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SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

SEVENTH DAY

APRIL 3, 2001

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

MINUTES TAKEN BY LUCIA BRAATEN AND ALISON MAHONEY, COURT REPORTERS

[THE MEETING WAS CALLED TO ORDER AT 5:35 P.M.]

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

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:  
Here.

LEG. GULDI:  
Here.

LEG. TOWLE:  
Here.

LEG. CARACAPPA:  
Here.

LEG. FISHER:  
Here.

LEG. HALEY:  
(Not Present)

LEG. FOLEY:  
Present.

LEG. LINDSAY:  
Here.

MR. BARTON:  
Welcome aboard.

LEG. FIELDS:  
Here.

LEG. ALDEN:  
Here.

MR. BARTON:  
Legislator Carpenter.

LEG. CRECCA:  
She's here. Here.

MR. BARTON:  
Legislator D'Andre.

LEG. ALDEN:  
He's here, too.

LEG. BISHOP:  
(Not Present)

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LEG. BINDER:  
Here.

LEG. COOPER:  
(Not Present)

LEG. POSTAL:  
Here.

P.O. TONNA:  
Yep.

MR. BARTON:  
Fourteen present, Mr. Chairman.

P.O. TONNA:  
Okay, great. A quorum being present, please all rise for a salute to the flag led by Legislator Caracappa.

[Salutation]

Thank you very much. Legislator Towle, for purposes of introducing the Clergy.

LEG. TOWLE:  
Thank you, Mr. Presiding Officer. I'm very pleased this evening to be able to introduce Minister Michael Robinson from the Jesus Welcome Church of Medford. The church is very active in not only in promoting the community, but promoting programs for our young people. And I'm very pleased he could be here with us this evening to lead us in our invocation. Thank you. Minister Robinson.

MINISTER ROBINSON:  
God bless each and every one of you. Let us all stand, bow our heads. Father in Heaven, we thank you for the assembling of we your people, oh, God, and we come before you in business, asking you that you would

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instruct your people in the way that it should go. We pray, Father, that you would open up our understandings, oh, God, that we would understand and come to know what we need to do according to the laws of your land, and we ask that you just bless it and just govern it under your spirit. We ask these things in Jesus' name, Amen.

P.O. TONNA:

Thank you very much, Reverend Robinson. Okay. I think right now -- oh, everyone's sitting? Go ahead, sit down. I'd like to call up the County Clerk, Ed Romaine, for the purposes of administering the oath of office to our new Legislator, Bill Lindsay.

(Applause)

(Oath of Office was Administered to Legislator William J. Lindsay)

MR. ROMAINE:

Congratulations.

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LEG. LINDSAY:

Thank you very much.

(Applause)

P.O. TONNA:

Bill, I'd say take a second to shake everyone's hand. Count your fingers after you're done.

Okay. I'm going to recognize Legislator Vivian Fisher for the purposes of a proclamation.

LEG. FISHER:

Thank you Mr. Chairman. Is this on? It's on. Is it on?

P.O. TONNA:

Yep.

LEG. FISHER:

Okay. Thank you. April is National Poetry Month, and today I would like to celebrate Poetry Day in Suffolk County.

A few years back, William Pinsky, who was a Poet Laureate of our country, began the Pinsky Project, which is a project which enables us to understand the beauty and the effect that poetry has in our lives with his favorite poem project. Rather than explain too much about

the project, I would like to read you a poem.

"A Poem is Not a Dance. A poem is not a dance. It cannot do-si-do you into brushing up against its shoulder or slip inside your elbow in a corner swing. It can't conga-line you into coming along for the ride or make some hokey-pokey appeal to your inner child. And don't think for a minute that a poem can cha-cha-cha you into some one-two situation that gets you moving backwards or leaning the wrong way. Nope. If it's Saturday Night Fever you're after, don't waste your time looking for some finger-pointing, bent-kneed, white suited sonnet to dip you into becoming a contest winner. A poem is not a dance. But every now and again, when the imagery is full as a moon, it may step from the shadows, put a rose between its teeth and bow. Its rhythm so perfect, its lines so even that you cannot help but let its extended metaphor lift you to your feet and make you forget that a poem is not a dance."

That poem was written by Linda Opyr, who is a poet right here on Long Island, and I've invited her here this evening in order to honor her as a Long Island poet. Please welcome Linda Opyr.

(Applause)

And I've asked -- I would like to tell you a little bit more about her, but I want to read another one of her poems very quickly. See what happens when you get a teacher on the Legislature. It's called "Earth Time". And I feel this touches us here, because we're so committed to taking care of our earth here in the Legislature.

"Earth time is measured in canyons, the ripeness of rivers and births

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of fossils. It races past storms and slows near sunsets. Earth time is loudest in the arms of trees and fissures of stone. Its outbursts are buds and the seeds of grass. Earth time whispers in moons over sandstone cliffs and the size of streams in search of hillsides. If you listen, you will lose track of oceans and the slow crawl of deserts. If you listen, you will find on the primordial dial of sun the thick, thick wings of ravens circling like hands."

I'm just getting my notes together. Linda, there's so much to tell about you. Linda has written five books of poetry. She has been published in numerous literary magazines on Long Island. She is the Chairperson of -- I'll read the proclamation, even better.

"Whereas; the Suffolk County Legislature wishes to honor Dr. Linda Elena Opyr as a Poet of Renowned during National Poetry Month. Dr. Opyr's the author of five collections of poetry and has been

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published in numerous journals and magazines over the past 17 years, including the Long Island Quarterly. And Dr. Opyr was selected for the Roger Williams University Writers Series, served as a visiting poet at Suffolk County Community College, has been featured on Arts Scene Long Island on Long Island Cablevision, and will have her work performed by the Long Island Poetry Repertory Theater in its 2000/2001 season. Linda Opyr has graciously used her talents to benefit others by donating the profits from her books of poetry to Gilda's Club, a cancer care facility founded in honor of Gilda Radner, and also to the Shinnecock Tribe in Eastern Long Island." I would like to congratulate you and thank you for being here with us today, Linda.

DR. Opyr:  
Thank you so much.

(Applause)

LEG. FISHER:  
And I did ask Dr. Opyr to read one of her own poems for us.

DR. Opyr:  
It's been said that at international gatherings, you can always tell the American poets, because they're the ones who aren't afraid to read with their backs to the doors and the windows.

I'd like to thank you for your role in government and in keeping expression free in this country, and keeping a place safe for poetry. I'm honored to be here with you.

"Tonight, if you are cold and cannot sleep, pull the good you have done around you and let your past blanket you against the darkness. But should the chill still force your teeth to chatter, listen for the words that start to form, the ghosts of unspoken love or stilled regret may keep you awake with their stuttering to be heard. Listen, so that you will know which embers to stir. Listen, so that with the dawn, you will know which words to free in the warmth of light. Tonight, if you are cold and cannot sleep, walk to the door, look for the poem begging in silence, invite it in, and remember the disguises that angels take in the cracks of light spilled from open doors, in the gusts of wind spilled from cold hearts. Invite it in and pick up

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where you didn't start or forgot to end tonight, if you are cold."  
Thank you.

(Applause)

LEG. FISHER:  
You can see why poetry should be read aloud.

P.O. TONNA:

Thank you very much. Thank you. I'll recognize Legislator Ginny Fields for the purposes of a proclamation.

(Applause)

LEG. FIELDS:

Thank you. It is my honor to present to the Legislature and all who are viewing this young group some children who go to the Bushido Karate in East Islip in my district. These young people, and I will introduce their name -- introduce them by name, Nicholas Abbatepaolo, Alexandra Danz, Richard Griffin, Aziza Mammano, Jacob Mammano, Jimmy Motsiff, Christine Pollitt, Steven Pollitt, Timmy Pollitt, and Sensei George Santiago. These nine students from Bushido Karate and Sensei George Santiago competed in the 2001 Good Will Games in Cancun, Mexico. They were the only school in New York State to qualify for the Good Will Games. They're students of Kempo Taekwondo, a form of Karate, which is a combination of Taekwondo, emphasizing strong legs and kempo, which focuses on the upper body. The students competed against other students from 18 other states and several other countries, including Mexico, Canada, England, Venezuela, and Japan. They won a total of 17 medals for their outstanding abilities, six gold, six silver, five bronze and one gold medal for outstanding competitive spirit. So I would like to introduce Sensai Alexandra Danz. Could you step forward?

(Applause)

She is a ten year old student who just received her black belt in February. She plays soccer, lacrosse, and is a server at her local church. And because of her black belt status, she has senior rank over the other students. I would like to let her demonstrate to the audience some of her skills, and then I would like to present a proclamation to Sensei George Santiago on behalf of the Bushido Karate School.

P.O. TONNA:

Can we volunteer Allan Binder?

LEG. ALDEN:

For demonstration purposes only.

LEG. GULDI:

For purposes of taking a beating?

(Demonstration by Alexandra Danz)

(Applause)

LEG. FIELDS:

On behalf of the entire Suffolk County Legislature, I would like to present this proclamation to you on behalf of these wonderful students who have shown us the dedication and the spirit and the commitment to proving that they can do very, very well and showing us good sportsmanship at the same time. Thank you very much.

MR. SANTIAGO:

Thank you.

(Applause)

P.O. TONNA:

Okay. Next we'd like to recognize Legislator Andrew Crecca.

LEG. CRECCA:

Thank you. Now that's a tough act to follow, I have to admit, but I think we can -- we can meet that challenge.

I'd invite Legislator D'Andre to join me at the podium for this proclamation. We have two sets of proclamations to present this evening, and the first one is to the Smithtown Bulls Hockey Club. And I would ask Coach Jim Santora and the hockey team members to please step up to the podium.

(Applause)

To my fellow Legislators and those who are here today, the Smithtown Bulls Ice Hockey Club was the underdog as they entered the Suffolk County playoffs seated sixth. Smithtown defeated the three top seated teams, including a two-game sweep against Saint Anthony's, to take the Suffolk County Championships by shutting out Saint Anthony's five -- in the first game, and 5-2 in the final game to take the County Championships on March 9th. A special recognition goes out to Drew Santora, Smithtown's goal tender, who saved 34 out of 36 shots in the championship game. This recognition is unique, because, usually, when it comes to athletic achievements at the high school level, football, baseball and basketball receive the majority of attention. However, in Smithtown, we're going to claim bragging rights when it comes to hockey. So join me in proclaiming this Smithtown Hockey's Day and giving a big round of applause for Coach Santora and the entire Smithtown Hockey Team.

(Applause)

LEG. D'ANDRE:

Only in Smithtown can this happen. We promote champions there. Thank you.

(Applause)

LEG. CRECCA:

And we'll get a quick photo.

(Photograph was taken of the Hockey Team).

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I'd like to introduce Presiding Officer Paul Tonna to all of you.

P.O. TONNA:

Thank you very much. I'd like to bring up Doris Wagner and her husband, Walter.

MS. WAGNER:

I also have some other people.

P.O. TONNA:

Oh, please, bring them up.

MS. WAGNER:

These are our board members.

P.O. TONNA:

Great. Please, Doris. I'd like to -- now bringing them up, I'd like to recognize the fine work that they do with regard to American Parkinsons Disease Association. It's based at Saint Catherine's of Sienna in Smithtown and provides a broad number of services for people with Parkinsons and their families, which includes physician referrals, education lectures, support groups, telephone information line, and free accurate information on this disabling disease. To tell you quite honestly, it brings it home for me. My mother has now suffered with the disease for ten years. And I think of the fine work that you have done and the fine work that you're doing, and keep up the great work. Thank you.

MS. WAGNER:

I would like to take this opportunity to thank all of you for recognizing us. None ever us here are paid, we're all volunteers. Some of you know me in my day job. My husband has had Parkinsons Disease for 17 years, as other people here also. Some of us are care-givers. And our mission is to bring attention to this disabling disease, because we are citizens in Suffolk County, and we're going to send you a membership card.

P.O. TONNA:

Great.

MS. WAGNER:

We're here to raise dollars for a cure and to raise awareness, and we

thank all of you.

P.O. TONNA:  
Thank you.

(Applause)

I'd ask the Deputy Presiding Officer, maybe -- we have one more proclamation I think from Legislator Crecca, and we'll go from there .

LEG. GULDI:  
Paul.

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P.O. TONNA:  
Oh, you do? All right. Maybe we'll recognize George Guldi. Okay?  
And could you please come up? Okay. Thanks, George.

LEG. POSTAL:  
No. Problem.

LEG. GULDI:  
I'd like to call to the podium Mr. Jeffrey Strong from Strong's Marina.

Following the string of proclamations we've had here today, we've really had some soup to nuts, everything from poetry to poster contests and athletic accomplishments, and I'm here presenting a proclamation to a business. You might wonder about the contrast, but it's because of the same kind of soup to nuts approach to community activity that I want to present this proclamation to honor Strong's Marina, because in addition to just doing their business and doing it well, they also take an active and eclectic look and role in the community, doing everything from promoting safety, as particularly in the water safety areas, to doing fund-raising for events in the community, but they've also demonstrated a strong commitment to the environment, and they have won the "Business of the Year" award from Save the Peconic Bays for their commitment to environmental protection. So in recognition of the broad approach to Strong's Marines taking to concerns in its community, I want to present this proclamation.

(Applause)

(Photograph was taken)

MR. STRONG:

I would like to thank everybody very much for this recognition. We're proud to say that we've recently been able to expand our presence in the Town of Southampton. We've been in the North Fork of Long Island in Mattituck since 1965. We acquired a place in Flanders, which is on the edge of Southampton Town, two-and-a-half years ago, and we acquired recently in this past September two additional facilities in Southampton.

