend over half our budget, I think it's \$734 million this County spends in being able to provide people with certain types of securities, whether it be housing security, food security or whether

it be security with regard to health. We're focused, half our budget is focused on -- if you look at the prongs, a survive prong and a thrive prong, half our budget is spent on helping people just to survive.

This legislation has a sign value. It's more than just the dollars and cents. And the sign value is that here in Suffolk County we're going to take steps. And I agree with some Legislators who have mentioned, this is only a first step, there are a lot of things that we need to do. We need to have a better functioning Social Services department, we need to be able to be creative in Social Services and in Health and in everything else that we do. We need to have -- we need to make sure that we provide for affordable housing for people to live.

But one of the frustrating things, in sitting on the Social Services Committee for the last two years, when I came to this Legislature seven and a half year ago, I came thinking with the misconception that those people on Social Services were only people who really didn't want to work, that's what it was about, people who were lazy, people who didn't want to work and people who wanted to have the system provide for them. And it didn't take two weeks or two committee meetings in Social Services to realize that these people were working and working hard. As a matter of fact, it's very, very frustrating when a lot of these people are working in contract agencies that we ourselves fund and they're working hard and then they take their kids to child care to get them child care because there's payments there when they're raising young families, they're working off a minimum wage, and then they have to find time to take a day off so that they can access Social Services to get nutritional programs or housing programs or whatever else. So the same people that on one hand we're paying, you know, to work in a contract agency or to work somewhere is the same people that we're feeding on the other end. That's not everyone. I feel -- I feel their concerns, that these are people who are committed to working and working hard and yet still are not making it. When in New York State one quarter of all children live below the poverty level. One quarter of all children live below the 17,400 and whatever dollars for a family of four. That is horrendous.

When listening to the debate about this issue, the one thing that I found very, very comforting is that there is no one here, whether you are on one side or the other, there is great ambivalence, no one here

has said that we don't want people to make a good, fair wage. There should be no demonization of either side. There are really legitimate concerns on both sides. And in fairness to those people who are opposed to this particular legislation and how it has been articulated

SM072701.txt

but for the idea of providing living wages, I say that I know that there's almost unanimous support among the Legislators here to look at the bill, to look at everything else after it passed. And that's why we gave a year's set up time, to look at things, to make sure that it wasn't an undue burden upon some of the services that are provided and some of the good services that are provided.

And I know I've made a commitment, even though we might disagree about the concept of a living wage, and I'm in support of this particular legislation. I know that I've made a commitment to say let's look and see if we can do some things to tweak this bill so that there isn't undo burden. I know that there are Legislators who have said they would make a commitment, whether it be in Washington or in New York State, that somebody else has to anti-up here and be fair. And I know that there is a commitment among Legislators to say, you know what, maybe we need to look at our own budget process and to provide more funding so that we ourselves can make sure that there is money so there isn't an undue burden.

I would ask my colleagues please to support this bill, to override the County Executive's veto and then start the process of saying that Suffolk County is a place where a living wage matters. Thank you very much. Roll call.

Applause

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

LEG. BISHOP:  
Yes.

LEG. FOLEY:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. GULDI:  
Yes.

LEG. TOWLE:  
No.

LEG. CARACAPPA:  
Yes.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. FIELDS:  
Yes.

LEG. ALDEN:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. CRECCA:  
Yes.

LEG. D'ANDRE:  
Yes.

LEG. BINDER:  
No.

LEG. COOPER:  
Yes.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yes.

MR. BARTON:  
16-2, the County Executive is overridden.

P.O. TONNA:  
Thank you very much.

Applause

Okay, I'm going to ask for a lunch period. I'm going to recess the meeting for forty-five minutes. We'll be back at 1:45. Thank you.

[\*THE MEETING WAS RECESSED AT 1:06 P.M.\*]

[THE MEETING WAS RECONVENED AT 2:05 P.M.\*]

P.O. TONNA:  
Henry, roll call. All Legislators please come to the horseshoe.

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

LEG. CARACCIOLO:  
Here.

LEG. GULDI:  
(Not Present).

80

LEG. TOWLE:  
Here.

LEG. CARACAPPA:  
Here.

LEG. FISHER:  
Here.

LEG. HALEY:  
Here.

LEG. FOLEY:  
Present.

LEG. LINDSAY:  
(Not Present)

LEG. FIELDS:  
Here.

LEG. ALDEN:  
Here.

LEG. CARPENTER:  
Here.

LEG. CRECCA:  
Here.

LEG. D'ANDRE:  
(Not Present).

LEG. BISHOP:  
Here.

LEG. BINDER:  
Here.

LEG. COOPER:  
Here.

D.P.O. POSTAL:  
Here.

P.O. TONNA:  
Yes.

MR. BARTON:  
15 present (Not Present: Legislators Guldi, Lindsay & D'Andre).

P.O. TONNA:  
Okay, 15 present? Okay.

EDUCATION AND YOUTH

81

All right. I make a motion -- let's go to the agenda. I make a motion to approve 1644 (Amending the 2001 Capital Budget and Program and appropriating funds in connection with site improvements at Western Campus). It's a bonding resolution.

LEG. FISHER:  
Motion.

P.O. TONNA:  
Motion by myself, seconded by Legislator --

LEG. FISHER:  
Fisher.

P.O. TONNA:  
Fisher. Roll call.

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

LEG. TONNA:  
Yes.

LEG. FISHER:  
Yes.

LEG. CARACCILO:  
Yes.

LEG. GULDI:

(Not Present).

LEG. TOWLE:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. HALEY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. LINDSAY:  
(Not Present).

LEG. FIELDS:  
Yes.

LEG. ALDEN:  
Yes.

LEG. CARPENTER:  
Yes.

82

LEG. CRECCA:  
Yeah.

LEG. D'ANDRE:  
(Not Present).

LEG. BISHOP:  
Yes.

LEG. BINDER:  
Yes.

LEG. COOPER:  
Yes.

LEG. POSTAL:  
Yes.

MR. BARTON:  
15, three not present (Not Present: Legislators Guldi, Lindsay &  
Page 97

D'Andre).

P.O. TONNA:

Great. Same motion, same second, same vote.

PUBLIC SAFETY AND PUBLIC INFORMATION

1556 (Accepting and appropriating a grant in the amount of \$186,000 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department to continue the Bellport Targeted Enforcement Program, with 75% support). Motion by myself, seconded by --

LEG. FOLEY:

No motion.

D.P.O. POSTAL:

There is no --

LEG. FISHER:

It didn't have a second, that just had only the bond.

MR. BARTON:

We did the resolution at the last meeting.

LEG. FISHER:

We had done the resolution.

P.O. TONNA:

Oh, okay. Thank you. Strick that from the record. Okay, 1556, motion by myself, second by --

LEG. FOLEY:

No. Mr. Chairman, the motion should be made by the two Legislators who represent the area.

P.O. TONNA:

Oh, okay. Who is that?

LEG. FOLEY:

That would be Legislator Towle and myself.

P.O. TONNA:

Okay, Legislator -- who's area is represented most? All right, I'm going -- I'm a partisan individual, I will say Legislator Towle made a motion, second by Legislator Foley.

LEG. FOLEY:

Thank you.

P.O. TONNA:

All in favor? Opposed? Approved.

LEG. TOWLE:

Cosponsor.

LEG. FOLEY:

Cosponsor.

P.O. TONNA:

Cosponsors.

MR. BARTON:

15, three not present (Not Present: Legislators Guldi, Lindsay & D'Andre).

P.O. TONNA:

Okay. 1563, bond, James Bond. (Appropriating funds in connection with the planning of addition and renovation of the Sixth District Court).

Okay, motion by my --

LEG. CRECCA:

Motion to approve.

P.O. TONNA:

Motion by Legislator --

LEG. FOLEY:

Motion, it's in my district.

P.O. TONNA:

Okay. Motion by Legislator Foley --

LEG. CRECCA:

I'll withdraw the motion to approve so Foley can do it because it's in his district.

P.O. TONNA:

-- seconded by Legislator Crecca.

LEG. FOLEY:

Well, this time I thought you'd have the niceties down pat.

P.O. TONNA:

All in favor? No, roll call.

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

LEG. FOLEY:

Yes.

LEG. CRECCA:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

(Not Present).

LEG. TOWLE:

Yes.

P.O. TONNA:

Just Towle, Guldi, you know, forget the Legislator thing.

MR. BARTON:

Okay.

LEG. CARACAPPA:

Yeah.

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. LINDSAY:

(Not Present).

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes

LEG. D'ANDRE:

(Not Present).

LEG. BISHOP:

Yes.

LEG. BINDER:  
Yes.

LEG. COOPER:  
Yes.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yep.

LEG. FOLEY:  
Cosponsor.

P.O. TONNA:  
Same motion, same second, same vote.

LEG. TOWLE:  
Cosponsor.

LEG. FOLEY:  
Cosponsor, please.

MR. BARTON:  
Mr. Alden, what was your vote?  
LEG. ALDEN:  
Yes.