As Legislator Guldi was kind enough to say, you know, part of what excites us about business is we have a tremendous outreach program to the community, and we're real excited about expanding that outreach, you know, into the further eastern portions of Southampton Town. One of the those things we had to kick off just a couple of nights ago to assist a fund-raising effort for the Southampton Town Youth Activities Building, trying to assist them in raising some money, boating educational class. And we're just delighted to be an active part of Suffolk County. It's certainly a great place to go boating. And thank you very much.

LEG. GULDI:

Thank you.

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MR. STRONG:

Appreciate it.

(Applause)

LEG. CRECCA:

With the Presiding Officer's permission --

P.O. TONNA:

Yes, please.

LEG. CRECCA:

-- I have another proclamation to present.

P.O. TONNA:

You're much better on auto pilot anyway.

LEG. CRECCA:

Thank you. For this proclamation I'd ask the Commissioner of Health, Dr. Clare Bradley, to join me at the podium. And to my fellow Legislators, this is a proclamation that I think you all join with me in, and that is I'm going to be presenting the winners of the "Dump

the Water" campaign poster contest here in Suffolk County. I would be remiss before doing that if I didn't recognize two Legislators in particular, first the sponsor of the bill, and that is Legislator Allan Binder, for sponsoring the legislation that put this contest together. Thank you, Allan. And also to Presiding Officer Paul Tonna, for you and your staff who put the contest together and administered it, and to Budget Review for their help in acting as judges. And without further ado, let me present the award by inviting two young gentlemen and their parents, Mark and Nicholas Sargenti from the Pines Elementary School right here in Hauppauge, I'm proud to say my elementary school. I'd ask them to join me at the podium with their parents at this time.

(Applause)

Also with us today is the Superintendent of Hauppauge Schools, Marcel Kshensky, if he would join us, and the Principal of the Pines Elementary School, Michelle Rothfeld. Would you join me at the podium, also?

(Applause)

Now, if you didn't figure it out, Nicholas and Mark are brothers and we've got a copy of the poster here. Just so everyone understands the magnitude, all 12 district offices were part of this poster contest. There were literally hundreds upon hundreds of posters that made it through the competition. There were -- each Legislator was able to present a winner from their district, and from there, the Budget Review Office picked the final winner of the poster contest. The contents of this poster have already gone on some of the brochures to inform people about dumping the water for West Nile Virus, and we have copies of the brochure here. And it's going to be used throughout the year in the spring process from -- by the Department of Health in distributing their "Dump the Water" campaign. Dr. Bradley, would you like to say a brief word or two?

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DR. BRADLEY:  
Sure.

LEG. CRECCA:  
Thanks.

DR. BRADLEY:  
I just want to say you did a better job than we could have done in trying to get the word out about actually the first step of what we do in trying to prevent mosquito borne disease and that's education, and trying to decrease places where mosquitoes breed. And as Legislator

Crecca said, we have copies for all the Legislators, so they could see the brochure that was created, and on the front has a picture of your poster. Congratulations.

(Applause)

LEG. CRECCA:

And I'm going to present this proclamations to both of for your hard work. And would either one of you like to say a word?

MARK SARGENTI:

No.

NICHOLAS SARGENTI:

No.

LEG. CRECCA:

No? They're just artists, not debaters.

P.O. TONNA:

I love the shirts.

LEG. CRECCA:

Yeah. They are certainly, and I mean that sincerely, the best two dressed in the chamber today with those shirts there. It certain was easy to pick them out. So it shows their artistic ability. Let's give them one final round of applause.

(Applause)

P.O. TONNA:

Maybe bring the poster with you as a backdrop, also.

LEG. CRECCA:

You got it.

P.O. TONNA:

So you can get that picture. All right? Good job. All right. Do we have anymore proclamations? No? Okay. Let's start with the -- I guess Commissioner Clare Bradley, are you around, or are you already --

LEG. POSTAL:

I think she went out.

She went for a picture? We'll bring -- we'll go back to her. Okay. Our Comptroller, Joe Caputo. I'd ask all Legislators, please come to the horseshoe.

MR. CAPUTO:

I want to thank you, Mr. Presiding Officer, for this opportunity to come before you. I'm here to speak about two resolutions to be considered by the total Legislature based on a recommendation of Human Resources as is assigned to that particular committee. Those two resolutions are 1215 and 1216. It deals with the Sheriff's Office, which includes all the Deputy Sheriffs, Correction Officers Under-Sheriffs and the Sheriff himself. It provides for, if adopted by this Legislature, those two resolutions, a benefit to any person who suffers a heart attack while under the employ of the County, and they can prove that the heart attack was suffered while doing their official duties. I want to tell you that sometimes that's not easily available and not easily provable. There could be genetic problems that any particular person can have. There could be other historical things, and the type of activities that they have in their course of life outside the County Legislature and outside the County Sheriff's Office. What you're doing here is opening up an avenue of providing a benefit for these people, which would be hard to prove that they're not entitled to.

I want to tell you that in 1976, and I'm not pleading anything for you, but just letting you know, I suffered a heart attack. I'm still here. I didn't opt to go out on a disability benefit from the County, I was a County Legislator at the time. Unfortunately, other people do choose to do that. A former Supervisor of the Town of Riverhead, Joe Janoski, took advantage of that by getting special legislation. Your resolutions are defective in that they claim to only be costing \$800,000. I want to tell you that if the two resolution are approved and passed by this Legislature, it will cost almost \$1 million, \$977,000 as provided to your Budget Review Office, to Mr. Lance Reinheimer on March 11th by the State Comptroller's Office, and that's only the first payment. Other payments would come to us as years go by, and would probably increase the cost of administering the program. What you're doing beside this is, providing this type of coverage for the Sheriff's Department, you're opening up the same possible protection or a -- or a desire by the Police Department to seek the same type of benefit.

I want to tell you that the Police Department, the police officers, thanks to binding arbitration, which we're all subjected to, because none of us are willing to try to get binding arbitration reversed, thanks to binding arbitration, besides the pay increases that they got, also got an increase in their longevity payments from \$200 a year to \$300 a year. That means that any police officer who has 30 years on the job come this Easter will get \$9,000 as a longevity bonus. The AME people, the most they get after 30 or 40 years is \$1,750. I think that it's unfortunate that we are willing to pay these kind of lucrative amounts of money to uniformed officers because of the type of work that they do, when we are unwilling to settle a union collective bargaining agreement with the AME Union. Now, I don't

particularly care for the President of the AME Union, but that's beside itself. The important thing is that these people are not taken care of, these people are not protected properly, and they do not get the longevity payments that they may be entitled to based on the years of service that they provide to the County. The cost to the County for the longevity payments to the Police Department will be \$8 million this year out of a total of \$16 million overall to the County. Of course, that includes everyone else outside the Police Department.

So what I'm asking you to do, the resolutions are defective in the amount of money they say it's going to cost us. It's going to cost more -- and your Budget Review Office has that documentation, the same as I do. It's going to cost more than is the amount that's depicted on the resolutions. I ask you to table these two resolutions and look further and closer into it before making the approval. I thank you.

P.O. TONNA:  
Thank you. Dr. Clare Bradley.

LEG. FISHER:  
I just wanted to ask, Mr. Presiding Officer.

P.O. TONNA:  
A question?

LEG. FISHER:  
Mr. Caputo, are you going to be here later if we have -- if we're taking a closer look at this? Will you be staying here if a few hours?

MR. CAPUTO:  
No, I'll be going home after this. After this presentation, I'm leaving, I'm going home.

LEG. FISHER:  
Is there --

MR. CAPUTO:  
Mr. Lance Reinheimer has the same information that I have.

LEG. FISHER:  
Thank you.

P.O. TONNA:  
Thank you. Dr. Clare Bradley.

DR. BRADLEY:  
Hello. I'm here to briefly talk about a resolution that is up for a

vote today having to do with the DARE Task Force. I am a member of the Task Force, and just to go through who the other members of the Task Force are. Dr. Tim Brennan, who is the Superintendent of South Huntington School District, Fern Alexanderson from Suffolk PTA Council. In addition to myself, also the Police Commissioner, and Dr. James Canniff, who's the Vice President for Academic Affairs from Suffolk Community College, and he is the Chair of the Task Force.

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We've had two meetings of our Task Force, and in our first meeting, we got together and laid out the goals of what we need to do, and it was based on the resolution that created the Task Force, and we quickly realized that the five-member committee could not do the research that needed to be done, so that we could do the job that we would have to do, which is to put a report together for the Legislature on recommendations on DARE and substance abuse education in schools in Suffolk County. So we, as a committee, actually with Budget Review advising and assisting us started thinking about who could do this research for us in a short period of time, because the task that we have to do have to be turned around very quickly. So we thought about Stony Brook and we had Dr. Lipp from Budget Review actually give us some ideas, because he's closely affiliated with Stony Brook, and gave us ideas of some different departments in Stony Brook that could assist us. And we went through them and we unanimously decided as a group to use Dr. Koppelman. And we would like to use he and his Department to help gather the information that we need to go forward with our report and recommendations back to the Legislature.

D.P.O. POSTAL:  
Any questions?

LEG. BINDER:  
Yes.

D.P.O. POSTAL:  
Legislator Binder.

DR. BRADLEY:  
Yes.

LEG. BINDER:  
I have a number of questions and I'm really concerned, even -- and I guess you're representing the Task Force. I don't know why the Chairman of the Task Force isn't here, but I'd probably rather ask the Chairman questions. But I'm concerned and wondering why notice wasn't given out prior to your -- the Task Force meetings. I didn't get any notice, and the minutes I see are sparse. Knowing that this is a

hot-button issue, I'm wondering why the Task Force didn't insist on transcribing the meeting, so that Legislators who insist on transcription for the Community College, we think it's very important particularly, and I know Legislators here have made that a huge issue, yet the Task Force has very, very sparse minutes taken by someone -- totally inadequate. So there's no notice of the meetings, so no one could know when they happen. The notice actually was afterwards to the news media, so they didn't know, and transcription was not even requested. So I'm kind of -- let me start with that, and then I'll get to the question of the study.

DR. BRADLEY:

Okay. Neither of those two items were required by the committee. And we are going to be holding public hearings, so that people come in and make comment. I mean, I've been on many Task Force and we usually don't publicly give the information out about when and where we're going to meet.

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LEG. BINDER:

Okay. Well, I think it's unfortunate, only because I think we all know this is a very important issue to a lot of people in Suffolk County, and I think it should have -- there should have been a sensitivity. Maybe another Task Force is not needed. But when the question of the question of the credibility of the Task Force has been raised, I would have hoped that there would at least be that kind of sensitivity, so that everybody knows everything said, and it's unfortunate I think the way it's been held. Now, when we get to the question of the -- this particular study, I'm concerned that the universe of options that was looked at was one school and, then within that, just let's decide on one department and one person. It doesn't sound like much of a broad-base search, and I'm wondering why you didn't have more options on the table.

DR. BRADLEY:

Well, actually, we first thought about doing it ourselves and realized that we couldn't do it all by ourselves, so we needed some assistance, and we realized that there were probably different people who could do it. And since we did not have time to go out with a formal RFP, we opted to pick someone that we felt was very qualified, which Dr. Koppelman is. And what we are asking of he and his department is very clear, an evaluation of the DARE Program within Suffolk County, a report on the alternatives to the DARE Program in terms of substance abuse education, and some information about the effectiveness of all of those programs. We as the committee are going to be the ones that have the public hearings, which is going to be added to our basic knowledge, and all of that's going to be put together in a report back

to the Legislature.

LEG. BINDER:

When you were considering this, were you informed by anyone that there had already been a study conducted that was commissioned by our own Police Department on the DARE Program some nine years ago and the person who conducted the study, did you know at the time when you were doing this that that had been out there and that was something that was known to the committee?

DR. BRADLEY:

No. I found out about that at the Public Safety meeting.

LEG. BINDER:

See, that's unfortunate, because I'm sure that the Commissioner, Police Commissioner who is the Commissioner of the Department that actually commissioned the study knew about it and knew that there was someone out there who already had a methodology obviously set up, the background and the type of background that you'd be looking for and already done something along these lines.

Did the question -- and let me preface this by saying that I have nothing but the highest respect for Dr. Koppelman, his integrity, and he's proven that over the years. But since this is such a hot-button issue, did the question of the fact that Suffolk County spends in our budget, in other words, it's something that we budget for and vote on, it maybe in excess of \$100,000 on programs through Mr. Koppelman -- Dr. Koppelman, did the question ever come up about the fact that we

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fund them, so there could be the appearance, because I don't think in actuality there would be impropriety, but I think the appearance, particularly when you have a hot-button issue? And if the study done comes out in the negative, you then raise a question as to whether that money had anything to do with an outcome, considering the fact that people in government, Suffolk County government, have come up out very forcefully to end, including one on the Task Force, to end the DARE Program. And so did that ever cross anyone's mind or was that discussed?

DR. BRADLEY:

We did not specifically talk about the funding that goes to Dr. Koppelman. But if you look at the Task Force, the majority of the Task Force gets funding from Suffolk County. And I think we all feel that we are going to be extremely objective in looking at the data that comes in and looking at the public hearing and making a recommendation to the Legislature.

LEG. BINDER:

Right. I don't think anybody -- well, I would question who's on the Task Force. But wouldn't -- but wouldn't you think that someone who's supposed to do an independent study for you, wouldn't you think that there should not be a question, wouldn't you think that there shouldn't be the question of whether there's independence? Because when money is at risk, the question can be out in the general public as to whether people who don't know Dr. Koppelman can have that question as to whether that could have influenced the outcome. And let me leave it at that, because maybe it's best that I leave it as a rhetorical question. And I can tell you, I'm concerned about that greatly and has asked Dr. Burger, who the other report, to come here today to speak.

D.P.O. POSTAL:

Legislator Fisher, and then Legislator D'Andre.

LEG. FISHER:

I find myself again agreeing with Legislator Binder.

LEG. BINDER:

It sounds so painful all of a sudden.

LEG. GULDI:

Don't you hate when that happens?

LEG. FISHER:

Because there is an appearance of lack of objectivity. And we have represented here to the people of Suffolk County who have come out in great numbers to ask us to please, if we are going to evaluate the DARE Program, to do it in an even-handed and objective manner. And I don't think, with all due respect to Dr. Koppelman, that this has that -- that there is enough distance between himself and Suffolk County government to warrant that degree of objectivity that we need. I wanted to further ask you, Commissioner, you said that Dr. Koppelman was very well qualified. What were the criteria that you considered qualifications?

DR. BRADLEY:

I don't have all of my meeting information in front of me.

D.P.O. POSTAL:

Dr. Bradley, can I just ask you to speak into the mike?

DR. BRADLEY:

Sure.

D.P.O. POSTAL:

It's very hard to hear you.

DR. BRADLEY:

Sure. I mean, Dr. Koppelman is here himself and he may be better able to talk about research that he's done, studies that he's done and the years of experience that he has looking at different programs, looking at programs in the schools. And it might be better, since he is here, to hear it from him as opposed to myself.

LEG. FISHER:

Okay. I was asking what kind of criteria the committee -- the Task Force had set up. What were the rubrics that were -- that you were looking for? The reason I'm asking is because I believe most of us here are familiar with Dr. Koppelman's work and he has -- because he has had such extensive research work that he's done. But I understand it to be in the area of planning and policy. And I would have preferred to have seen someone with a behavioral science or education background, because what I'm seeing is that if we are going to have a policy institute do the study, then financial considerations are probably going to be a priority. And the Commissioner sat before the Public Safety Committee and said that the considerations that were first being considered were that DARE does not work. However, if the Task Force has now set financial considerations as the primary considerations, I think the public needs to know this, and we in the Legislature certainly need to know it. So what's a priority, whether or not children are benefiting from the DARE Program, or whether or not it's too costly or not cost effective. I think those are two different questions and they're two different directions. So I'd like to know if the criteria outlined someone that would be inclined to study this from a financial or fiduciary point of view, rather than an educational point of view.

DR. BRADLEY:

The approach that's going to be taken is to look at the effectiveness of the DARE Program and alternative programs. An important part, not the major part, but an important part of that is also looking at the cost benefit of the different programs. And no matter what we do in the Health Department, we look at effectiveness, we look at appropriateness, but we also look at cost benefit. If we have two programs that are equal and the outcome is equal, we are going to consider the finances of that. If we have one program that works that's very successful and one that doesn't work that's not successful, then finances may play a lower role. But I don't think we can do our job on that Task Force without looking at finances --

D.P.O. POSTAL:  
Legislator Fisher.

DR. BRADLEY:  
-- and the cost benefit not the --

D.P.O. POSTAL:  
Can I just -- just to clarify just for the record, the resolution states that the Long Island Regional Planning Board will do the research and gather data.

DR. BRADLEY:  
Right.

D.P.O. POSTAL:  
And the Task Force will do the actual report, so just for the record.

DR. BRADLEY:  
Right.

LEG. FISHER:  
But I -- my line of questioning is to establish whether the priority is going to be a fiscal examination, or an educational behavioral examination. And based on the researchers that have been chosen, it would seem to me that it's more of a fiscal -- that the fiscal nature of the research is the priority, rather than the children, the effect on the children.

DR. BRADLEY:  
Well, I don't agree. Yes, the -- Dr. Koppelman will look at the cost of the various programs, but that is not the majority of the work. And, again, as Legislator Postal said, the Task Force is going to take the data that Dr. Koppelman gives to us, along with comment from the public hearings, and come up with the final report.

LEG. FISHER:  
Thank you.

D.P.O. POSTAL:  
Legislator D'Andre, and then Legislator Bishop.

LEG. D'ANDRE:  
Madam Chairlady, one thing I have to establish here. I think my colleague was a little off in her questioning, because --

LEG. FISHER:  
Excuse me.

LEG. D'ANDRE:  
-- she's looking for somebody to do the study from probably the educational background. But let's face one thing, we all love DARE, and when DARE was being taught, it was being taught by policeman who, to my knowledge, do not require a degree, and they did one heck of a job with these kids. If something is wrong here it's the program, not

the teachers and not the cost. We've got to find out what we're getting for our dollar, if it needs revamping. We all knew that this

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was not absolute, because it only went so far for these kids, and if they didn't get training in the higher grades, it wouldn't be good enough. We all knew that going in. And Dr. Koppelman is a perfect man to do this study. I'd trust him anywhere. When they get into trouble, they call Dr. Koppelman in, towns, whole communities. So I'm telling you, Madam Chairlady, we're in good hands with Dr. Koppelman and Doctor --

LEG. BINDER:  
Bradley.

DR. BRADLEY:  
Bradley.

LEG. D'ANDRE:  
Bradley, Clare Bradley.

D.P.O. POSTAL:  
Thank you.

LEG. D'ANDRE:  
Thank you.

D.P.O. POSTAL:  
Legislator Bishop.

LEG. BISHOP:  
Hi. Good afternoon. Has the committee outlined what is to be -- what data is to be gathered and what questions are to be asked, research?

DR. BRADLEY:  
We haven't finalized that. We have the general goals. We haven't finalized with Dr. Koppelman yet, because the resolution would need to go forward. Once that's done, we will work with Dr. Koppelman.

LEG. BISHOP:  
Given that it's not finalized, but, in general, are you directing them to survey hundreds, if not thousands, of graduates of the DARE program; is that part of the --

DR. BRADLEY:  
We want him, them to look at graduates within a district where DARE exists and within a district where DARE does not exist. Now that has

a lot of ifs associated with it, because there may be a district that doesn't have DARE, but they have other programs that are going on. So there's a lot of factors that have to be looked at when we attempt to do that. But that is one of the things that we've asked him to look at.

LEG. BISHOP:

Is the reason that you're only looking at two districts because there is so much work to be done in the other areas of this study, for example, cost benefit analysis of alternatives?

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DR. BRADLEY:

Well, there are small numbers of districts that don't have DARE. So if we want to look at the effectiveness of DARE, we would need to compare it in a district that has DARE and a district that doesn't have DARE. In addition to looking at all the research that's been done on DARE within the County and outside of the County, most of the research has not been within Suffolk County, but we wanted to have something that was specific to Suffolk County.

LEG. BISHOP:

Dr. Bradley, when we passed the resolution, I don't know if you were here at that time, but if you read the minutes, the great majority of the Legislators who voted in favor of it spoke about the need to have a Suffolk County study that's thorough, that will go back, a decade back and to the present, and look at whether the DARE Program works or not. That's the ultimate question, not what the value of alternatives is. I don't think we're at that point. I think the more fundamental question that we should be focusing on is does the program work, has it worked here in Suffolk County.

DR. BRADLEY:

Well, I think it's important to look at -- when we're looking to evaluate DARE, and one of the possibilities may be that the County doesn't go forward with DARE, I think substance abuse is such an important issue that I think we need to make some type of comment on the effectiveness of other programs that may be out there. And I think that's also what it said in the resolution in the first "resolved" clause, looking at alternatives.

LEG. BISHOP:

The vast majority of parents believe that DARE works, because it creates a bond between police officers and students. And there was concern that the reason that the Department was advocating terminating the program was because of fiscal concerns. So we wanted to ensure

and restore confidence in the public that it was not a fiscal question, that it comes down to does the program work or does it not work. If you're -- if you're analyzing and weighing the cost benefit analysis of alternatives, I don't think that confidence is achieved. So that's why I bring that up. And I think that unless I hear that there's going to be a thorough review of the program's effectiveness in Suffolk County, this is not the type of study that I had in mind. I thought that we would be getting social scientists and behavioral scientists, frankly, to evaluate the program and to conduct a survey and to focus in on Suffolk County extensively, and I don't see that as what's occurring. I think what we're going to be doing is reviewing other area's research and that's not --

DR. BRADLEY:

No, no. I also said that we were going to be going forward with an evaluation within Suffolk County. And, again, that's going to need to be between -- you can't just evaluate DARE without having a control group. And there's a lot of caveats going on with what is a control group. There is other education --

D.P.O. POSTAL:

Again, Dr. Bradley --

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DR. BRADLEY:

-- in the districts that don't have DARE.

D.P.O. POSTAL:

I know --

DR. BRADLEY:

I'm sorry I'm not speaking into -- I'm sorry.

LEG. BISHOP:

How many districts --

D.P.O. POSTAL:

Thank you.

LEG. BISHOP:

-- don't have DARE? I can think of a number of them. I mean, there's a vast opportunity for a control group and there's -- this county is uniquely positioned to conduct this study, because we've had the program for so long, so we have graduates at different age groups, including adults.

DR. BRADLEY:

And we are doing a study, looking at a case and control, a district with DARE and a district without DARE.

LEG. BISHOP:

Thank you.

D.P.O. POSTAL:

All right. Any other questions? Okay. Thank you, Dr. Bradley. Our next speaker is Dr. Lee Koppelman.

DR. KOPPELMAN:

Members of the Legislature, I'm getting a little tired of hearing my name. I certainly have no quarrel with Legislator Binder or Legislator Bishop. Certainly, the issue of integrity of studies is extremely important, and I think I can claim that in forty-two years of being affiliated with this County, I don't think my integrity has ever been questioned, and I appreciated Mr. Binder's comments in that direction.

When I was requested to respond to the DARE Committee, I asked the first question, how come they came to my office? And the response was that I had been recommended by a number of people, and some of the members of the committee, particularly the one from the Community College, was aware of my work, and I asked if I could submit a proposal for their consideration.

At the onset, let me observe that in addition to being the Executive Director of the Long Island Regional Planning Board, which, by the way, is not a salaried position, I am also the leading professor of policy studies and the Director of the Center for Regional Policy Studies at Stony Brook University. This means I have access to any

and all resources at the University in any studies that are conducted.

The term "behavioral scientist" was raised, and I fully recognize that I'm known to most of you as a regional planner, which I gather is somewhere a little lower on the scale of respect, but my actual academic training is precisely as a behavioral scientist. That's where we do our work.

As to the study itself, I'm fully cognizant of the political ramifications of this particular study. The committee itself did not establish any caveats that this had to be based on financial conclusions. If that were the direction, I would have suggested to the committee that they merely give it to the Budget Review Office, who's perfectly competent to do cost analysis and give the Legislature

the benefit of their thoughts on whether a program is cost effective or not.

Another point that I think has to be established is that in the resolution that was drawn up by the Legislature, you gave the committee a rather daunting task. You put a specific sum of money in terms of doing the work, and you also put a specific time limit, namely ninety days, and that causes some difficulty. In all of the studies that I've done over past forty-two years, and it's in the several hundred studies, and a number of them were on education and curriculum, aside from studies on finance and general planning, up to now, I never accepted a time limit. The time to produce a study is the time the study actually takes to do it competently and completely. When the Legislature puts a physical time limit, and I recognize the requirement in this case, so that the results could be accomplished and decisions could be made before the next school year starts in September, but, frankly, that's not the best way of doing a study, because, if there's ninety days, whoever does the study will do it in ninety days. Hopefully, enough resources will be put to it, so it can be done fully competently.

Now, as to the approach of the study, first of all, it is not the consultant's job to make the decisions for the committee, but to be the research arm of the committee, and that means to present all of the analysis and all of the workable alternatives, so that the committee can make some intelligent decisions. Now, several comments were made that this has to apply to Suffolk County, and I don't quarrel with that for one moment. Certainly, it has to apply to Suffolk County, because that's the arena in which this distinguished body has to make their own policy decisions. However, from a behavioral point of view, whether it's examining the DARE Program or any other behavioral study carried out anywhere at any university, or any regional body such as the regional Planning Board, the first step has to be a literature review, and that's to avoid, first of all, missing the experience, whether it's here or elsewhere, and to be able to fully appreciate whether there are workable solutions that exist anywhere, and, also, it serves as an assist. So if the problem finally boils down to let's see how the DARE Program could be improved, whether it's done by the police or whoever it's done by, to see the experience elsewhere, not just the school districts in Suffolk County, but the experience across the nation.

I don't view the assignment as one in which the consultant has to steer the committee, and so it would not be my intent to prepare a report and tell the committee, "Yes, you should continue with the Police," which I think most of the Legislators and most of the

citizens in Suffolk County would probably endorse, nor is it my task to do the reverse, but rather to garner all of the workable information, so that the committee itself can arrive at an intelligent set of conclusions, and then it's their job to be able to convince the Legislature of the direction that they think the County should take.

The approach to this study, in response to Miss Fisher is that I agree with her, this is not a fiscal study, and I would not approach it as a fiscal study, and for a variety of good reasons. If it's approached as a fiscal study, it's going to be very, very difficult, if not impossible, to come up with any kind of rational conclusion, because extraneous factors are going to come into it, such as instead of having a uniform police officer who costs "X" dollars a year, perhaps we can get someone who's willing to work cheaper. Well, that doesn't give you solid answers to anything. The real question here is is the program working. That's the question I think the Legislature has to be interested in. If it is working, what are the strengths that make it work? If there are areas where it's not working, then what are the mechanisms that can be used to ameliorate the program, so improvements can be taken? And, certainly, when we deal with education, cost really has to be the last criteria, because, as the saying goes, if you think education is costly, stupidity is a hell of a lot more costly. And so that's not an approach that I recommend, whoever does the study.