MR. BARTON:  
15, three not present (Not Present: Legislators Guldi, Lindsay & D'Andre).

P.O. TONNA:  
Fine. Same motion, same second, same vote, and there's a whole bunch of cosponsors. All right.

1572 (Approving the memorandum of understanding between the County of Suffolk and Homestead Village Associates establishing a cooperative relationship for the new approach Anti-Drug Program). Who's district is this in?

MS. BURKHARDT:  
We don't know.

P.O. TONNA:

Okay. I'll make a motion, seconded by Legislator Postal. All in favor?  
Opposed?

LEG. BINDER:

Could I get --

P.O. TONNA:

You want to be a sponsor?

86

MR. BARTON:

Please use your microphone.

LEG. BINDER:

Can I get an explanation?

P.O. TONNA:

Sure. On the motion. Explanation, please, Legal Counsel.

LEG. CRECCA:

I can explain it to him.

LEG. TOWLE:

Cosponsor on that, too.

MR. SABATINO:

1572 is a grant from HUD for \$250,000. It's basically going to work with an anti-drug program in some low-income housing sites which have some drug problems and it's to pick up the expenses that the police department incurs.

LEG. BINDER:

Okay.

P.O. TONNA:

Okay, great.

MR. SABATINO:

It's basically a grant.

P.O. TONNA:

There was a motion and a second.

LEG. CARACCILO:

Do we have the sites?

P.O. TONNA:  
Do we have the sites? I don't know.

LEG. TOWLE:  
Yeah, Homestead Village.

LEG. CARACCIOLO:  
Oh, it's only the one?

LEG. TOWLE:  
Yeah.

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

MR. BARTON:  
15, three not present (Not Present: Legislators Guldi, Lindsay & D'Andre).

87

P.O. TONNA:  
Okay, great.

1574 (Amending the Suffolk County Classification and Salary Plan and the 2001 Operating Budget in connection with a new position title in the Police Department (Instructional Materials Manager). Motion by Legislator Carpenter, seconded by Legislator Crecca. All in favor? Opposed? Approved.

MR. BARTON:  
15, three not present (Not Present: Legislators Guldi, Lindsay & D'Andre).

P.O. TONNA:  
1587 (Amending the 2001 Capital Budget and appropriating funds for th jail utilization study (Jail Medical Unit) (CP 3008). Motion by -- jail unit? Why not, I'm for the jail.

LEG. CARACAPPA:  
Caracappa.

P.O. TONNA:  
-- Legislator Caracappa, seconded by myself. Roll call.

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

LEG. CARACAPPA:  
Yes.

P.O. TONNA:  
Yeah.

LEG. CARACCIOLO:  
Yes.

LEG. GULDI:  
(Not Present).

LEG. TOWLE:  
Yes.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. LINDSAY:  
(Not Present).

LEG. FIELDS:  
Yes.

88

LEG. ALDEN:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. CRECCA:  
Yep.

LEG. D'ANDRE:  
(Not Present).

LEG. BISHOP:  
Yes.

LEG. BINDER:  
Yes.

LEG. COOPER:  
Yes.

LEG. POSTAL:  
Yes.

MR. BARTON:  
15, three not present (Not Present: Legislators Guldi, Lindsay & D'Andre).

P.O. TONNA:  
Okay. Same motion, same second, same vote. All in favor? Opposed?  
Approved. Where are we?

LEG. FOLEY:  
1588.

P.O. TONNA:  
1588 (A resolution authorizing the issuance of \$75,500 Serial Bonds of the County of Suffolk, New York, to pay the cost of the purchase and installation of an equipment shelter replacement at Mt. Misery Radio Tower Site). Motion by myself -- it's in my district, so I'm told -- seconded by Legislator Postal. All in favor? Opposed?

MR. BARTON:  
On the bond.

P.O. TONNA:  
On the bond.

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

P.O. TONNA:  
Yes.

LEG. POSTAL:  
Yes.

LEG. CARACCILO:  
Yes.

LEG. GULDI:  
(Not Present).

LEG. TOWLE:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. LINDSAY:  
(Not Present).

LEG. FIELDS:  
Yes.

LEG. ALDEN:  
No.

LEG. CARPENTER:  
Yes.

LEG. CRECCA:  
Yes.

LEG. D'ANDRE:  
(Not Present).

LEG. BISHOP:  
Yes.

LEG. BINDER:  
Yes.

LEG. COOPER:  
Yes.

MR. BARTON:  
14-1, three not present (Not Present: Legislators Guldi, Lindsay & D'Andre).

P.O. TONNA:  
Okay, great. We move to 1589A (Amending the 2001 Capital Budget and appropriating funds for the replacement of security booths at County

Correctional Facilities (CP 3011). Motion by myself, seconded by  
Legislator Crecca. Roll call on the bond.

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

LEG. TOWLE:  
Yes.

LEG. CRECCA:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. GULDI:  
Pass.

LEG. TOWLE:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. FIELDS:  
Yes.

LEG. ALDEN:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. D'ANDRE:  
(Not Present).

LEG. BISHOP:  
Yes.

LEG. BINDER:  
Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

91

LEG. GULDI:

Yes.

P.O. TONNA:

Okay, now we move to --

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

P.O. TONNA:

Same motion, same second, same vote.

#### PUBLIC WORKS AND TRANSPORTATION

1565 (Appropriating funds in connection with intersection improvements to CR 80, Montauk Highway at East Tiana Road, Town of Southampton (CP 5045). Motion by Legislator Guldi, seconded by Legislator Caracciolo.

LEG. CRECCA:

On the motion? On the motion?

P.O. TONNA:

On the motion.

LEG. CRECCA:

On this -- is there any -- are we getting any reimbursement, highway money from the Feds or the state on this? Because it's a \$1.3 million for this intersection improvement.

LEG. CARACAPPA:

The town, the town is splitting the --

LEG. CRECCA:

It doesn't -- I looked at the resolution, I know the town is involved in a small piece of condemnation to --

LEG. CARACAPPA:

And landscaping.

LEG. CRECCA:

Right.

LEG. FOLEY:  
Is this 1565?

LEG. CRECCA:  
Yeah, 1565.

LEG. FOLEY:  
All right. Well, the -- George, if you don't have --

LEG. GULDI:  
I'm familiar with the intersection but I don't have --

92

P.O. TONNA:  
Let's address Legal Counsel. Legal Counsel, are we getting any reimbursement?

LEG. FOLEY:  
It is fully funded by the County, I believe.

MR. SABATINO:  
This does not look like one of the projects that gets reimbursement.

LEG. FOLEY:  
Right.

MR. SABATINO:  
But I can't state with absolute certainty because I don't have the --

P.O. TONNA:  
Fred, let's go to Fred.

LEG. CARACCIOLO:  
Did you look at the letter? There's a backup letter.

MR. POLLERT:  
It's a joint effort between the County and the Town of Southampton which will offset some of the costs. The town has already awarded a contract to progress the preliminary design, but I'm not sure what the total reimbursement rate will be.

P.O. TONNA:  
Shut those things off.

LEG. FOLEY:

Mr. Chairman, if I may? Mr. Chair?

P.O. TONNA:

Yes.

LEG. FOLEY:

Yeah. This is an intersection improvement. In times past, we have routinely approved intersection improvements, whether they are wholly funded by the County or partially funded by the County with offsets from the State and Federal government. So notwithstanding the fact that this probably is wholly County money, we have always in the past moved forward these kinds of projects because when it comes to intersection improvements, they're improvements to improve not only the flow of traffic but safety in that particular area.

LEG. GULDI:

Well --

LEG. FOLEY:

And I'd further state, Mr. Chairman, that considering the increase in traffic that has occurred throughout the County, in particular on the south fork, I hope that we would move this forward today so that the town and the County can move -- can get moving.

93

P.O. TONNA:

We have a motion and a second already. Legislator Guldi then Legislator Fisher.

LEG. GULDI:

Yeah, if I may. This particular intersection has been a long-standing problem. The problem is caused by the fact that the streets from opposite sides don't line-up with each other, they're offset from each other as a result of it's been a high accident location that DPW has been working on for years. I don't know the answer to your question, but if we're not getting Federal and State reimbursement for this project given the amount of time DPW has been working on it, I would have to presume it's because of the location of the project or some feature in it makes it ineligible for it. They certainly have had time to pursue it on this long delayed project.

LEG. BISHOP:

Okay.

LEG. GULDI:

It's a serious -- it creates serious public safety issues.

LEG. CARACCIOLO:  
Move the question.

LEG. CRECCA:  
Okay. I just -- my only concern I bring up is -- and I don't know what the norm is, but reading the backup to the document, I'm not saying I won't support it, but it doesn't seem like the Town of Southampton, other than taking a little strip of land so that the road can be located, is participating in other than that.

LEG. FOLEY:  
Well, the way it normally works is that when it's -- the so-called higher municipality at a given intersection has the responsibility for it.

LEG. CARACAPPA:  
Just one further point, Andrew; if I could, Mr. Chairman.