Now, as to RFP's, that certainly could have been a choice, but if that choice was made, then you would have to eliminate any time constraints, obviously. But that decision, obviously, is one that the committee has to make. I don't think the Legislature wants to micromanage the committee that they appointed, but that, again, is a choice for the Legislature.

I'm not here tonight to sell myself, because I fully recognize that this thing is fraught with a lot of political fishhooks. And I think the question of public acceptance is a very important issue, and the only way that could be resolved is if all the data is openly and candidly brought before the public. And the committee did indicate to me, because I raised the same question, that as soon as the committee is truly operational, and that means whoever the consultants is supplies them with the type of research data, so they have substance to work with, then they have to have a series of public hearings, so that the general public has an opportunity to respond to whatever the committee is discussing. And that, again, may take a considerable amount of time. If the study itself is limited to ninety days, then a good deal of the public hearings will have to be post the time that the research is done. While some public hearings could be held so input from the public could be arrived at, I think that's important, while a control of having one or two districts with and one or two districts without is technically a good way to approach, sample surveys, if properly designed, are a good way to approach the subject, but, certainly, maximum public input is another ingredient that has to be in such a study. And with that type of input, it has to be pre the

completion of the technical work and post the completion of the technical work.

So I only caution, whether we do the work or someone else does the work, what the Legislature has to understand, they are not going to receive final answers from their committee in ninety days, because the committee itself will not have the full array of information, certainly not before the full ninety days are up. Now, if my people and I do the study, we'll certainly share it with the committee as it's developed and one of the first areas will be the literature review. What is the experience here and elsewhere, pro and con, as a first basis in terms of addressing the issue? And that would be the way, if we do it, we'd approach it.

In response to Legislator Binder's question about the contributions of the Legislature to the Regional Board, for your interest, so you understand where that money goes, this year and next year, most of it's going to go into demographic studies and analysis, because the Regional Board is the key census agency for the federal government. In addition to that, we've been asked by one of the elected officials to do an examination of parking at the Ronkonkoma Railroad Station. So we get a variety of requests in terms of the work we do. Most of the work of the Regional Board is by grants that we receive from outside the area. The County's contribution is basically to cover the general administration of the agency.

D.P.O. POSTAL:  
Dr. Koppelman .

DR. KOPPELMAN:  
And, by the way, the members of the board don't get a salary either.

D.P.O. POSTAL:  
Dr. Koppelman, I know that Legislator Fisher has some questions, and I'd like to move to questions, because we will be going to public hearings at 7 p.m. Legislator Fisher, and then Legislator Caracciolo, and followed by Legislator Binder.

LEG. FISHER:  
Thank you, Madam Chairman. I just wanted to clarify that my statement about behavioral scientists, although you're a behavioral scientist, I was not implying that a behavioral scientist is at a higher plain than a planner, but just more appropriate.

DR. KOPPELMAN:  
My colleagues at the University would.

LEG. FISHER:  
Just more appropriate to the study. So I'm glad to hear that you do have a background in that. You referred to all alternatives, that you

wanted to look at all alternatives

DR. KOPPELMAN:  
That we could uncover.

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LEG. FISHER:  
So that would be part of the study, what alternatives are available, in other words, or that are now in use in Suffolk County, that are being --

DR. KOPPELMAN:  
Either that are in use or, for example, let us assume that the existing program in some schools may have an area that could be improved. What are the options that would make that improvement? What are the approaches that could be taken, so that, in fact, the program could be improved? So those would be some of the types of alternatives.

LEG. FISHER:  
So that would be the part of your study that would be the recommendation portion rather than the research portion? I'm just trying to understand it.

DR. KOPPELMAN:  
Well, it's not a recommendation, it would be set forth as a series of observations. In other words, I don't feel it's the consultant's job to tell the committee, "This is what you must do," but rather to say, "Here is a particular problem, here's an array of solutions to these problems" --

LEG. FISHER:  
So you would be presenting data on existing alternative programs and how -- their effectiveness?

DR. KOPPELMAN:  
Pro and con, yes.

LEG. FISHER:  
Thank you.

DR. KOPPELMAN:  
You're more than welcome.

D.P.O. POSTAL:  
Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you. Dr. Koppelman, how are you?

DR. KOPPELMAN:

Fine, thank you. And you?

LEG. CARACCIOLO:

Could you just share with us -- fine, thanks -- the size and background, academic credentials, if you will, of the consultant team that would undertake this study?

DR. KOPPELMAN:

Well, since I would be the project director, my background, in addition to an undergraduate degree, has a two years master's degree in urban and regional planning, and I do have my doctorate from NYU

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from the School of Public Administration and Behavioral Studies.

LEG. CARACCIOLO:

In addition to yourself, who would be involved?

DR. KOPPELMAN:

In addition to myself, one of the other keep people who will be on the project is Dr. Seth Forman who received his doctorate at the State University at Stony Brook. In addition to that, there'll be supporting staff from doctoral candidates because the size of the contract is such that inexpensive labor is very useful. If you think of the budget and the timetable, 40 or \$50,000 covers very little, so I'll be utilizing some of the graduate students that I supervise, who receive 16 thousand a year, or in ninety days, \$4,000 per, and that's the bargain of the century.

LEG. CARACCIOLO:

In total, then the team would consist of about a half a dozen people or so?

DR. KOPPELMAN:

That's outside of clerical, because I have two people who have to actually type all this material up.

LEG. CARACCIOLO:

Okay. You mentioned the time constraints enumerated in the resolution. Obviously, you have some discomfort with that. What would be a more reasonable time and expectation to do a complete and thorough report?

DR. KOPPELMAN:

At this point, I really can't answer that question, because I haven't started the research. I have two options. One would be, if I see the times constraint is absolutely impossible, I'd either have to put more people to work on it, or request additional time. The problem here is that if the study is to be done, I can't constrain it by the amount of money that the Legislature put up for it. Either we take the study and we do it competently, or we don't start the study in the first place. But since it's not something that I require either at the Regional Board or at the University, it doesn't add to my salary or Dr. Forman's salary, it would certainly cover graduate students. But the bottom line is that the study shouldn't be done until it's done. And I have to alert the Legislature on that, because at the end of ninety days, if I'm not done, I'm not going to declare it done. I never did that in my life and I don't intend to start now, so --

LEG. CARACCIOLO:

Well, I think that's important to share with us at this time. In terms of the methodology, you mentioned literature review. What other approaches would you be using, and to what extent would you be reviewing the empirical data that is on the books, if you will, elsewhere in other locales that have declared that DARE simply doesn't reduce drug and alcohol abuse?

DR. KOPPELMAN:

Well, to be candid with you, sir, I have a little difficulty with that conclusion and for this reason. The DARE Program has been in effect

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here in Suffolk County for how many years now?

LEG. BINDER:

Ten.

DR. KOPPELMAN:

About a decade. So we're talking about youngsters who have gone through the program, some of them ten years ago, nine years ago, eight years ago, and so on. The only real measure is can you come up with a conclusion as to whether or not it kept "X" percent of these people from becoming drug users. And while one could respond to that anecdotally, if you really wanted to do it in a comprehensive way, you're talking about a multi-million dollar study. So the best that you can do is get whatever evidence is available. That's one of the reasons why there's a control group in terms of a school with a different program or no program, and a school that has one. But here again the problem you have is that the population has to be stable. In other words, even measuring a school with or a school without, you have to have the ability to track the actual students. For example, let us assume you have a student who went through a program where they

had DARE and then he transfers to a school that doesn't have DARE. Now, whether or not that particular individual becomes a drug user certainly colors the results. If it's a student within the program, then you could say the DARE Program didn't work as effectively as it could. But that doesn't prove the reverse, that if you get students from a school that doesn't have DARE and they don't have any drug users, or at least any that you can discover, to reach the conclusion that, therefore, DARE is not working. That is not competent research. What I am saying is that the most we can do is make observations about how we could reach the students in the most effective way. And if we can everyone get to that point fully with intelligence, then I think the committee will be able to do its job. But I think Legislator Fisher was right, it can't be approached from a standpoint of what's best for a particular budget, in this case, the Police Department budget. If that's the conclusion, then one doesn't have to even start the study. The conclusion from that point of view was reached in terms of budget analysis, I gather, from the Police Department. That's the antithesis of doing behavioral research. We can't start with the answers and work backwards.

LEG. CARACCIOLO:  
Thank you.

DR. KOPPELMAN:  
It's the best answer I can give you.

D.P.O. POSTAL:  
Legislator Binder.

LEG. BINDER:  
Thank you. Just a few questions. And, by the way, I meant what I said in terms of the integrity. It's not -- I don't think it's a question of that. It really is a question of public perception and that's my concern, because there has to be in the -- not everyone knows you like we do, and not everybody understands. And when you have a hot-button issue, the general public has to accept work done as

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work that is untainted. We may understand that, but that might not be the general understanding. And so that's my concern, because whenever money is involved, that -- so I just wanted to make sure it was clear that that was not a question of your character, as I said --

DR. KOPPELMAN:  
Oh, I understand that.

LEG. BINDER:  
-- but I want to make that cheer. You said that you know of this to

be a ninety-day study. Well, the ninety-day clock, I don't know if you do know, maybe you can tell me if you do, do you know that the ninety-day clock started running when we -- when the County Executive passed the legislation, which is I think going on a month?

DR. KOPPELMAN:

Yes.

LEG. BINDER:

So we're probably up to about a fifty-some-odd day window. And considering that you have to have that report to the Task Force, so they can chew on it, you may have forty days or so, including weekends. What are your thoughts on doing a study in forty days?

DR. KOPPELMAN:

Well, I do work a seven-day week. But to specifically respond to that question, I'll tell you categorically, if you want to hold any consultant to that type of timetable and any consultant will agree to do it, all I could say is more power to that individual. I will not make such a promise. From my point of view, the study will be done when I'm done and not to meet a forty-day timetable. In forty days, you are not going to do other than a partial job and I don't care who does the study. The comprehensive nature of this particular assignment requires more than forty days. By the way --

LEG. BINDER:

Sure.

DR. KOPPELMAN:

-- I was familiar with that and we discussed it at the committee meeting.

LEG. BINDER:

Okay.

DR. KOPPELMAN:

I said, from my point of view, the ninety days would only start in my mind when I actually start the work, not when the resolution said it started.

LEG. BINDER:

Okay. Do you -- I don't know if you're aware that the Robert Wood Johnson Foundation has -- well, first let me ask you what you think of the Robert Wood Johnson Foundation. And the University of Akron, you might already know that they've hooked up to do a study. You might have seen the press release. Can you tell me your opinion of them?

DR. KOPPELMAN:

Well, I'm familiar with them, because when they were first set up, they were interested in oceanography, and, in fact they created an oceanographic center near {Jensen Stewart} Causeways down in Florida, and I was involved with them at that time through {Ed Link}. So, yes, I'm familiar with them and I hold them in the highest respect. I think they're an absolutely outstanding organization. And with the money that backs them, that helps explain why they're outstanding.

LEG. BINDER:

Well, maybe allowed to spend -- and I assume you understand that they're spending now \$13 million on a national study to understand how best to approach children, particularly middle school children, because that's where a lot of the problems really flower and begin, that they're spending that money. Could you compare our effort? Give me a comparison to -- and, obviously, it's somewhat rhetorical, but I'm going to let you -- put you on the record, our effort here in what we're trying to do in terms of, quote, creating policy here, because we -- because what you're doing is going to affect our policy here and the children of Suffolk County versus what they are doing now with -- in coordination with the DARE Program with \$13 million, which you know of.

DR. KOPPELMAN:

I'm familiar with the amount of money and that's why I referred you a multi-million dollar project, if you really wanted to do it fully comprehensively. But even with a \$13 million study, candidly, I'd have to say that the expectations should not be too exorbitant for this reason. The drug program throughout the United States, whether it was interdiction, or police enforcement, or education, "Say No to Drugs," etcetera and so forth, there's a very serious question of how efficacious those programs are. Now, in Suffolk County, because of the demographics of income and education and so on, one should have expected that we wouldn't have the problem that, say, inner cities have. That's a foolish expectation. We have similar problems to any other suburban or urban area in the country. And what I'm saying is that when Woods gets done with the \$13 million, they may not have comprehensive answers when they're all done. And in regard to comparing it, there is no comparison in terms of the amount of resources that would be available. But here again I think the only question that the Legislature will be able to address, and part of it is a political question, is that if there's a commitment to continue the DARE Program in whatever form, or, conversely, a commitment not to do it, that inescapably becomes a political question, and I don't mean it in a partisan sense. And that may be the most you can do within the time and the nature of the problem itself.

LEG. BINDER:

Do you really think that we could get enough information from a study like this to actually terminate a program that's been going on ten years? Could we know enough at the end of this process that you are about to -- you might be about to begin, could we know enough to actually, you know, pass policy, I mean, really know enough to do -- take an action which might terminate a program that I think a lot of us think are helping the children?

DR. KOPPELMAN:

Well, can you take an action?

LEG. BINDER:

Well --

DR. KOPPELMAN:

The answer is yes, you could take an action.

LEG. BINDER:

Physically, we could do anything.

DR. KOPPELMAN:

You don't even need the study. The study may give you information that obviously each individual pick and choose. You look at the study and those areas that you agree with will support whatever contention you have, and those elements of the study that do not, you'll disagree with. That's the nature of the policy.

LEG. BINDER:

Do you think there'll be enough --

D.P.O. POSTAL:

Legislator Binder.

LEG. BINDER:

-- information?

D.P.O. POSTAL:

Legislator Binder, can I just interrupt you, because it is seven o'clock? We have to go to the public hearings. After the public hearings, I will come back and I will ask Dr. Koppelman to continue , and you can continue asking questions, and I know Legislator Towle had questions. But I would like to move the public hearings, if you don't mind.

DR. KOPPELMAN:

Thank you.

D.P.O. POSTAL:

So, Dr. Koppelman, if you could just have a seat and --

DR. KOPPELMAN:

Thank you.

D.P.O. POSTAL:

-- give us a little while. Public Hearing regarding Introductory Resolution 2286, adopting a local law to require power plant emission evaluations. I don't have any cards on this public hearing. Is there anyone who would --

LEG. FISHER:

Madam Chairman.

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D.P.O. POSTAL:

Legislator Fisher.

LEG. FISHER:

I'm still working on the language and I would like to recess it again, if I may.

D.P.O. POSTAL:

Motion to recess by Legislator Fisher, seconded by Legislator Caracciolo. 2286 is recessed.

Public Hearing regarding Introductory Resolution 1138, a local law to prohibit operating of motorized scooters in Suffolk County. I have a card filled out by Steve Chapey.

MR. CHAPEY:

Good evening. My name is Steve Chapey and I'm from Holtsville.

D.P.O. POSTAL:

You have ten minutes, Mr. Chapey.

MR. CHAPEY:

Yes. And I'm from Holtsville. I'm here tonight to express my views on Legislator Carpenter's bill that would ban the operation of motorized scooters in Suffolk County. I have many feelings in regard to this bill and a few things that I don't understand. The first thing that I don't understand is Miss Carpenter's quote in Newsday, which was dated February 28th, 2001. Miss Carpenter, you were quoted as saying that we see on roads and the shopping centers all over the place, so it's a safety issue. Even if the riders wear safety gear, if they fall off, the thing is motorized and could just keep going. Miss Carpenter, it's been my experience that motorized scooters have a throttle, okay, which you operate by hand and that's what accelerates or decelerates the scooter. So, in fact, if you fall off the scooter, it will not keep going, as you stated in your quote. So it's my feeling that you're introducing a bill that -- that you're not too

familiar with.

What is also disturbing to me is the contents of the bill, particularly having the scooters taken away by the police. I think that is a very, very drastic measure. Why not have sensible rules instead, like wearing helmets, or maybe registering them, or riding them only on streets and not on sidewalks? But a total ban, that's extremist, Carpenter.

I have a teenage son right here, Christopher, who has a type of motorized scooter called a go-ped. He's had it now for about sixteen months and he uses it with the utmost responsibility. In fact, he uses it to go to his part-time job around the corner from his house. His go-ped is something that he enjoys, enjoys it very much. He likes tinkering with it, he likes fixing it, and keeping it in tip-top shape. His go-ped is something that occupies his time in a positive way, and anything that occupies a teenager's time in a positive way in this day and age I'm all for. Why then are Legislators looking for more ways to limit innocent freedoms?

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I have one more thing. I saw in the Suffolk County Legislator's website that something similar to this type of bill was introduced I believe in 1999 by Legislator Postal, Resolution Number 1023, I believe, and the vote was stricken. I hope that this can happen with this bill. Thank you very much for your time.

D.P.O. POSTAL:

Just let me say it might have been a bill requiring helmets, but I didn't introduce a bill to ban scooters.

MR. CHAPEY:

Correct. I was trying to get information from your office on that and no one's gotten back to me at this point what the outcome of that was.

D.P.O. POSTAL:

Okay. I'm sorry. Yeah, I think they probably related to requiring helmet use.

MR. CHAPEY:

Okay. Thank you very much.

D.P.O. POSTAL:

Any questions? Thank you.

(Applause)

Next speaker on this public hearing is Janet Tomaino.

MS. TOMAINO:  
I'm here.

D.P.O. POSTAL:  
I don't know if I'm --

MS. TOMAINO:  
Hi. How are you?

D.P.O. POSTAL:  
Janet?

MS. TOMAINO:  
Yes.

D.P.O. POSTAL:  
Oh, thank you.

MS. TOMAINO:  
I just want to put on the record that --

D.P.O. POSTAL:  
Can you, please, speak into the microphone? Thank you.

MS. TOMAINO:  
I'd just like to put on the record that I called Legislators --  
Mr. Galdi's office this afternoon. They told me the public hearing to  
speak about Bill Number 1138 was on at 2:30. I took off from work to

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come here, and when I came to the window, the girl says to me it was  
on 5:30, and I don't think that was right. Okay. I'd like to read  
the letter I have.

D.P.O. POSTAL:  
Please.

MS. TOMAINO:  
Good afternoon to all. My name is Janet Tomaino. I am a resident of  
Suffolk County, New York. I live in Lake Ronkonkoma, which is  
Brookhaven Township, and have a summer home in Flanders, which is  
Southampton Township. My husband and I purchased two motorized  
scooters for each other as a Christmas gift in Christmas 2000. We  
both are in our 40's and my neighbor is in his 70's and had no problem  
getting started. We got on and off we went go-pedding. I have some  
pictures.

My husband and I are opposed to Bill Number 1138-2001 to prohibit operating motorized scooters in Suffolk County. There is no evidence or data that says go-peds or motorized scooters are dangerous.

In reference to your statement made in Newsday, dated February 28th, 2001, that if they fall off the scooter, the thing is motorized and could keep going. You all should understand that that is an incorrect statement. If you should fall off or step off your scooter, it will fall and stop moving.

My husband and I would like to see something positive, a law requiring motorized scooters, go-ped drivers to wear protective headgear as helmets in Suffolk County, New York, not to ban motorized scooters completely. They are safe and a lot of fun.

I have a petition of sixty-six signatures. It says not to ban motorized scooters or go-peds, but to have a law to require wearing of a helmet while driving motorized advised scooters. Please insert with a petition given on March 13th, 2001 of eighty-two signatures, plus sixty-six signatures.

We hope that all of you elected officials will realize that there is no real proof or studies that shows scooters are dangerous. Please don't take our Christmas gifts away. Bill Number 1138, submitted by Janet Tomaino, 80 Newton Boulevard, Lake Ronkonkoma, and 33 Peconic Trail, Flanders. Thank you.

LEG. GULDI:  
Question.

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

LEG. GULDI:  
Yeah. I want to apologize for the misinformation you got from my office. They made me come at 2:30, too.

D.P.O. POSTAL:  
If I could just say to Miss Tomaino that when our meetings are daytime

meetings, the public hearings start at 2:30 and that's probably the cause of the confusion. We are sorry.

MS. TOMAINO:  
All right. Also, I have a copy -- I have some copies of the pictures and the letter and a petition. Who do I give them to?

D.P.O. POSTAL:  
Ilona.

MS. TOMAINO:  
How many would you like? I have ten. Do you want all ten?

D.P.O. POSTAL:  
We'll make copies. We'll make additional copies. Thank you.

MS. TOMAINO:  
You're welcome.

D.P.O. POSTAL:  
The next speaker is Santino Tomaino.

MS. TOMAINO:  
That's my husband. He couldn't take off from work.

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

MS. TOMAINO:  
Thank you. So, please, don't ban scooters.

D.P.O. POSTAL:  
Is there anyone else who would like to address the Legislature on this public hearing? Hearing no one, Legislator Carpenter?

LEG. CARPENTER:  
Recess.

D.P.O. POSTAL:  
Motion to recess, seconded by Legislator Fisher. 1138 is recessed.

The next public hearing regarding Introductory Resolution 1113, a local law to permanently establish -- sorry -- living wage policy for the County of Suffolk. First speaker is Ernesto Mattace, Junior.

MR. MATTACE:  
Good evening, everyone. I represent Local 338, which is RWDSU. So everybody understands, we touch your lives every day. We represent the clerks who work in the supermarkets all across Long Island, and we have approximately 6,000 members in Suffolk County. I'm here in support of the resolution for the living wage.

As I look through it, you're looking at a dollar and cents issue here. The basic package shows that at \$9 an hour with a medical package, and coming out to \$360 per week, and 410 -- I'm sorry. Without a medical package, 360, and with a medical package, 410 per week. When you're

dealing with dollars and cents and you're dealing with people's lives, and when you're trying to raise their life-style, it's important to realize that this is above the poverty level, but can you actually afford to live on this kind of wage? It's the first step in a long journey, and I congratulate Legislator Bishop for proposing it, and we wholeheartedly support it. Thank you.

LEG. FISHER:

Thank you, sir. The next speaker is Susan McKeon.

MS. MC KEON:

I'm short. Can you hear me all right?

LEG. FISHER:

Yes.

MS. MC KEON:

Ladies and Gentlemen, can you hear me all right?

LEG. FISHER:

Yes.

MS. MC KEON:

Okay. I'm here to speak for living wage bill; okay? I'm concerned about the quality of life. And I have -- I want to check my time. Okay. I'm concerned about the quality of life of the people of Suffolk County. Many people in Suffolk County have worked very hard to get the life-style that they have now, the family, home life-style that we all love Suffolk County for. And I think it's important to continue to allow families to be able to live here in Suffolk County. We know that cost increases are coming down the road, things such as increases in fuel and power. And so the question is will families be able to afford to continue to live in Suffolk County? And which is -- what is important here is to have a decent fair living wage.

The effect on families and children here is extremely important. Will families be able to afford health care? Will families be able to afford safe housing for themselves and for their children? I am not at all in favor of the undercutting of union labor, that it has taken many people many years, the grandparents of the people sitting here to get the standard of living that we have now. I'm also concerned about the quality of work done for the County. Having this bill will provide a quality control for the kind of work that's done for this County. I am a taxpayer and I know from my own experience. The nonunion work is very often substandard, it's not cost effective. Many times the people need to be sued in court or called back, and what was done originally needs to be repaired. So that it may seem like it's cheaper not to have this bill, but that's being penny wise and pound foolish, because, often, it winds up causing more costs in trying to sue the people to get them to repair the original work they did, the cheaper nonunion people, and in addition, the health and safety issues are involved. Often, shoddy, cheap work causes higher

workmen's compensation due to careless work from people who do not have a stake in the County, because often they are moved around by nonunion contractors.

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I am concerned for my neighbors, my friends, my family, many of whom where I live in Mastic Beach are members of the unions that do the work for this County. I am concerned that the Legislators here will support the working men and women of Suffolk County and not the greedy exploitative subcontractors looking for cheap labor. I thank you.

(Applause)

D.P.O. POSTAL:

Thank you. Next speaker, Gerald P. Halpern.

MR. HALPERN:

Good afternoon, members of the Legislature. Thanks for the opportunity to speak.

D.P.O. POSTAL:

Can you please use the microphone?

MR. HALPERN:

Sure.

D.P.O. POSTAL:

Thank you.

MR. HALPERN:

Is this better? Can you hear me now?

D.P.O. POSTAL:

Much better.

MR. HALPERN:

I'm an attorney and I represent a group of people who provide critical health care to the residents of Suffolk County. It's the New York State Association of Health Care Providers, and specifically its Long Island Chapter, which includes all of the home health care providers under the Medicaid Program of the County and many others. We have about three hundred members statewide and about fifty of them are in Suffolk County. We are in favor of living wages, of the maximum available funds, from the maximum available funds. In fact, we are working at the present time on the State level to try to get \$100 million additional into the Medicaid program, in large part to enable us to raise wages. The problem, however, that you face and

that is being faced by our efforts in Albany is that whenever you increase by mandatory governmental legislation the wages, you have to anticipate that there will be a major cost impact.

It seems to us that unless Suffolk County and the State and the federal government, which provide in varying percentages the amounts of money that go into the Medicaid Program that fund the home health aides that my clients provide to Suffolk County residents and throughout the State, you have to get all three parts of that triumvirate to come up with significant increased money to pay for it.

Suffolk County pays 10% of the cost of every dollar that goes into the Medicaid Program in home care, the State pays 40% and the federal government pays 50%. If for every dollar that there is a mandated

increase in wages, plus fringes, plus medical benefits, you can calculate what the impact will be on the budgets of all three government levels. Unless you're prepared to pay or to authorize the payment of a lot more money than now goes into the Medicaid Program to require every agency, home care agency that has a contract with Suffolk County to increase the wages to the level you're talking about, no matter how we might like to see that happen, there is a big cost impact.

We think that it would be fine if we could try to alleviate the present incredible shortage of labor across the spectrum of health care providers by having a large infusion of money to pay greater wages and larger and better benefits. I can tell you that every year we try to negotiate for substantially more money with the Department of Social Services in Suffolk County with whom we work very well and we provide a wonderful program for its clients. They are subject to budgetary restraints that I'm sure you all understand. If there were a limitless amount of money to go into home care, we would pay our personnel more. We would be able to recruit more people who now can go to K-Mart or McDonalds and make more money than they can in the care-giving roles that our employees provide. It's not there, and unless you can figure out a way of providing that additional money, we're whistling in the wind when we talk about the County mandating a living wage, apart from all legal considerations of whether Suffolk County has the authority to mandate a minimum wage that exceeds the federal minimum wage and the State minimum wage. The real target has to be the sources of the big chunks of money that go into the Medicaid Program in our area of activity and that is Nassau -- I'm sorry. Is all the other counties have to persuade their members in the State Senate and the State Assembly to provide tremendous amounts of additional money, and then the Congressional level has to do the same thing. We'd like to work with you on that. We think that we do

provide reasonable wages within the constraints of what government funding allows us to do. We'd like to do better. We need your help, if you're going to do that.