P.O. TONNA:  
Yes, Legislator Caracciolo -- I mean Caracappa.

LEG. CARACAPPA:  
At CEQ the Department of Public Works in the Town of Southampton came and did a wonderful presentation. What they're doing to the road is exactly what Legislator Guldi had said, it's a high incident of accidents. Also, what the town is kicking in is they're sharing the cost of engineering as well as doing the landscaping architecture along the road project.

LEG. CRECCA:  
Okay. Thank you.

P.O. TONNA:  
Legislator Fisher, do you have anything you want to say?

LEG. FISHER:  
My question has been answered.

P.O. TONNA:  
Okay, thank you very much. Legislator Crecca, do you have any other --

LEG. CRECCA:  
No, thank you.

P.O. TONNA:  
Okay. All right, there's a motion to approve and a second. Roll call.

MR. BARTON:  
On the bond.

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

LEG. GULDI:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. TOWLE:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. FIELDS:  
Yes.

LEG. ALDEN:  
Abstain.

LEG. CARPENTER:  
Yes.

LEG. CRECCA:  
Yes.

LEG. D'ANDRE:  
(Not Present).

LEG. BISHOP:  
Yes.

LEG. BINDER:  
Abstain.

LEG. COOPER:  
Yes.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yep.

MR. BARTON:  
14, two abstentions, two not present on the bond (Not Present:  
Legislators Lindsay & D'Andre).

P.O. TONNA:  
Okay, great. Same motion, same second, same vote.

Bond Resolution 1569 (Appropriating funds in connection with improvements  
on Victory Drive at River Road, Town of Brookhaven).

LEG. CRECCA:  
I just have a question for Fred.

P.O. TONNA:  
Okay, is there a motion? I'll make a motion, seconded by --

LEG. TOWLE:  
Motion.

P.O. TONNA:  
Legislator Towle makes a motion, I second it.

LEG. CRECCA:  
On the motion.

P.O. TONNA:  
Roll call.

LEG. CRECCA:  
On the motion. I'll be real quick. Fred, my question is why isn't this  
pay as you go? Because it's a \$175,000 project.

P.O. TONNA:  
Yeah, Fred. What's up with that?

MR. POLLERT:  
No, that's the entire project funding. I'm not sure why it's not included  
as a pay-as-you-go project.

P.O. TONNA:  
Does this meet the criteria for pay-as-you-go?

MR. POLLERT:  
No, it's really not a reoccurring projects. So because the pay-as-you-go

funds were completely obligated this year, it was included with the serial bonds.

P.O. TONNA:

So what's up with that, Fred, what does that mean?

MR. POLLERT:

It means that it was never included in the list of projects that were to be funded with the pay-as-you-go. In addition to that, the County Executive does not want to fund more projects with the pay-as-you-go because --

P.O. TONNA:

Because you know we're not going to approve them.

MR. POLLERT:

Right.

P.O. TONNA:

Okay. So Legislator Towle, you still want to go ahead with this project, to bond it.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Second.

LEG. TOWLE:

It's an important project.

P.O. TONNA:

Seconded by Legislator Caracappa. Okay, roll call.

MR. BARTON:

On the bond.

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

LEG. TOWLE:

Yes.

P.O. TONNA:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. FISHER:  
Yes.

97

LEG. HALEY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. FIELDS:  
Yes.

LEG. ALDEN:  
Abstain.

LEG. CARPENTER:  
Yes.

LEG. CRECCA:  
Yeah.

LEG. D'ANDRE:  
(Not Present).

LEG. BISHOP:  
Yes.

LEG. BINDER:  
Yes.

LEG. COOPER:  
Yes.

LEG. POSTAL:  
Yes.

MR. BARTON:  
15, one abstention, two not present (Not Present: Legislators Lindsay & D'Andre).

P.O. TONNA:

Thank you. I'd ask Legislator Foley, as Chairman of Public Works, that on -- oh, first of all, same motion same, same second, same vote. Now, on --

MR. SABATINO:

Just for the record, this was a road widening project, it wouldn't be pay-as-you-go.

P.O. TONNA:

Oh, it wouldn't? Okay.

MR. SABATINO:

We just checked the backup. Road widening, nothing to do with pay-as-you-go, it's not resurfacing.

98

P.O. TONNA:

Okay, great. I just wanted to make sure, and I'd ask Legislator Foley who is Chairman of Public Works, let's not have the County Executive now figure -- he's not going to spend it in the pay-as-you-go because he knows it's not going to get approved and then he throws it into bonding. We would be all of a sudden --

LEG. FOLEY:

Well, that's why we've tabled some resolutions in committee and in the next cycle we're going to see pay-as-you-go amendments that have been made by myself and others.

P.O. TONNA:

Okay. Thank you, Crecca.

LEG. FOLEY:

So your very concern has been addressed through the committee.

P.O. TONNA:

Great. I knew that was true.

LEG. FOLEY:

In anticipation of your comments today.

P.O. TONNA:

Okay. Thank you very much, Chairman Foley.

LEG. HALEY:

The cameras are gone.

P.O. TONNA:

Okay, 1571 (Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 11-Selden with the Developer of Norton Park Section C Five Lots). Is there a motion?

LEG. CRECCA:

Motion.

P.O. TONNA:

Motion by Legislator Crecca, seconded by Legislator Caracappa. All in favor? Opposed? Approved.

LEG. CARACCIOLO:

Abstain.

P.O. TONNA:

And abstain, Legislator Caracciolo.

MR. BARTON:

15, one abstention, two not present (Not Present: Legislators Lindsay & D'Andre).

#### HEALTH

P.O. TONNA:

All right, we're into Health: 1135 (To implement Osteoporosis Testing

99

Program in Suffolk County).

LEG. POSTAL:

Motion.

P.O. TONNA:

Motion by Legislator Postal --

LEG. FIELDS:

Second.

P.O. TONNA:

-- seconded by Legislator Carpenter is that? Oh, Fields. All in favor? Opposed?

LEG. BISHOP:

Can I tell a story real quick?

P.O. TONNA:

No. Approved. No, you can't go like this, "Hurry," and then waste our time with a story. 1353, is there a motion?

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

P.O. TONNA:

We heard your story, we heard your heartwrenching story today.

1353 (Authorizing Estee Lauder Breast Cancer Awareness Program at County buildings). Is there a motion? Legislator Alden, second by Legislator Carpenter. All in favor? Opposed? Approved.

LEG. TOWLE:

Wait, a question.

LEG. FIELDS:

Henry, cosponsor.

LEG. CARPENTER:

Cosponsor, Henry.

LEG. CRECCA:

You already have me, Henry, right?

MS. FARRELL:

Yes.

P.O. TONNA:

This is the cancer awareness program.

LEG. TOWLE:

Correct. We're lighting up the Dennison Building, is that what this bill did again?

LEG. CRECCA:

Every year.

100

LEG. CARPENTER:

We did it last year.

LEG. FISHER:

Once a year, every year.

LEG. ALDEN:

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Everybody was invited last year, too, it worked out very, very well.

LEG. CRECCA:

It's very pink.

P.O. TONNA:

All right. Can we light up our building, literally?

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

P.O. TONNA:

Okay. 1484 (Adopting Local Law No. -2001, a Local Law to expand regulation of dangerous dogs). Is there a motion?

LEG. CRECCA:

Motion to table until August 7th meeting.

LEG. CARPENTER:

Second.

LEG. FIELDS:

Second.

P.O. TONNA:

Okay. 1484 is tabled.

1495 (Establishing Smoking Prevention and Cessation Program for adolescent females in Suffolk County). Is there a motion?

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

LEG. FISHER:

Motion.

LEG. POSTAL:

Motion.

LEG. FIELDS:

Second.

P.O. TONNA:

Motion by Legislator Postal, seconded by Legislator Fisher. All in favor? Opposed? Approved.

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

P.O. TONNA:

1557 (Accepting and appropriating 53.4% Federal grant funds from the United Way of Long Island to the Department of Health Services, Division of Patient Care Services for the Ryan White Title I, HIV Dental Clinics Program and creating a 60% Dental Director-Health Services).

LEG. FOLEY:

Motion.

P.O. TONNA:

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

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

P.O. TONNA:

1559 (Reaccepting and reappropriating 73.4% Federal grant funds from the New York State Division of Criminal Justice to the Department of Health Services, Division of Forensic Sciences for a Cold Search Initiative).

LEG. FOLEY:

Motion.

P.O. TONNA:

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

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

#### ECONOMIC DEVELOPMENT AND ENERGY

P.O. TONNA:

1498 (Directing Suffolk County Community College and Department of Public Works to use New York Power Authority Energy Conservation Program).  
Motion by Legislator Caracciolo.

LEG. POSTAL:

Second.

P.O. TONNA:

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

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

P.O. TONNA:

1503 (Directing the County Comptroller to conduct an audit of the Long Island Convention and Visitors Bureau). Motion by Legislator Foley.

LEG. FOLEY:

Motion.