D.P.O. POSTAL:

Thank you. Legislator Bishop.

LEG. BISHOP:

Yes, hi. Good evening. Is your business that you represent, are they for-profit or not-for-profit?

MR. HALPERN:

Mostly for-profit, but we also have a number of not-for-profits. In Suffolk County, it's a mix, and all of them, I represent all of the --

LEG. BISHOP:

Okay.

MR. HALPERN:

Medicaid providers.

LEG. BISHOP:

Okay. I don't know if you saw the exemptions for the not-for-profits.

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MR. HALPERN:

It doesn't help us very much. Most of the agencies are --

LEG. BISHOP:

It wouldn't help you because the highest paid salaried employee makes more than six times the lowest paid, is that why it wouldn't help you?

MR. HALPERN:

I think it's -- I think it also takes into consideration the managers, the owner/operators, and I really don't think you can take that kind of an equation in a meaningful way.

LEG. BISHOP:

Why not?

MR. HALPERN:

Well, I'm sure that if you were to apply a sixth multiple to General Motors, you'd see how ludicrous it is to talk about. As much as we might like to see a leveling of wages, you're not going to get the President of General Motors within six times the lowest wage employee of General Motors.

LEG. BISHOP:

But isn't the distinction that we don't contract with General Motors, we contract with your members? And we don't want to participate, those of us who support this resolution, don't want to participate in a system which drives down wages. How does home health care agency obtain its contract? Through a bidding process, right?

MR. HALPERN:

It's sometimes an RFP, sometimes it is essentially the fact that my clients have for 25 years been providing good service, and there's almost an automatic renewal of the contract. However, you don't control the rates, nor do we. The State sets the rates that we get paid on the basis of a cost report. It has nothing to do with the mechanism you're trying to set up.

LEG. BISHOP:

Well, it's true. If the State sets the rate, then we can't interfere. If the State sets the rate of what you're paying the employees, I don't know if that's --

MR. HALPERN:

Your legislation doesn't have that exemption, however.

LEG. BISHOP:

The State tells you how much you're paying your employees?

MR. HALPERN:

Absolutely. We get -- we file cost reports, and then on the basis of the Year 2001 cost reports, a rate is set and we'll collect it in 2003. There's a two-year built in lag. So even if we incur the expense now, we don't get it back for at least two years.

LEG. BISHOP:

I just -- maybe I'm not understanding. The State says you must pay

your employee \$6 an hour?

MR. HALPERN:

No, they don't set the wage level. They set the --

LEG. BISHOP:

They set a reimbursement rate.

MR. HALPERN:

-- reimbursement rate level paid by government -- the government levels to the providers. Of course, that acts as a depressing factor. If they give us "X" dollars, we're not going to pay "X" plus 20 to our

employees. We'd go broke tomorrow.

LEG. BISHOP:

And when there's a bidding process, the low bid wins.

MR. HALPERN:

No.

LEG. BISHOP:

How does that work?

MR. HALPERN:

No, because the department, as is usually the case with bidding processes, has the opportunity to take --

LEG. BISHOP:

The lowest qualified.

MR. HALPERN:

-- qualification and other factors into consideration, including past competent service. And the RFP's that we've had have not been on the basis of rate, because the rate is not a factor of County government.

LEG. BISHOP:

Has the rate increased?

MR. HALPERN:

Yes, it's --

LEG. BISHOP:

The reimbursement rate?

MR. HALPERN:

Fortunately, I've been able to negotiate increases year by year, but not enough to pick up the kind of --

LEG. BISHOP:

Has the wages of the bottom lowest paid workers, has that increased at the same pace as the reimbursement rate?

MR. HALPERN:

I think it's --

LEG. BISHOP:

If it has, it's a compelling argument.

MR. HALPERN:

I think, to some extent, it has.

LEG. BISHOP:

If it hasn't, then it makes my case, I think.

MR. HALPERN:

You're talking about the lowest paid worker? I don't think the lowest paid worker really should be the criterion, because I think you would not --

LEG. BISHOP:

Well, that's who I'm concern about.

MR. HALPERN:

You would not want to discourage merit raises, longevity raises. So you're building in a lot of other factors than just the lowest paid worker. The lowest paid worker is frequently on trial for a period of time, a probationary period before they show their full qualifications. Even though they may be certified to come to work, we have no experience with them. I don't think that's really a criterion that counts.

LEG. BISHOP:

What percentage of the workforce in your industry earns less than \$9 an hour, or 10.25 with benefits?

MR. HALPERN:

I would say a substantial percentage of them, and that is largely because of the fact that if you add to the wages and the fringes on the wages, and the administrative costs, and everything else that goes into operating the homecare business, you're pushing very close to the maximum we can get on Medicare -- Medicaid reimbursement, leaving aside the federal government Medicare Program about -- over which neither you, nor even Governor Pataki have any control.

LEG. BISHOP:

All right. Are you willing to provide me or this Legislature as a whole the statistics on how much the reimbursement has gone up over the years and how much the wages over this similar period have been adjusted?

MR. HALPERN:

As far as reimbursement, I can tell you that Tom Brennan at the County Department of Social Services has that information in his head and at his finger tips. He can give you whatever you need there. As far as wages, we don't have any hard numbers across the board. I could give you some anecdotal information.

LEG. BISHOP:

Are any of these public companies that they have filings where we could obtain information about profit?

MR. HALPERN:

A couple of them are public companies, but I doubt very much that there's any requirement of the SCC that they carve out something as microscopic in the total picture.

LEG. BISHOP:

No, but there's probably an SCC requirement that they state they earned a profit or not and what that profit was in a particular year, and I'd be interested to see what the profit was as compared to whether there has been any increase for the people at the bottom of the wage scale.

MR. HALPERN:

I don't know that that's a requirement, but if it is, then you have as much access to it as I do.

LEG. BISHOP:

You're not going to provide it, though.

MR. HALPERN:

I don't have it. And I don't think that this is something that has ever been brought to my attention. It seems strange to me to think that the SCC would require information about wages of a --

LEG. BISHOP:

No, I'm sure they don't. I'm sure the SCC doesn't, but they probably require information about the profit of a particularly publicly traded company. If that publicly traded company does business with Suffolk County, I would be interested. You as an advocate are making the case that, "Hey, I can't pay more to these folks because we don't get it." I just would like to know what the fiscal health of these companies are, if the public is --

MR. HALPERN:

I respectfully I suggest that I don't think that is a valid criterion as to what you should do here for several reasons. A public company does business in maybe thirty-five of the fifty states. How can you compare what they do in another state with what they do here?

LEG. BISHOP:

Well, I'm offering you the invitation to bring -- give -- you know, choke me with information. If you want to make the case that, hey, this is a silly mandate to apply in Suffolk County, unworkable, then show me what data you have to back that up. I'm working from a premise that people at the bottom of the wage, scale have not seen a commensurate increase in their salaries as the stock market has certainly risen, as the rest of society at the top has certainly risen, and I'm concerned that Suffolk County participates in that

problem and I want to alleviate that.

MR. HALPERN:

I would hope that your comments about the stock market were a little retroactive. However --

LEG. BISHOP:

Well, it's still up from the --

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MR. HALPERN:

-- let me give you something that may be helpful to you.

LEG. BISHOP:

If you're looking at -- no, but I understand.

MR. HALPERN:

It's generally a --

LEG. BISHOP:

People say, well, the stock market is down, you know, from 19 --

LEG. D'ANDRE:

Let it go, Bishop.

LEG. BISHOP:

From March, but real wages, from 1969, people who were earning minimum wage are taking home less than they did then, and that concerns me a lot more than the fluctuations in the high tech stocks that I and my colleagues might hold.

MR. HALPERN:

I don't think you'd find that true in the home care field, because there has been a burgeoning of wages largely driven by the market conditions that we cannot find people or keep people working in these jobs without following our competition in the market. But let me give you one --

LEG. BISHOP:

Right. And that's a flaw in the market and that's partly what this legislation seeks to address.

MR. HALPERN:

Let me give you just one thing that might be helpful to you. The rule of thumb, basically, it's anecdotal, not mandated, that administrative costs in the home care field generally run about 25% of the reimbursement rate. Wages are virtually everything else with a

relatively small profit margin. New York City, for example, limits profit to 3%. That's not a big profit margin in the home care field. So I think if you figure, let's assume an agency has a reimbursement rate set by the State of \$13 and that -- most of them are below that. But let's take \$13, and you figure a quarter of that or 75% of that is wages, including fringes, all of the direct wage component. That will give you a pretty good answer. I don't have the math in my head, but that is something that is generally assumed to be applicable by the State Department of Health when it sets rates. I will be happy to look into the possibility of providing you with more information, but I can't at this point assure you of what I don't have in hand.

LEG. BISHOP:

As a Legislator, I pride myself on my reasonableness. If you could make a reasonable case that you can't pay this wage because government itself prevents you from that, then I will certainly --

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MR. HALPERN:

Well, from the viewpoint --

LEG. BISHOP:

-- write some sort of exemption.

MR. HALPERN:

From the viewpoint of my clients, I think you put your finger on it earlier, if you don't control either the wages or the rates of reimbursement, and this is the function of either the State or the federal government or a combination of them, I don't see how this legislation can be made to apply to my clients. And I would think that that type of situation where some other level of government really runs the show, I think you should give them an exemption. I mean, that to me would be the only logical way of handling this. There's nothing we really can do about wages.

LEG. BISHOP:

Do we in Suffolk County limit the -- to 3% profit.

MR. HALPERN:

No, no, but there's no --

LEG. BISHOP:

So the sky is the limit there.

MR. HALPERN:

There is no specific limit here. And the one in New York City is

under contention, because I think, frankly, 3% is, for all of the travail that the people who run these agencies go through, trying to make sure that every patient has a home care aide under any circumstances, and we tried damn hard to do that, I think 3% is a ludicrous figure, but --

LEG. BISHOP:

Well, let me get the politician's prerogative and get the last word. I would -- I suspect it's nothing as compared to the travail of somebody who tries to live on \$12,500 a year.

(Applause)

D.P.O. POSTAL:

Thank you.

MR. HALPERN:

I thank you very much for your time.

D.P.O. POSTAL:

Next speaker, Reverend William Brisotti.

REV. BRISOTTI:

Good evening. I'm, as was said, Reverend William Brisotti, the Administrator of Our Lady of Miraculous Medal Church in Wyandanch. We have a lot of contact in our parish with people who are generally on the lowest end of the -- of our -- of the income scale, and active outreach, people coming for advocacy in terms of food stamps and other

social service issues and in need of direct assistance in terms of food, clothing, and other forms of paying for medical, buying medicine that's not covered by their -- whatever the needs are that they come to us with.

In Suffolk County, we should be promoting not bare subsistence, but a family -- family life. People who come, we see a rising number of the working poor coming to us for assistance. I know that people who would make \$9 an hour generally would qualify for food stamps, if they've got a -- you know, a small family, if that's the only income, and that's not what we should be promoting. People are generally having to work many jobs at very low wages and that causes a significant deterioration in terms of family life, relationships, parents, children, going to PTA meetings, etcetera, etcetera, etcetera.

I would hope that the County that I live in would promote that the people who would be doing these necessary tasks for the functioning of

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all of our County life would be afforded a living wage, \$9 at least. Hopefully, it would be more than that, but it's a good start. And I'm very happy that this discussion is even happening. It's a -- it's a tribute, I believe, to people who are looking to improve the quality of life here in Suffolk County. And so I would definitely support this effort and advocate that it would actually even move higher in terms of the numbers that we're dealing with. Thank you.

(Applause)

D.P.O. POSTAL:

Thank you, Father Brisotti. Next speaker, David Sprintzen.

MR. SPRINTZEN:

My name is David Sprintzen and I'm an officer of the Long Island Progressive Coalition. And it's been at least more than a decade since I used to live here during the years of the '80's in the fight against the Shoreham Nuclear Power Plant and the Campaign for Public Power, working very closely with members in both parties, both sides of the aisle, from Greg Blass and Wayne Prospect, John Foley, and Jim Morgo, and working together closely with many of you over the past.

I do want to begin by a few remarks by being -- pleased, to take, you know, opportunity to welcome our dear friend Bill Lindsay as a new member of the Legislature. It's been a pleasure to work with Bill for many years. I think you all are very fortunate. I think we in Suffolk County, all in Suffolk County, and across the Island will be very fortunate in having Bill on the Legislature. It's very strange for me to see him up there, but I'm very glad to see him there. So, congratulations, Bill.

And the Progressive Coalition, just let me say a little bit briefly about that, the Progressive Coalition now in its 22nd year is part of the statewide Citizen Action -- Citizen Action, which has offices in Buffalo, Binghamton, Albany, New York, Utica, as well as Long Island, and it helped pioneer the legislation for living wage in Buffalo. It is also part of a national organization, U.S. Action, which has -- is representing twenty-seven states, thirty-seven organizations, and

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about 4.5 million members. The local has chapters across the Island and we work in a bipartisan fashion. I emphasize size that. It's extremely important, because some often assume that because our word is progressive and we are, as it were, on the left wing of the political spectrum, we have -- we don't work bipartisan. But, in fact, right now, our new East End chapter will be holding a public forum in a month from now. It will be chaired by Fred Theile and will have on its panel the two Republican Supervisors from East Hampton and

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Southampton. So just as an example of the fact. And I think this legislation itself, and which David Bishop deserves tremendous credit, and Paul Tonna in jointly cosponsoring it, is an example of a bipartisan initiative, which I think we all can well get behind in trying to bring a certain amount of basic decency to the quality of life. Nine dollars an hour does not make it on Long Island. I think the figures for having to be able to sustain a family would probably require something like \$22 an hour, but that's not what we're trying to do. We're trying in some sense to make a step in the right direction.

And you, as a members of the Legislature, are really in a -- are representing a really remarkable body of Legislators throughout this country. This Legislature has pioneered many significant acts over the years, farmland preservation to the effort to stop the Shoreham Nuclear Power Plant, to working closely with us on public power back in '81 when you past a feasibility study, and '82 when you began considering the issue of the possibility of a public takeover and were scared away from it by LILCO and Newsday saying that it would cost \$1 billion. Hah, \$1 billion. We now know what it has cost. All right? So, unfortunately, you were not able to carry through. But you pioneered on that, you pioneered -- Maxine took the lead on newspaper recycling. There are many things which this Legislature has pioneered on. It is in the tradition of the Legislature to take a leadership role. You're doing it in this action.

It is extremely important to bring the issue, as Father Brisotti just said, to bring the issue to the public attention to get us to think about what are the basic conditions for quality of life in Nassau County, in Suffolk County, on Long Island. Nine dollars an hour hardly makes it, but it is a significant reasonable step in the right direction.

And I really want to applaud Dave, who has taken a tremendous leadership role on this and has battered through all kinds of objections about, well, who should be exempted, who should not be exempted, and does it make sense to exempt nonprofits in different areas? I appreciate that and I respect the commitment he's made, and I respect the effort that you are all taking in seriously considering this.

I hope you will, you know, look through the information . This is not the first bill in this country on living wage. It's a movement which has been expanding across the country from cities and counties, and it works. It helps provide a certain basic floor from which other kinds of economic activity and the union negotiations can move. It is an important step in the right direction. I applaud you for doing it, and I trust you will look at the objections, I don't think they are

really serious, and then you will pass the legislation in your next opportunity. I thank you very much.

(Applause)

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

MS. WRIGHT:  
My name is Joy Wright. I'm here representing the Long Island Council of Churches as a member of the Public Issues Committee. The Long Island Council of Churches also applauds the Legislature on this issue and hopes to be more brief than the previous speaker.

Three thousand Long Islanders came together last September at an vigil to protest the victimization of two immigrant laborers. The Long Island Council of Churches was an organizing sponsor of that rally. The Suffolk County Legislature has already acted by funding the establishment of a community opportunity center in Brookhaven Town to address one aspect of that victimization. At a unity rally in Brentwood last October, Presiding Officer Tonna said, "Long Island is a diverse community. We are a mosaic of freedom seekers in search of a better life." When I hear that a person is victimized just because he or she shares that same dream, first I weep, second I ask why, then I take action.

The Long Island Council of Churches applauds the action this Legislature has already taken, and asks you to take action again to redress the no less real, though less sensational, victimization of immigrant and other low-wage earners on Long Island with this bill.

I'm sure everyone here real lives, as we have heard, that the minimum wage, even a projected increase in the minimum wage, does not represent a true living wage for Long Islanders. Now, in 1969, the minimum wage in this country nationally provided 120% of the poverty level. By 1997, it provided 70% of poverty level. And Long Island, as we know, is much more expensive than, for example, Iowa. This bill will increase the minimum by more than 50%, and this is a start. Nevertheless, it will take a full-time worker -- it will make a full-time worker still eligible for food stamps, as someone else has pointed out.

The Long Island Council of Churches supports this bill as a token and a gesture of the moral leadership of this Legislature and of Suffolk County on this issue. The Long Island Council of Churches asks you to pass this bill and further the efforts of the Long Island low-wage earners to support their families. Thank you.

(Applause)

D.P.O. POSTAL:  
Thank you. The next speaker is Richard Koubek.

MR. KOUBEK:

Good evening. My name is Richard Koubek. I reside at 10 Randolph Drive in Dix Hills, and I'm co-coordinator of the Long Island Labor

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Religion Coalition.

Before I begin my remarks, I want to join with others in congratulating Bill Lindsay, who was Chairperson of the Labor Religion Coalition, for his election and the beginning of his term of office tonight, and we look forward to working with you, Bill, or to continue working with you.

The Long Island Labor Religion Coalition consists of labor unions and religious congregations that work for economic justice here on the Island and elsewhere. Since 1996, the Coalition has focused our attention through education and through advocacy on issues of concern to working families. It is on their behalf that we rise tonight to support your adoption of the living wage legislation before you. And I'm going to ask everyone in the audience who was here in support of living wage to stand and show your support. And I thank you for that.

The lack of affordable housing and health care are two of the Labor Religion Coalition's priorities, because we see so many people on Long Island who cannot afford to purchase a home, rent an apartment, or get health insurance, and these are working people, yet they earn too little to pay for the basic necessities of life, like shelter or medical care. For example, a two bedroom apartment now rents on average for \$1,173 a month here on Long Island. And as Newsday reported, "A Long Island resident would need to earn \$22.56 an hour to afford a two bedroom apartment."

Catholic Charities, the not-for-profit agency for whom I work, conservatively estimates that a family of four must earn at least \$36,000 a year to live a life of minimum dignity here on Long Island. That's \$17.30 an hour, about twice the living wage that's before you tonight.

The bill that you're considering, as you've heard, calls for a basic wage of \$9 an hour for any employee of an agency or a company that contracts with the County. Now this translates to an annual income of \$18,720 a year. That's about a thousand dollars above the poverty level for a family of four, and as a number of speakers have said, that person will still qualify for food stamps. So you can see, we're talking about a minimum standard of decency when we talk about \$9 an hour. It's a threshold to economic justice, but it's a threshold that we are morally bound to cross.

Catholic Charities is about to release a study of clients who visit

our parish outreach centers here in the Diocese of Rockville Centre. Almost half of the people who came in that we interviewed are working people, and almost all of them earn under \$20,000 a year. Simply put, people earning \$9 an hour are likely to be clients at parish outreach centers. They cannot make ends meet, they take from their rent to pay for food, sometimes they go without food, and they need free clothing for their children. By adopting this minimal standard, Suffolk County will take an important step toward raising the bar for all workers on Long Island. A wage of \$9 an hour is not a goal so much as it is an important beginning. It is a moral step and it's a step we need to take. This is why the people in the audience, the groups represented here, the Long Island Labor Religion Coalition supports Resolution

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1113. This is why Catholic Charities is willing to work with the County in implementing a living wage, and this is why so many have come here tonight to support a basic standard of decency. Please do the right thing and pass this resolution. Thank you.

(Applause)

D.P.O. POSTAL:

Thank you. Next speaker is Father Gerry Twomey. Father Gerry Twomey.

FATHER TWOMEY:

Thank you, Madam Chair. If I may, I'd like to dispense with my prepared remarks and supply the Legislators with copies and just give you about a fifteen second summary in light of the large number of speakers and guests who are here tonight. It's called having compassion on the multitude.

LEG. CARPENTER:

Bless you, Father.

FATHER TWOMEY:

Thank you, Legislator Carpenter. It's said that men would sleep better at night if they knew less of what went into the making of sausages and laws. I think it was Otto Von Bismarck who said that. But many of us would sleep better tonight if you would be able to give your support to this particular legislation.

And I would simply pose to you three questions that come from a document called "Economic Justice for All," which was produced by the United States Catholic Bishops in 1986. There are 1.7 million Roman Catholics on Long Island, more than half of whom live within the jurisdiction of Suffolk County. And I speak as the Co-Pastor of Saint Anne's Catholic Church in Brentwood, and also as a member of the Justice and Peace Commission of the Diocese of Rockville Centre. And

the three key questions that are posed in terms of economic justice are what does it do to people, what does it do for people, and how do people participate in the process? And I would simply suggest to you that what this legislation does to people is that it enhances their core human dignity. What does it do for people? It gives them a hand up and not a handout. It gives them the opportunity to begin to resemble something of a living, saving wage. And how do people participate in it? They participate in it through you, as their elected representatives through your good conscience and the approach that you bring to this legislation. So I urge you to consider this favorably. Thank you.

(Applause)

D.P.O. POSTAL:

Thank you.

P.O. TONNA:

Father Twomey, just -- Father Twomey, it's nice to see you dressed as a -- you know, I've seen you numerous times and to have you wearing your collar today, I just --

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FATHER TWOMEY:

Thank you, Mr. Presiding Officer.

P.O. TONNA:

The godfather of two of my children.

D.P.O. POSTAL:

Next speaker is Reverend Robert Lepley.

REV. LEPLEY:

Thank you for the opportunity to share my thoughts concerning the crucial importance of living wage legislation that you are considering. Let me start by framing the issue using what I think is one of the clearest and starkest symbols of the problem and that is a brief history of the CEO to worker pay ratio in the United States. That's the contrast between what top corporative executives and workers get paid. Michael {Zweig}, who is a professor of economics at Stony Brook recently had published a book a very interesting book he wrote called "The Working Class Majority" in which he does away with this myth that the United States is a middle class country. He makes the case that the this is, indeed, a working class nation, and that the majority of working class people who make up this class in the United States are having a very hard time financially. And one of the clearest indicators of this is what has happened since 1980 in the --

with the ratio between what the bosses make and what the workers make. Professor {Zweig} reports that in 1980, the ratio was 40 to one. Top corporative executives were paid 40 more times than workers. Fifteen years later, in 1995, it was 140 to one. Just three years later, in 1998, it was 419 to one. And just one year later, in 1999, it was 475 to one. And if you read the business section of last Sunday's New York Times, you know that last year, in the Year 2000, that executive pay went up another 22%, bringing the ratio well up to 500 to one. And how much raise did the workers get in last year? Somewhere -- some of the workers got between three and 4%. And, of course, many workers did not get a raise at all, because they continue to make the minimum wage.

Now, I speak tonight both as a Minister and as an activist. I'm clergy with the United Church of Christ. I was serving the parish for 25 years. I'm also the Executive Director of the Long Island Alliance for Peaceful Alternatives, and I'm a founder of a coalition called United People for Social, Economic and Racial Justice on Long Island, a coalition that deals with two issues, racism and poverty. And I -- as a Minister, I speak to you and I will say to you that a statistical analysis of the synoptic Gospels in the Christian traditions, that's Matthew, Mark and Luke, illustrates that the Prophet, Jesus of Nazareth, talked more about the relationships between the rich and the poor than any other subject. The great Prophets of the Jewish scriptures also spoke more about this subject than in any other subject, and they name names. All of the great world religions condemn the greed that allows for great differences between the wealthy and the poor. And it was Aristotle who said that if there are great gaps between the rich and the poor, that democracy is simply not possible.

Let me continue to frame the issue. In the United States, since 1976,

tax policies have allowed the share of wealth owned by the top 10% of families to increase from 50 to 69%, and the richest 1% of families has seen the share of wealth increase from 19% to 40%, and the other 90% of the American population has seen their share decline from 50% to 31%. This means that the wealthiest 1% of families in the United States owns more than the bottom 95% combined.

Bill Gates, the wealthiest person in the world, has assets that are combined to the equivalent wealth of the bottom 40% of the United States population. Now, poverty is 30% greater today in the U.S. than it was in 1968. The rate of childhood poverty is four times that of Western Europe. Among all industrialized countries, the U.S. is number one in childhood poverty, number one in the gap between the rich and the poor. Forty-three million people have no health

insurance. Thirty people -- million people in the United States suffer from hunger, half of those are children.

Let me come closer to home in framing the issue. On Long Island, in 1995, there was approximately 30,000 homeless. Today, there are around 50,000 homeless, one half of those are children. There are between -- estimates between 100,000 and 200,000 people who are living on the edge of despair and disaster. They're living with relatives, they're living with friends. African-Americans and Hispanics earn approximately one half the per capita income of whites, so the risk of African-American and Hispanic infants dying is three times higher than white infants. There are over 40,000 children on Long Island that are categorized as being poor.

Now, rental housing has increased on Long Island 20% since 1997, up to an average of \$800 a month, while housing costs have increased. And, finally, listen to this, 70% of the jobs with the most growth on Long Island pay less than a livable wage, 70%, and 50% of these jobs pay below half a living wage.

Now, I would conclude by saying that parents and teachers and clergy all teach children the important and the enduring values. What are they? Sharing, fairness, taking turns, compassion, helping others. Why are not these values lived out in our society in regard to issues of money, such as how wealth is distributed and what people are paid for their labor? I can -- I call on you to pass the living wage legislation. If you are a person of faith, your religious faith mandates you to do this. If you consider yourself to be a person of good ethics and strong morals, the best of secular philosophies also say to you that this is the right thing to do. Thank you.

(Applause)

D.P.O. POSTAL:

Thank you, Reverend Lepley. Next speaker, Nicholas LaMorte.

MR. LA MORTE:

Good evening, County Legislators. And a special welcome to my friend Bill Lindsay. Congratulations, Bill.

(Applause).

I'd like to wish a good evening to my union brothers and sisters in the audience, good evening to our fellow working families in the County. My name is Nick LaMorte and I'm the President of CSEA Region One on Long Island. I'm here tonight not only as a representative of

the 50,000 members in CSEA, but also as a representative and spokesperson for Jack Caffey, President of the Long Island Federation of Labor, and also as an institutional member of the Labor Religion Coalition and the Working Families Party. In all cases, our leadership has made passing the living wage law a top priority.

Many of you have met our members in and around the County. It's no surprise that our membership earns well above the living wage proposed here tonight. We are here, however, because this living wage bill is a morally and fiscally responsible policy for the County to pursue. We strongly support this bill, because living wages will improve the quality of life for all workers, union and nonunion. Having more good paying jobs that can support a family is good for our local economy and our entire community.