102

LEG. GULDI:  
Second.

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

LEG. CARACAPPA:  
Abstain.

LEG. CRECCA:  
Opposed.

P.O. TONNA:  
Okay, let's do a roll call.

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

LEG. FOLEY:  
Yes.

LEG. GULDI:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. TOWLE:  
No.

LEG. CARACAPPA:  
No.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Pass.

LEG. LINDSAY:  
(Not Present).

LEG. FIELDS:  
Pass.

LEG. ALDEN:  
Yes.

LEG. CARPENTER:  
No.

LEG. CRECCA:  
No.

LEG. D'ANDRE:  
(Not Present).

103

LEG. BISHOP:  
Why not, yes.

LEG. BINDER:  
No.

LEG. COOPER:  
Yes.

LEG. POSTAL:  
Yes.

LEG. TONNA:  
Yep.

LEG. HALEY:  
No.

LEG. FIELDS:  
Yes.

P.O. TONNA:  
Anyway. All right, 15

LEG. FOLEY:  
The vote, please.

MR. BARTON:  
Ten.

LEG. FOLEY:  
Okay, thank you.

P.O. TONNA:

Great. 1506 (Establishing reporting requirement for the Long Island Convention and Visitors Bureau). Motion by Legislator Alden.

LEG. HALEY:

Second.

P.O. TONNA:

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

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

P.O. TONNA:

1580 (Directing Suffolk County Department of Public Works to obtain NYPA Energy Audit for implementation of County Energy Conservation Program). Motion by Legislator Tonna.

LEG. BISHOP:

Second.

104

P.O. TONNA:

Second by Legislator -- I got to read this. Seconded by Legislator Postal. All in favor? Opposed? Approved.

MR. BARTON:

16, two not present (Not Present: Legislators Lindsay & D'Andre).

P.O. TONNA:

Okay. Can I ask, is my staff -- did we read this one over? No, I'm joking? Anyway, next one.

LEG. FISHER:

Henry, cosponsor on 1580.

P.O. TONNA:

Yeah. Oh, those were the budget --

LEG. FOLEY:

Yeah, cosponsor, please, Henry.

P.O. TONNA:

Okay.

LEG. CRECCA:

1423 is not on the agenda.

P.O. TONNA:  
1423 is not on the agenda?

LEG. CRECCA:  
No.

P.O. TONNA:  
Okay. Somehow --

MS. BURKHARDT:  
Mistake.

P.O. TONNA:  
Okay, mistake.

BUDGET

1438 (Amending the 2001 Operating Budget and the 2001 Capital Budget and Program and transferring funds in connection with land acquisition on Little East Neck Road).

LEG. POSTAL:  
Motion.

P.O. TONNA:  
Motion by Legislator Tonna. Is it in my district?

LEG. POSTAL:  
Yes.

105

P.O. TONNA:  
Yes. You second it. All in favor? Opposed? Approved.

MR. BARTON:  
16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:  
Warren, if I had an Aide like you, I would know what I'm doing here.  
Anyway, Sense --

LEG. HALEY:  
Oh, boy, did you blow that one.

LEG. FOLEY:

You've had some day, Paul, let me tell you.

SENSE RESOLUTIONS

P.O. TONNA:

Sense Resolutions, here we go. Sense 20 (Memorializing resolution requesting State of New York to require automatic sprinkler systems for senior citizen housing) by Legislator -- is this -- can I ask --

LEG. POSTAL:

It has nothing to do with rent stabilization.

P.O. TONNA:

All right. It's not rent stabilization now.

LEG. CARACAPPA:

It just keeps the rent stabilized apartments wet.

P.O. TONNA:

There you go.

LEG. POSTAL:

It keeps them wet --

P.O. TONNA:

Wet and wild.

LEG. POSTAL:

-- in case of fire.

P.O. TONNA:

Motion by Legislator Postal, seconded by Legislator Caracappa, coming from a working family. All in favor? Opposed? Approved.

LEG. CRECCA:

Abstain.

LEG. BINDER:

Abstain.

P.O. TONNA:

Okay. Sense 27 (Memorializing resolution requesting State of New York to

license and regulate assisted -living facilities). Legislator Fisher.

LEG. FISHER:

Motion.

P.O. TONNA:  
Okay. Seconded by --

MR. BARTON:  
Sense 20 is 14, 2 abstentions, 2 not present. (Not Present: Legs. Lindsay and D'Andre)

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

MR. BARTON:  
16, 2 not present. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:  
Sense 37 (Memorializing resolution requesting that the State of New York establish a pay equity and comparable worth policy). Motion by Legislator Bishop, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:  
16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:  
Sense 38 (Memorializing resolution requesting State of New York to exempt organic landscapers not using chemicals from statewide Pesticide Neighbor Notification Law). Legislator Bishop.

LEG. COOPER:  
Second.

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

MR. BARTON:  
16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:  
Sense 39 (Memorializing resolution requesting State of New York to provide State aid for non-toxic mosquito vector breeding measures). Motion by Legislator Fields.

LEG. FIELDS:  
Yes.

P.O. TONNA:  
Seconded by?

LEG. FOLEY:  
Second.

P.O. TONNA:  
Legislator Foley. All in favor? Opposed? Approved.

MR. BARTON:  
16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:  
Sense 41 (Memorializing resolution requesting Suffolk County schools to post No Smoking signs for recreational events). Motion by Legislator Carpenter, seconded by myself.

LEG. BISHOP:  
Is this outdoors?

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

LEG. POSTAL:  
Because it's already illegal.

LEG. BISHOP:  
Hold on.

LEG. GULDI:  
Hold on. Hold on.

LEG. POSTAL:  
Wait. Can I, Mr. Chairman?

P.O. TONNA:  
Wait.

LEG. POSTAL:  
Mr. Chairman.

P.O. TONNA:  
Legislator Bishop, I'm sorry, we're not going to recognize you.

Sense 42 (Memorializing resolution requesting State of New York to provide photo ID for handicapped parking permits). Motion by Legislator Postal.

MR. BARTON:  
The vote on --

P.O. TONNA:  
Seconded by? Excuse me?

MR. BARTON:  
The vote on Sense 41.

P.O. TONNA:  
Yes.

MR. BARTON:  
16-2 not precinct. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:  
There you go.

108

MR. BARTON:  
Thank you.

P.O. TONNA:  
Sense 42. Motion by Legislator Postal.

LEG. FIELDS:  
Second.

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

LEG. CARACAPPA:  
Cosponsor.

LEG. HALEY:  
Cosponsor, too.

P.O. TONNA:  
Okay. Cosponsor, Legislator Haley, Legislator Caracappa, Legislator  
Guldi and Towle.

LEG. FIELDS:  
And Fields.

P.O. TONNA:  
And Fields.

LEG. COOPER:  
Cosponsor.

P.O. TONNA:  
Sense 43 (Memorializing resolution requesting State of New York to ban  
hand written prescriptions). Motion by Legislator?

LEG. FIELDS:  
Fields.

P.O. TONNA:

Fields.

LEG. COOPER:  
Second.

LEG. FISHER:  
Second.

P.O. TONNA:  
Ban handwritten prescriptions. Second by Cooper. Why?

MR. BARTON:  
(Sense 42) 16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

LEG. COOPER:  
Cosponsor.

109

P.O. TONNA:  
Why are we banning --

LEG. FIELDS:  
Because they can't read them and people are dying from --

P.O. TONNA:  
Okay.

LEG. CRECCA:  
Abstain.

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

LEG. ALDEN:  
Abstain.

P.O. TONNA:  
Approved.

LEG. HALEY:  
Abstain.

LEG. BINDER:  
Abstain.

P.O. TONNA:  
Okay. Who's going to abstain.

LEG. CARPENTER:  
Roll call.

LEG. CRECCA:  
Roll call.

LEG. CARPENTER:  
Roll call.

P.O. TONNA:  
Roll call. All right. Legislators?

MR. BARTON:  
Okay, thank you.

(Roll Called by Mr. Barton)

LEG. FIELDS:  
Yes.

LEG. COOPER:  
Yes.

LEG. CARACCIOLO:  
Yes.

110

LEG. GULDI:  
Pass.

LEG. TOWLE:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Abstain.

LEG. FOLEY:  
Yes.

LEG. LINDSAY:

(Not Present)

LEG. ALDEN:  
Abstain.

LEG. CARPENTER:  
Abstain.

LEG. CRECCA:  
Abstain.

LEG. D'ANDRE:  
(Not Present)

LEG. BISHOP:  
Yes.

LEG. BINDER:  
Abstain.

LEG. POSTAL:  
Yes.

LEG. TONNA:  
Yes.

LEG. GULDI:  
Yes.

P.O. TONNA:  
There you go.

MR. BARTON:  
11, 5 abstentions, 2 not present. (Not Present: Legs. Lindsay and D'Andre)

111

P.O. TONNA:  
Now I want to show you Sense 45 (Memorializing resolution requesting Federal Government to roll back social security tax on senior citizen). This is a perfect example of political pandering. Okay? Motion by myself.

LEG. CRECCA:  
Second.

P.O. TONNA:

Second by Legislator Crecca.

LEG. COOPER:  
Cosponsor.

LEG. BINDER:  
Mr. Chairman.

P.O. TONNA:  
It's true.

LEG. CRECCA:  
I'm already a cosponsor on this bill.

LEG. GULDI:  
On the motion.

LEG. BINDER:  
Mr. Chairman.

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

LEG. BINDER:  
Mr. Chairman

P.O. TONNA:  
What?

LEG. BINDER:  
No. I just --

LEG. GULDI:  
On the motion.

LEG. BINDER:  
-- want to --

P.O. TONNA:  
Yes. Why?

LEG. BINDER:  
On the motion. I just want to --

P.O. TONNA:  
I have been lobbied extensively by senior citizens groups to say that it

becomes onerous when they have worked very, very hard for social security and reach a certain age and now they have to pay taxes on it.

LEG. BINDER:  
No. I want to --

LEG. GULDI:  
Yeah. But I'm --

LEG. BINDER:  
I want to congratulate you for putting this in. It failed once in the Legislature when I had sponsored it. Legislators Bishop, Fisher and Postal had voted against it, and abstain was Foley and Cooper, so I would just --

P.O. TONNA:  
I was with you?

LEG. BINDER:  
I just wanted -- I just want to --

P.O. TONNA:  
I was with you?

LEG. BINDER:  
I just want to let them know what they voted last time, because it failed the last time, and thought, if they want to be consistent, let them know how they voted last time on this, on the same way -- the exact same stuff.

P.O. TONNA:  
This is the -- this is the bill that --

LEG. FISHER:  
You're so kind.

LEG. CRECCA:  
This is a public service provided by Allan Binder.

LEG. FISHER:  
You're so kind.

P.O. TONNA:  
Okay. There you go. Thank you, Allan.

MR. BARTON:  
Mr. Chairman.

LEG. TOWLE:  
Hold on one second.

P.O. TONNA:  
All right.

LEG. GULDI:  
On the motion.

113

P.O. TONNA:  
Yes.

LEG. TOWLE:  
It is not exactly the same. Your name's not on it, his is.

P.O. TONNA:  
There we go.

LEG. CARPENTER:  
Cosponsor

LEG. GULDI:  
Regardless of whose name is on it, on the motion, can I get an explanation from Counsel exactly what this does? I've read it four times and I'd like to know.

P.O. TONNA:  
You have read this four times?

LEG. GULDI:  
Yeah.

LEG. CRECCA:  
This was -- I'm telling you, it was a huge debate in committee.

LEG. GULDI:  
This doesn't make sense to me.

P.O. TONNA:  
I would defer to my Legal Counsel to give me the intricacies of this.

LEG. GULDI:  
Maybe Legislator Binder could explain it, if Counsel doesn't want to.

MR. SABATINO:  
I'll be happy to. I just -- I was trying to answer a question for somebody else simultaneously. This deals with the 1993 amendments, which now say that if you are a married couple making \$44,000 or more, that up to 85% of your social security income can, in fact, become taxable income for federal income tax purposes. This legislation asks that House Representative's Bill 122, which is pending legislation, be adopted to return it to the previous threshold, which was \$32,000. So that people making over \$32,000 would not have their social security taxed if you were to go back to the old legislation.

LEG. GULDI:

Right. But the current threshold is \$44,000. What this does is reduces the threshold and increases -- the people between 32 and 44 will now be subject to tax versus the current law where they're not; is that what you're telling me?

MR. SABATINO:

No.

114

LEG. GULDI:

Because that's what I just understood you to say and that's what the resolution seems to say.

MR. SABATINO:

No. It's taking the threshold from 32,000 to \$44,000, which is reinstating the previous threshold that was established in 1983, because -- it's a very complicated formula, but you have to take one-half --

P.O. TONNA:

That's why I had my Legal Counsel discuss, because I didn't want to --

MR. SABATINO:

You have to take one half of your social security income, then you have to back in all of your gross income, including, including income that's not taxable for federal purposes. So, for example, if you have municipal bond income, which is not taxable, you add up all of those items, and under current law, if you're married and exceeds \$44,000, up to 85% of your social security payment is taxable under federal law. This is asking to eliminate that 1993 amendment, to keep it simple.

LEG. GULDI:

Yes. But once you eliminate the 1993 amendment, the \$32,000 threshold kicks in instead of the 44; is that correct?

MR. SABATINO:

Because the \$32,000 threshold currently applies for taxing up to 50% of your social security income. There were two -- in 1990 -- in 1990, in the tax compromise that was worked out with Bush and the Congress, they put in provisions to tax up to 50% of your social security income using \$32,000 as the threshold. That's still in place. You still get taxed at that. And when Clinton and Congress put together a 1993 tax bill, they superimposed on that an 85% tax. They used \$44,000 as the threshold. So if you eliminate the 1993 amendments, you go back to the 1990 amendments, which go back to the \$32,000 threshold. It's very complicated, but in simple English, this would eliminate the ability to tax up to 85% of your

social security income once you hit the threshold.

LEG. CARACCIOLO:

And for the average senior that has income of \$32,000 or less, what happens?

MR. SABATINO:

If you're a married couple, it's -- \$25,000 is the threshold for single people, just so you know that. But if you're below \$32,000, then your social security is not taxable.

LEG. FISHER:

Question, Mr. Presiding Officer.

P.O. TONNA:

Yes, sure.

LEG. FISHER:

As I recall, when Legislator Binder presented it, wasn't it a marriage penalty tax --

115

LEG. BISHOP:

That was another one.

LEG. FISHER:

-- sense that he presented?

LEG. GULDI:

That was a different one.

LEG. BISHOP:

That was a different one.

LEG. FISHER:

Okay. And this particular sense is -- actually, it was directed at the wrong public officials. It lists President Clinton.

LEG. CARACAPPA:

Moynihan.

P.O. TONNA:

Mine?

LEG. FISHER:

Moynihan. Yeah.

LEG. CARACAPPA:  
Lazio.

LEG. FISHER:  
Lazio.

LEG. CARACAPPA:  
And Forbes.

LEG. FISHER:  
And Forbes.

LEG. BISHOP:  
Motion to table. Motion to table.

LEG. HALEY:  
Second.

LEG. ALDEN:  
How does that happen?

LEG. BISHOP:  
Motion to table. Let's go.

LEG. GULDI:  
I'm sure he'd appreciate it. They're not getting a lot of mail these days.

LEG. CARACAPPA:  
And, Mr. Chairman, one further point. It's Sense -- it says Sense 45 of

116

2000. The last I checked, we're in 2001.

LEG. BISHOP:  
How did this sneak onto the agenda?

P.O. TONNA:  
Okay. I want you to know --

LEG. BISHOP:  
I want a full investigation.

P.O. TONNA:  
Anyway, heads will roll. I will --

LEG. BISHOP:  
Table.

P.O. TONNA:

-- table this so that we can get this handled. All right. All in favor?  
Opposed? Tabled.

LEG. FOLEY:

Well, was this in --

MR. BARTON:

16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

LEG. FOLEY:

Was this in committee, Mr. Chairman, or did this go right to the floor?

P.O. TONNA:

It was in committee.

LEG. FOLEY:

It was in committee.

P.O. TONNA:

Yeah. And it passed the due diligence of that committee. Anyway --

LEG. FIELDS:

What committee was --

P.O. TONNA:

Vets and Seniors. Here we go.

LEG. FIELDS:

The same people who didn't approve --

MR. BARTON:

Please, use your microphones.

P.O. TONNA:

You know, as Rosanna Rosannadanna says --

LEG. FISHER:

Never mind.

P.O. TONNA:

Never mind.

MS. BURKHARDT:

A corrected copy filed.

P.O. TONNA:

Oh, there is a corrected copy filed? I'm sorry, you have an old bill. I knew we -- I knew we would take care of that. So where is the corrected copy?

MS. BURKHARDT:

We're getting it.

LEG. BISHOP:

Oh, come on, Paul. Let's --let's do it next time.

LEG. HALEY:

We're getting it. Let's table it.

LEG. BISHOP:

We'll do it --

P.O. TONNA:

All right. We'll table it until the next meeting.

LEG. FOLEY:

Come on. Come on. Yes.

P.O. TONNA:

Sense 46 (Memorializing resolution requesting New York State Department of Transportation to expedite development and construction of Long Island Expressway Visitors Information Center). Motion by Legislator Carpenter, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:

16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:

All right. Sense 47 (Memorializing resolution requesting State of New York to regulate SOBER houses).

LEG. BISHOP:

Cosponsor.

P.O. TONNA:

Sense 47.

LEG. BINDER:

No, no, no. 46. 46.

LEG. BISHOP:

46 went by.

LEG. BINDER:  
On the --

LEG. CARACAPPA:  
We did it.

P.O. TONNA:  
We did it.

LEG. BISHOP:  
We did it.

MS. BURKHARDT:  
We did it.

P.O. TONNA:  
We did it, Allan. Come on, you could have told me.

LEG. BINDER:  
No. That's a problem.

LEG. POSTAL:  
But he wants to change his vote.

P.O. TONNA:  
All right. Change your vote.

LEG. BINDER:  
I'd like to change my vote.

LEG. BISHOP:  
Make a motion to reconsider.

P.O. TONNA:  
All right. Legislator Binder is --

MR. BARTON:  
What's your vote.

P.O. TONNA:  
He was a no on that.

MR. BARTON:  
He's a no?

P.O. TONNA:  
Are you a no?

LEG. BINDER:  
Yes, I'm a no.

P.O. TONNA:

He's a no.

LEG. CRECCA:  
He's a no.

119

MR. BARTON:  
15-1-2 not present. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:  
Allan. Allan, I'm looking all around. If you had a problem with that, you could have looked at me.

LEG. FOLEY:  
Let's go.

P.O. TONNA:  
We're moving this thing quickly.

LEG. FOLEY:  
Let's move please.

P.O. TONNA:  
All right. 47. I'm looking right at you now. 47. Is there anybody who has a problem with this bill? All right.

LEG. BISHOP:  
Cosponsor.

P.O. TONNA:  
Motion by Legislator Fisher, seconded by Legislator Caracappa.

LEG. CARPENTER:  
Explanation.

LEG. CARACAPPA:  
Cosponsor.

P.O. TONNA:  
Okay, explanation.

LEG. TOWLE:  
Cosponsor as well.

LEG. CRECCA:  
Cosponsor as well.

LEG. FOLEY:  
Cosponsor.

LEG. BISHOP:  
All right. So you got me, you got him.

LEG. FOLEY:  
Henry, cosponsor, please.

LEG. FIELDS:  
Henry, cosponsor.

LEG. ALDEN:  
Henry, cosponsor.

120

LEG. FISHER:  
It's asking that the New York State Mental Hygiene Law would allow State regulation of sober houses.

MR. BARTON:  
Use the microphone.

MR. SABATINO:  
This is an outgrowth of --

LEG. FISHER:  
Oh, I'm sorry, I thought I had it on.

MR. SABATINO:  
This is an outgrowth of what happened last year when Legislator Towle had filed a bill in the form of a local law. It was adopted and it was vetoed. In the veto message, the County Executive cited an opinion from the State Office of Substance Abuse, which said that you'd have to amend the State law. Legislator Fisher is now taking up that recommendation and asking for an amendment to that section.

P.O. TONNA:  
Okay, great. Okay. We are next --

LEG. TOWLE:  
Hold on, I just -- Mr. Chairman.

P.O. TONNA:  
Yes, Legislator Towle.

LEG. TOWLE:

SM072701.txt

I just want to point to one distinctive measure that Counsel left out. The bill originally passed by 15, and on the County Executive's override, somehow mysteriously, we only wound up with nine. So, hopefully, this bill will sail through with no problem.

P.O. TONNA:

All in favor? Opposed? Approved. Okay. Now I'd like to lay on the table --

MR. BARTON:

16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:

Lay on the table Resolution Number 1697 to Public Works, 1698 to Public Safety, 1699 to Public Works, 701 -- 1701 to Ways and Means, and Sense 74 to Public Safety. Motion by myself, seconded by Legislator Postal.

LEG. BINDER:

Mr. Chairman.

P.O. TONNA:

All right. Just hold it a second, Allan. All in favor? Opposed? Approved. Do you have something?

121

MR. BARTON:

16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

LEG. BINDER:

I'd like to lay on the table and pass it.

P.O. TONNA:

Okay. Let me just get this CN done and then we'll look at your thing.

LEG. POSTAL:

Then we're going to do a veto override.

P.O. TONNA:

Okay.

MR. BARTON:

Mr. Chairman. Mr. Chairman. Mr. Chairman.

P.O. TONNA:

Hold it. Yes.

MR. BARTON:

SM072701.txt

We'd just like to remind the Chairs of the various committees that those resolutions that we just laid on the table have to be added to your agendas next week. We've received most of your agendas already, so we're going to have to add those.

P.O. TONNA:

Right. So you've got to add them to your agenda. Okay Certificate of Necessity Number 1700, establishing consumer access to food establishment inspection data on Suffolk County home page. Motion by Legislator Bishop, seconded by myself.

LEG. FOLEY:

Where is it? Hold on.

P.O. TONNA:

It's right in front of us.

LEG. CRECCA:

Wait. I didn't hear what you said. Say it again.

LEG. FISHER:

I didn't hear it.

P.O. TONNA:

1700. It's a CN from the County Executive.

LEG. CRECCA:

Okay.

LEG. FISHER:

Okay.

LEG. CRECCA:

I think we should -- motion to take care of the override first or the --

122

P.O. TONNA:

No, there's not going to be an override. This is a -- let Legislator Bishop speak on the bill.

LEG. CRECCA:

Okay, no problem.

P.O. TONNA:

I'm sure he'll be able to do that. Okay? Legislator Bishop, on the motion.

LEG. BISHOP:

Yes, thank you. In brief --

LEG. CARACCIOLO:

Your letter had effect.

LEG. BISHOP:

I don't know what had effect. All I can say is that in the end we have I think what is a better bill than the bill that I authored in that it provides even more information to the public than what I had envisioned. My bill came about as the process of negotiation with the Health Department. They asked that we limit it to those restaurants which had three consecutive violations. This bill will have a website list of every single restaurant in the County, whether they had violations or not, and will flag those which have two consecutive violations. That means that the public will know what the government knows. That's the principle behind the original legislation. I think this is excellent. Let's pass it and move forward.

P.O. TONNA:

Okay. All in favor? Opposed?

LEG. TOWLE:

On the -- whoa, whoa, whoa.

P.O. TONNA:

Excuse me?

LEG. TOWLE:

Just slow down for a second --

P.O. TONNA:

On the motion.

LEG. TOWLE:

-- if you wouldn't mind, yeah. Is there someone here from the County Executive's Office to talk on this CN?

LEG. BISHOP:

I don't know, but I would point to the backup letters, which I find remarkable, but they're --

LEG. COOPER:

Henry, cosponsor, please.

LEG. CARACCIOLO:

Your letter to the County Executive.

P.O. TONNA:  
That's backup.

LEG. BISHOP:  
They didn't put that in?

P.O. TONNA:  
All right.

LEG. TOWLE:  
Sorry.

P.O. TONNA:  
Okay. Does somebody want to speak on this? Oh, we have somebody to speak.

LEG. CRECCA:  
We have a speaker.

P.O. TONNA:  
All right. All right, Todd, give it a whirl.

LEG. TOWLE:  
Yeah, just a quick overview.

MR. JOHNSON:  
This bill is presented by the County Executive as an alternative to the measure that was proposed, and I think that you can see in the package that the Restaurateur's Association are supportive of the measures here. It is a bit stricter, we feel. It does include -- every restaurant is now going to be on the list as opposed to just the noted violators. And it also does resist the criteria -- reduce the criteria from three violations to two critical violations before it is noted on the website that the -- that the restaurant has been cited. So we think this is an improvement on the previous bill.

LEG. BISHOP:  
I agree.

LEG. TOWLE:  
Todd.

P.O. TONNA:  
Okay.

LEG. TOWLE:  
Todd.

LEG. FOLEY:  
Mr. Chair.

MR. JOHNSON:  
Yes.

LEG. TOWLE:  
The Health Department's going to be responsible for maintaining the data base?

MR. JOHNSON:  
Yes.

LEG. TOWLE:  
They're going to do that internally with their existing staff, or are they going to need new staff for that, or are we using outside contractors, or is that MIS?

MR. JOHNSON:  
I believe we're going to be handling it ourselves.

LEG. TOWLE:  
Internally within the Health Department.

MR. JOHNSON:  
Yes.

MR. SABATINO:  
It's MIS. Just -- it's MIS, yeah.

MR. JOHNSON:  
They're going to be setting up the system, but I think it's going to be monitored and updated by the Health Department.

LEG. TOWLE:  
Yeah, the day-to-day work of that.

MR. JOHNSON:  
That's correct.

LEG. TOWLE:  
How long is it going to take them to get this system up an running, any time frame?

MR. JOHNSON:  
I don't know if we've established a time frame exactly on what's happening here. This is --

MR. SABATINO:  
Yeah, there's two. It's got to be up and running January 1st of 2002 for permanent facilities, and then January 1st of 2003 for temporary.

LEG. TOWLE:

How often do you -- do you know if they're going to -- I'll ask both of you, just because maybe both of you know --

MR. JOHNSON:

Right.

125

LEG. TOWLE:

-- know the answer. How often are they going to update the system?

MR. JOHNSON:

I don't know if there's a -- the frequency is going to be established. I would -- yeah. I don't think --

LEG. TOWLE:

We don't do that legislatively in this resolution --

MR. JOHNSON:

Yeah, I don't think it's --

LEG. TOWLE:

-- that it's going to be updated once a month, or once a year, or once every six months, or --

MR. JOHNSON:

That wasn't one of the specifics that we addressed in this resolution.

LEG. BISHOP:

I don't know. You know, I worked with -- when I was working with the Health Department, what they were telling me is that they felt that eventually they would have the technology like the handheld computers where they could enter it directly into the system. I don't know if that's what they envision in the short term, or what they, but -- plan to do as of January 1st when this takes effect, but --

P.O. TONNA:

Fred. Fred makes a good point, though.

LEG. BISHOP:

That is the long-term plan.

LEG. TOWLE:

My concern is, obviously, I'm a field inspector, I go out and inspect a restaurant, I wouldn't want the information that their data, entering from that point, they automatically go up on the web page without having

somebody have checked it already. And, on the other hand, I wouldn't want, you know, six months worth of reports never to be put on the web.

MR. JOHNSON:  
Well, the information --

LEG. TOWLE:  
You know.

MR. JOHNSON:  
The information will be updated, you know, it won't be -- it won't be held for an overlong period, but --

P.O. TONNA:  
Can I make a suggestion?

MR. JOHNSON:  
Sure.

126

P.O. TONNA:  
The suggestion should be that the Health Committee, Chairman of the Health Committee, since this is a Health Department type of bill, should at the next Health Committee raise that issue and that we should get a memo from the Health Commissioner in saying what criteria. This is a standard operating procedure issue.

LEG. BISHOP:  
Not what criteria, but how they plan to implement it.

P.O. TONNA:  
Well, the criteria is that --

LEG. TOWLE:  
Yeah, how they -- what's their plan?

P.O. TONNA:  
No -- yeah. And that, basically, is standard operating procedure --

LEG. BISHOP:  
Criteria for the bill.

P.O. TONNA:  
-- for updating information. I think that -- I think that will satisfy.

LEG. TOWLE:  
And the other thing I think that's important, in that process is not only

is it important to get the information on the system, but also should it turn out that that information be inaccurate, the restaurants shouldn't have to wait four or five months to get that thing taken off.

LEG. BISHOP:  
Absolutely.

LEG. TOWLE:  
We should have a quick system in order to correct our mistakes, which inevitably are going to happen with a system like this.

LEG. BISHOP:  
Yeah, no. But let me -- let me make this point. What you're saying --

P.O. TONNA:  
Go ahead.

LEG. BISHOP:  
-- in terms of mistake is you don't mean an inspection that has a -- has a wrong outcome, you mean that the data from the inspection is not --

P.O. TONNA:  
Transmitted correctly.

LEG. BISHOP:  
-- transmitted correctly.

127

LEG. TOWLE:  
You know --

P.O. TONNA:  
I mean, I --

LEG. TOWLE:  
-- we entered a violation and we put it under your restaurant, because the name is very similar to another restaurant, and it's a mistake.

LEG. BISHOP:  
Well, of course.

LEG. TOWLE:  
And now, you know, every time somebody goes on the web and sees my restaurant with a violation and it was yours, and the Health Department tells me over the phone it's been six months to get this thing corrected, then one of us are going to get a call and I don't feel like revisiting

this 27 times. I just -- I would just think that if they sat down and --

LEG. BISHOP:  
So your point is --

LEG. TOWLE:  
Yeah.

LEG. BISHOP:  
-- they better make a commitment to correct mistakes?

LEG. TOWLE:  
And keep it updated on a pretty current basis, maybe even monthly.

P.O. TONNA:  
Right.

LEG. TOWLE:  
I don't know what the volume of violations and --

LEG. BISHOP:  
I think they --

LEG. TOWLE:  
-- and data entry work is going to be. But, inevitably, with the volume that we're talking about for this type of service, inevitably, there are going to be errors, and I just think that those errors should be corrected in a timely manner.

LEG. BISHOP:  
Now you're going to get at the big cheeses here.

P.O. TONNA:  
No, no, no. I think we're fine. And, Fred, all I can say is my experience with physician profiling, I've gone to the New York State website about sanctioned doctors, and I can't tell you how many doctors are sanctioned on a site that have no sanctions existing, but because of a license number that is inverted or because of a similar name or

something. So the Health Department has to develop a certain criteria, you know, and to tell you quite honestly, there should be an E-mail address, so if a restaurant feels that there's inaccurate information, that they should be able to immediately E-mail the Health Department and have that corrected.

LEG. BISHOP:  
I would assume that if you are a restaurant and you are inaccurately on

there, you will be making many telephone calls --

P.O. TONNA:  
Right. Okay?

LEG. BISHOP:  
-- to Legislators or the County Executive, to the Health Department.

P.O. TONNA:  
Yeah, absolutely. Okay.

LEG. BISHOP:  
I don't think you need an E-mail address.

P.O. TONNA:  
We're set, we're okay.

LEG. CARPENTER:  
Also, there's a mistake on the last "resolved" clause. I think that should be MIS.

MR. BARTON:  
No.

MS. DEMARZO:  
The name of the organization -- the name of the agency was changed when we --

P.O. TONNA:  
Right.

LEG. CARPENTER:  
Oh, okay.

LEG. CRECCA:  
Just IS now.

MS. DEMARZO:  
It's just IS.

P.O. TONNA:  
Right. Okay. It is what it is. What is the meaning of is? No. And anyway, let's go on. All in favor? Opposed? Approved.

MR. BARTON:  
16-2 not present. (Not Present: Legs. Lindsay and D'Andre)

LEG. CARACCIOLO:  
Mr. Chairman.

P.O. TONNA:  
All right, great. I have one more.

LEG. CARACCIOLO:  
I just want to make a quick announcement.

P.O. TONNA:  
Sure.

LEG. CARACCIOLO:  
Monday's Budget Committee meeting will be at the conclusion of Land Acquisition and Environment, as opposed to its normal meeting time of 2:45 P.M.

LEG. ALDEN:  
Paul, one --

LEG. CARACCIOLO:  
So the if the Clerk could make sure a stenographer is notified, we'll be all set.

LEG. POSTAL:  
Mr. Chairman.

P.O. TONNA:  
Yes. Wait, wait. Go head, Legislator Alden.

LEG. ALDEN:  
Yeah. Consumer Affairs, we're going to be interviewing possible law firms --

P.O. TONNA:  
Law firms.

LEG. ALDEN:  
-- for the MTBE. So that's 10 o'clock Tuesday. Any Legislator that wants to come down --

P.O. TONNA:  
Okay.

LEG. ALDEN:  
Ten o'clock Tuesday.

LEG. POSTAL:  
I was --

P.O. TONNA:  
I feel like this is like the --

LEG. POSTAL:

Mr. Chairman.

130

P.O. TONNA:  
-- was end of church and they're making bulletin --

LEG. ALDEN:  
Exactly right.

P.O. TONNA:  
-- announcements and stuff like that. Hold it a second, wait. Before we get -- yes, Legislator -- wait, wait. Legislator Binder has an issue.

LEG. POSTAL:  
Okay.

LEG. BINDER:  
I wanted to, as I said before, lay and -- on the table and --

P.O. TONNA:  
Approve.

LEG. BINDER:  
Waive the rules and pass Sense 74, which is consistent with a unanimous sense resolution that we passed previously a few meetings ago, just saying that we want to be involved in the Robert Wood Johnson's --

P.O. TONNA:  
Fine.

LEG. BINDER:  
-- Foundation study on DARE.

LEG. CARACAPPA:  
Second that. Cosponsor.

LEG. POSTAL:  
Can I ask a question, though.

P.O. TONNA:  
Okay.

LEG. POSTAL:  
I have a question on that.

P.O. TONNA:  
Okay. Let's just -- wait, wait, wait, wait. Okay. Just wait one  
Page 154

second, everybody. Hold it. Paul. Paul, just wait for a second. Okay. There's a motion to lay it on the table and to approve right now.

LEG. BINDER:

Waive the rules and pass, right, and to approve. And the --

LEG. CARACAPPA:

Second.

P.O. TONNA:

Okay. There is a second by Legislator Caracappa.

131

LEG. BINDER:

Okay. Let me -- let me explain.

P.O. TONNA:

On the motion.

LEG. TOWLE:

Cosponsor as well

LEG. POSTAL:

I can't understand it.

P.O. TONNA:

Just wait. Just wait.

LEG. POSTAL:

I don't need a --

LEG. BINDER:

Right. On the motion.

P.O. TONNA:

That's the motion.

LEG. BINDER:

All right. Let me make --

P.O. TONNA:

I will recognize Legislator Binder, then Legislator Carpenter, then Legislator Postal. Those are in the order of people expressing an interest in speaking on this.

LEG. BINDER:

We have previously -- we previously passed a sense resolution saying that

we wanted inclusion in -- to be included in this study. It's a national study, that they're 13 -- nearly \$14 million and study the DARE Program. And so in support of the DARE Program and showing that we want to be part of what is a national study to show how the middle school program works, we would have to have training for our officers. So far, Commissioner Gallagher doesn't want to send our officers for training. It doesn't cost us anything, won't cost the County. But we need to send them if we -- in this -- for this particular program, to send them and bring them back, and in a few school districts that have been selected from across the country to participate, they would teach those in those school districts in Suffolk County. So this would -- basically a sense resolution asking him to do that, so we can go forward and be part of this national study. And, as I said, it's consistent with a unanimous resolution we passed to be a part of that study.

LEG. BISHOP:  
Second.

LEG. CRECCA:  
There's already been a second.

132

LEG. CARPENTER:  
Mr. Chairman.

P.O. TONNA:  
Yes, Angie.

LEG. CARPENTER:  
We had -- this resolution, if I'm not mistaken, has already been -- we asked to waive the rules and send it to committee and I think that's where it belongs. If there are questions about sending personnel to the Police -- from the Police Department, apart from what Legislator Binder says, that it doesn't cost us anything, it may not cost us anything for the officers to be there as far as the course, but, certainly, there's a -- there is a cost associated with it. And I think this is something we can ask the Police Commissioner at the next meeting. So this really should be in committee.

LEG. BINDER:  
If you would yield so I can answer the question. The problem is that it's in -- in August is when this thing is. If we don't pass this today, the direction won't go over there. Commissioner Gallagher won't know it is our intention to make sure we're part of this study. It's an August training, and so it's important that we move this now. This is not for rating.

LEG. CARPENTER:

Well, we have the committee meeting in July. We have the committee meeting this coming week on Wednesday, so we certainly will ask the Commissioner all of those questions at committee and then make that decision.

P.O. TONNA:

Well, let's --

LEG. BISHOP:

Have a vote.

P.O. TONNA:

Okay, let's have a vote. But I -- just two things. One is the rules basically -- things don't get overridden out of a committee unless the Chairman wants it. But the concern I have, Allan, if it is approved on -- August 7th, is our next meeting, right? All right. What?

LEG. POSTAL:

I'm next.

MR. BARTON:

Mr. Chairman.

P.O. TONNA:

Okay, Legislator Postal.

LEG. POSTAL:

Yeah. You know, I think, first of all, if there's concern about the Commissioner being aware of this and making the preparations, I would suggest that the Clerk of the Legislature or the Presiding Officer's

staff send a copy of this sense to the Commissioner to call his attention to it. How many -- how many police officers would we be sending, how many DARE officers?

LEG. BINDER:

I think it's four. I think it's two or four officers are going to be going, but it's --

LEG. POSTAL:

Yeah. Well, you know, I just think that if it --

LEG. BINDER:

We're talking, because there's two -- there's only -- there's only a few programs in all of Suffolk County, because it's a nationwide thing.

P.O. TONNA:  
Wait. Nobody leave.

LEG. POSTAL:  
You know, I just -- I think that, first of all, if the Commissioner is aware of this, I think that we need to be aware of what the impact is. If there are four DARE officers, if they're now working in COPE, I would ask any of the Legislators, do you want them to be taken out of COPE in your district for the period of this study? You know, that's something that really needs to be considered. But I would certainly think that the Commissioner, being an administrative person, would make whatever preparations in advance of the August 7th meeting, so that it wouldn't have to -- preparations wouldn't have to start on August 8th. I really think that this needs to be discussed in committee, and I think that the Commissioner deserves the opportunity to comment on it.

P.O. TONNA:  
All right. There's a motion and a second to waive the rules --

LEG. BINDER:  
It's a sense resolution. This is --

P.O. TONNA:  
-- and approve.

LEG. BINDER:  
Right. This is only a sense resolution.

P.O. TONNA:  
There is a -- is there a motion to waive the rules and put to committee? What is --

LEG. CARPENTER:  
It's already been voted on to send it to committee.

P.O. TONNA:  
Okay, great. So that's already on.

LEG. CARPENTER:  
We voted on that already.

LEG. BINDER:  
It's a motion to discharge and approve.

P.O. TONNA:

Right, okay.

LEG. BINDER:  
Fine.

LEG. CARPENTER:  
You have to reconsider it.

LEG. BINDER:  
No, motion to discharge. Change my motion --

P.O. TONNA:  
Right.

LEG. BINDER:  
-- to discharge and approve.

P.O. TONNA:  
Legislator Binder makes a motion to discharge and approve. Legislator Caracappa. Where's Caracappa?

LEG. BINDER:  
You form the DARE Program, this is what you want to do.

LEG. POSTAL:  
He left?

P.O. TONNA:  
Just wait. Guys, I'm just trying to -- who's the second motion -- who's the second on Legislator Binder's motion?

LEG. POSTAL:  
Caracappa.

LEG. CRECCA:  
Joe Caracappa was.

LEG. POSTAL:  
Caracappa seconded it.

P.O. TONNA:  
Where is he?

LEG. CRECCA:  
I'll second it.

P.O. TONNA:  
Okay.

LEG. CARACAPPA:  
Right here.

P.O. TONNA:  
Legislator Crecca is seconding it.

LEG. FISHER:  
There's Joe.

P.O. TONNA:  
Okay, there's Joe. Joe is seconding it.

LEG. BINDER:  
Roll call.

P.O. TONNA:  
All right. Roll call.

(Roll Called by Mr. Barton)

LEG. BINDER:  
Yes.

LEG. FOLEY:  
Doesn't there need to be two separate motions?

P.O. TONNA:  
No, no. It's a sense resolution.

MR. BARTON:  
Legislator Caracappa, Sense 74.

LEG. CARACAPPA:  
Yes.

LEG. CARACCIOLO:  
Pass.

LEG. GULDI:  
(Not Present)

LEG. FISHER:  
Yes.

LEG. TOWLE:  
Yes.

LEG. HALEY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. LINDSAY:  
(Not Present)

LEG. FIELDS:  
Yes.

136

LEG. ALDEN:  
Yes.

LEG. CARPENTER:  
Abstain.

LEG. CRECCA:  
Yes.

LEG. D'ANDRE:  
(Not Present)

LEG. BISHOP:  
Yes.

LEG. COOPER:  
Yes.

LEG. POSTAL:  
No.

P.O. TONNA:  
No. In deference of the Chairman, no.

LEG. CARACCIOLO:  
Yes.

P.O. TONNA:  
Okay. All right. I have one more bill.

MR. BARTON:  
Twelve. (Not Present: Legs. Lindsay, D'Andre and Guldi)

P.O. TONNA:  
Okay, great. 1702, to lay on the table. This is to assign to Finance and L & P. All in favor? Opposed? Approved.

LEG. POSTAL:  
Mr. Chairman.

P.O. TONNA:  
Yes.

MR. BARTON:  
15-3 not present. (Not Present: Legs. Lindsay, D'Andre and Guldi)

P.O. TONNA:  
Legislator Postal has one motion and then we're done.

P.O. TONNA:  
Yes. I would like to make a motion to override the veto.

P.O. TONNA:  
On which one?

137

LEG. POSTAL:  
On Resolution 551, which was Introductory Resolution 1530.

LEG. FOLEY:  
Which is?

LEG. POSTAL:  
Which you have in your packet. It was to expand partial payment program for delinquent property taxes in installments.

LEG. FOLEY:  
Second the motion. Second the motion.

LEG. POSTAL:  
You have it. You have it in your packet.

P.O. TONNA:  
Where was it? This was a Consent Calendar bill?

LEG. POSTAL:  
It was, yes.

LEG. FOLEY:  
Second the motion.

LEG. BINDER:  
It shouldn't have been on the consent calendar.

P.O. TONNA:  
Okay. There's a motion by Legislator Postal, second by Legislator Foley.

Roll call

(Roll Called by Mr. Barton)

LEG. POSTAL:

Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Pass.

LEG. GULDI:

(Not Present)

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

No.

LEG. FISHER:

Yes.

138

LEG. HALEY:

(Not Present)

LEG. LINDSAY:

(Not Present)

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Pass.

LEG. CRECCA:

Pass.

LEG. D'ANDRE:

(Not Present)

LEG. BISHOP:  
Yes.

LEG. BINDER:  
No.

LEG. COOPER:  
Yes.

LEG. TONNA:  
Pass.

LEG. CARACCILO:  
Yes.

LEG. GULDI:  
Yes.

LEG. HALEY:  
(Not Present)

LEG. CARPENTER:  
Yes.

LEG. CRECCA:  
Yeah, yes.

LEG. HALEY:  
Pass.

LEG. POSTAL:  
You can't.

LEG. GULDI:  
This is the third time around, Marty.

139

LEG. POSTAL:  
This is the second time.

LEG. HALEY:  
Yes.

P.O. TONNA:  
Yeah. Okay. Wait.

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MR. BARTON:  
Fourteen. (Not Present: Legs. Lindsay and D'Andre)

P.O. TONNA:  
Thank you. Meeting adjourned.

[THE MEETING WAS ADJOURNED AT 2:55 P.M.]

{Indicates Spelled Phonetically}