With two more living wage ordinances passed last week, 60 municipalities in America have now past living wage laws. In Suffolk, of all places, the concept is very simple. We live in a state that ranks last in the nation for disparity between the rich and the poor. Our country has limited public resources and should spend them in the most responsible way. People need jobs they can live on. We already have too many jobs that pay poverty wages.

The advantages of this bill for working families in our communities are many. As a union leader, I can tell you that when workers are paid decently, they are more productive, have more time to spend with their families and 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 living wages, studies have found that these employers are able to retain more workers and actually save money, because they don't constantly train new staff.

Results of other studies about the impact of living wage laws around the country have found that more money in the hands of low-wage workers has the potential to help rebuild poor communities. According to a study on the impact of a living wage ordinance in Los Angeles, neighborhoods with concentrated numbers of affected workers may experience higher rates of homeownership, education and entrepreneurship. Who would oppose such a law? Well, let me tell you, they're the same groups who oppose social security, saying it would hurt the economy. They opposed Medicare, saying it was unwanted government interference. They opposed making child labor illegal. They even opposed creating a minimum wage in the first place. The same groups will stand before you with their doom and gloom arguments. "We can't afford it," they will say. At the same time, the highest paid employee will get paid more than five times what the lowest paid worker will. Those low-wage workers will continue to bring home less than \$11,000 a year for full-time work and are then eligible for social welfare.

Let us be clear. First, the law that is being proposed will not affect existing contracts. Only new contracts and subsidies awarded

will be affected. Second, not all workers will be affected, only the ones who work on projects that are funded by the County.

There is a one-year safety net provision in the bill for organizations that experience a 10% budget increase. Through the record keeping requirements proposed in this ordinance, the companies will have to provide proof that they can't afford to pay their workers a living wage. And while this is one of the most common arguments against the living wage laws, the reality has been that the added overall budget increase to employers is less than 2%. We'll have to lay off workers or cut jobs, they will claim, which they also claimed in 1996 before the minimum wage was increased, yet unemployment has decreased and is holding at its lowest points in decades.

Truth be told, evidence shows that when more money goes into the hands of low-wage workers, it has the potential to create jobs. How? Well, when workers earn higher wages, living wages, they may need to work only one job instead of two or three. The vacant jobs are then there for others to take. It will hurt small business. Well, businesses with less than ten full-time workers are exempt. Most importantly, small businesses actually stand to gain the most of this law, as the residents earning a living will probably spend more money in their own neighborhoods.

The living wage will cost the County too much. I ask all of you, how much does it cost us not to pay a living wage? When people are poor, they have no money to spend and often rely on public assistance for food, housing, medical, and emergency services. Taxpayers pick up the tab for these services, which are increasingly being requested by working people.

Time and time again, working families have heard how getting a raise and improving their quality of life will turn the economy into a wasteland. Time and time again, working people have fought these warnings and have passed living wage laws. Surprise. Jobs have not vanished, taxes have not increased. Even business week published an article that living wage jobs don't cause job loss or raise local taxes, all they do is put more money in the pockets of working families, helping them pay their rent, pay their doctor bills, and sometimes even save money to send their kids to college.

When this bill comes to a vote, passing it is the only morally and fiscally responsible thing to do. Ask yourselves when considering your vote, could you support your family on \$10,700 a year? On \$12,000 a year? How about \$17,000 a year?

As a union leader, I strongly believe that everyone who gets up in the morning and puts in a fair day's work should be able to support themselves. This bill is an important step in that direction. Can we afford to keep people in poverty? Can we afford to have two or three

jobs taken up by a single individual? Can our communities afford parents who can't spend quality time raising their children? We are not forcing companies to take our money. However, when they do, we must require that they give back by paying living wages. Our workers deserve it and so does Suffolk County taxpayers.

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On behalf of my brothers and sisters, the Long Island Federation of Labor, I strongly urge you to pass this bill. It's irresponsible not to. Thank you for your time and listening.

(Applause)

D.P.O. POSTAL:

Thank you. George Reilly. George Reilly.

MR. REILLY:

Good evening, Ladies and Gentlemen. I'm George Reilly and I am a member of the Suffolk County Gray Panthers. As a matter of principle, we believe you should pass this legislation. We believe in it and we pay the taxes. If you have to raise them, we'd pay them.

D.P.O. POSTAL:

Thank you. Next speaker, Martin Melkonian.

MR. MELKONIAN:

Good evening. My name is Martin Melkonian. I've been teaching at Hofstra University for 35 years. My subject is Economics. Indeed, some of you in this room may have been my former students. I'm here to here to speak of support for the living wage legislation.

I'd like to address something perhaps the other speakers have not and that is the standard economic arguments or the academic arguments that have sometimes been thrown out suggesting that we are going to see a rise in unemployment, or perhaps an increase in inflation that may come about because of a living wage. The first thing to point out is that worker productivity is likely to rise both because of improvements in morale and the likelihood that employers will begin to invest and to train their workers more intensively simply because it costs more for the labor that they are going to hire.

D.P.O. POSTAL:

Mr. Melkonian, can you just speak into the microphone, please.

MR. MELKONIAN:

Sorry about that. This is sometimes referred to as the shock effect, and it forces really management to use labor far more productively.

Secondly, the firm's turnover costs may drop, reducing hiring and retraining expenses. Indeed, the payment of what is called efficiency wages, which are wages that are significantly above standard or minimum wages, is a practice that some of our best firms utilize to maximize worker loyalty. They know they can hold onto their employees and they don't have to go through the retraining costs.

Thirdly, if employers are induced to invest in their workers, it is likely to make our region one of superior labor skills compared to other areas, and that will make, I think, Suffolk County a more attractive place to do business in and for firms seeking to locate to come to.

Fourth, the unemployment that might arise because of the higher wage, and I'm not denying that there won't be some additional unemployment,

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can be counteracted by the higher incomes that would be generated from living wage workers. Their spending of their higher incomes would generate new jobs.

I think Henry Ford had it right many, many years ago when he said he would pay his workers a living wage, because he knew that they would be the prime market for his cars.

Fifth, empirical evidence suggests that the most recent rise in the minimum wage in 1996 and again in 1997, that what has happened is that unemployment actually dropped in the nation as a whole as the minimum wage was raised, and, in fact, inflation was barely effective. What that tells us, basically, is that the other factors that affect both unemployment and inflation are far more important than any sort of wage law.

And finally, it should be pointed out that the County, while faced with higher costs, would benefit from higher salaries -- sorry, from higher sales taxes from the increased spending that would take place. And if poverty in Suffolk County is reduced, we are likely to see social benefits and a reduction of social welfare costs. Thank you.

(Applause)

D.P.O. POSTAL:  
Next speaker is Paul Arfin.

MR. ARFIN:  
Good evening. My name is Paul Arfin and I would like to address this issue, and it's very awkward for me to do so. I'm the son of a

Teamster. I worked my way through college partly on union wages. And I'm really glad to be here, but I have to take the other side, and I stand up here clearly to say why.

It's good to have this discussion. I don't question -- I relate and identify with the statements about the need for economic justice in our country, that a good morale foundation and passing on of strong values are very important, and that \$9 an hour is not a decent wage here on Long Island. Those are no-brainers to me. And I would imagine, I would imagine that the majority of the people in this circle would agree with all of those statements. However, in its present form, this legislation needs to be amended, and I will just relate to it in a very specific concrete way. And one of the speakers earlier referred to nonprofit organizations. I'm the executive director of a nonprofit organization. We provide day-care services for the frail elderly and for children. We help working parents get to work every day. Most of our workers earn between six and \$8 an hour. I'm ashamed of that. But the practical implication of this legislation is that it would -- that I would have to pass on over \$330,000 a year in additional costs to my consumers who are working families, a good portion of whom the County subsidizes in order for them to be taxpaying citizens.

So it's very nice to talk about the goals of this thing and to -- but I believe that many folks believe that there's some resolution out there where companies are going to pay for it, and I have no problem

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with putting that challenge before them, but I think there is a need for amendment when it comes to certain industries and/or the nonprofit sector. It will put many of us out business. And I would welcome, Dave, you know, the scrutiny tomorrow morning or any morning to look at our books, to look at what we pay, whether we make money, whether we lose money, going back five years, ten years. We're lucky every year if we break even.

And your amendments, you know, to give us one year to do certain things just don't hold water. They don't -- and let's just take for instance the one about if the director of the agency earns more than six times the lowest salary. We start assistant teachers at \$6 an hour. How about if the director has put in 30 or 40 years in the business of nonprofit work? Are you telling me that that person doesn't deserve to earn more than --

LEG. BISHOP:

No. Apparently, that person is not so ashamed as to raise the wages of their lowest person, that's how I would view it. I mean, you say on one hand you're ashamed, and then you say, "Well, that exemption

wouldn't apply, because the director of my agency is so highly qualified. Isn't that basically what you're saying?

MR. ARFIN:

That -- I feel that's a distortion on the issue. No, no. I mean, doesn't someone

D.P.O. POSTAL:

David.

MR. ARFIN:

-- who puts in ten, twenty, thirty years --

LEG. BISHOP:

Let me ask you this.

D.P.O. POSTAL:

David.

LEG. BISHOP:

Yes.

D.P.O. POSTAL:

Do you want to let him finish his statement before you ask questions?

MR. ARFIN:

-- in the field.

D.P.O. POSTAL:

I don't think he was finished.

MR. ARFIN:

Let me just respond a little bit to what he said. That those people who have a great deal of seniority, whether they are executive directors, or directors, or supervise, and they may be in very large agencies. So one of the examples is that some of us are in very large

agencies where their budgets are 20, 30, 40, 50, \$60 million, and their executive directors are earning maybe \$100,000 a year, which is not uncommon for a nonprofit -- that's more than six times what -- and those -- that is -- those are salaries which are, according to many research studies, very typical of large nonprofit organization salaries. So I can understand, say, in a smaller child care center that the director, you know, might not make more than six times the hourly salary of the entry level worker, but it doesn't -- there's inconsistencies. There's inconsistencies there.

LEG. BISHOP:

Do you think that -- that ratio was used in Los Angeles. Do you think there's a ratio that would be fair, given that --

MR. ARFIN:

I think -- I think it would be a little bit more complicated in looking at budget size. It would be a variable.

LEG. BISHOP:

Well, is there a ration, I'm asking.

MR. ARFIN:

I think it depends on the size of the agency.

LEG. BISHOP:

Would you --

MR. ARFIN:

I don't think that you can take Developmental Disabilities at \$60 million and what they pay their director compared -- and they have a child care program, compared to the director of the ABC Child Care Center with a budget of a quarter of a million dollars. I don't think you can just say six -- that the director shouldn't make six times more than the entry level worker.

LEG. BISHOP:

Ten times? Is there -- there's no --

MR. ARFIN:

I'm just thinking out loud here, is as if you -- the larger agent, nonprofit agencies that I'm familiar with, the executive directors of those agencies, generally speaking, make let's say \$120,000 a year, between 100 and 150, they're on the lower level of superintendent of schools, okay, so let's take a \$120,000 and let's just -- so that's ten times \$12,000. So maybe that's in the ballpark.

LEG. BISHOP:

And that's fair?

MR. ARFIN:

Yes.

LEG. BISHOP:

That's a good way to --

MR. ARFIN:

Yes, I do. Yes. Well, perhaps, yeah. But, again, where does the money come from? The assumption is it's going to come from the consumer or government, or more cake sales. What you're telling me is have more cake sales, pass it on to the consumer, and that 330 grand would mean I would have to raise the fee to child care parents a thousand dollars a year, instead of -- those who are paying \$7,000 a year to eight, those who are paying ten, eleven. That's what the economics would be, because I don't hear any government -- any levels of government saying, "Hey, you know, there's a living wage increase needed and I'm going to help you, you know, to get to it. Until then, it doesn't make sense to me.

D.P.O. POSTAL:

Thank you.

MR. ARFIN:

Okay.

(Applause)

D.P.O. POSTAL:

Is there anyone else who would like to speak on Public Hearing Introductory Resolution 1113? The Chair recognizes Legislator Lindsay for a statement.

LEG. LINDSAY:

Thank you, Madam Chairwoman. I'd just like to enter into the record a statement from my Assemblywoman, Patricia Eddington, in favor of the living wage concept. And rather than read it, I think we've heard a lot of testimony about it and I'd just like it entered into the record. Thank you.

D.P.O. POSTAL:

Thank you. Legislator Bishop, motion?

LEG. BISHOP:

Recess.

D.P.O. POSTAL:

Motion to recess, seconded by Legislator Fields. 1113 is recessed. Public Hearing regarding Introductory Resolution Number 1187, approving extension of license, Davis Park Ferry, Cross Bay Service, Patchogue and Fire Island communities of Davis Park and Watch Hill. And I have a card filled out by John Lund. We'll wait just a second while the auditorium empties.

MR. LUND:

It's an uphill battle.

D.P.O. POSTAL:

That's all right. We're waiting.

MR. LUND:

Sorry about that. I chose the wrong door. Good evening.

D.P.O. POSTAL:

Mr. Lund, you might just want to wait just one second --

MR. LUND:

Okay.

D.P.O. POSTAL:

-- so that people can clear out of the auditorium. Can we ask that the people who are exiting the auditorium do so quickly and close the doors? Can we have the doors closed at the back of the auditorium, please? Thank you, Mr. Lund. Go ahead.

MR. LUND:

Hi. Good evening and thank you. My name is John Lund. I am president of the Property Owners Association at Davis park. I'm for having ferry service to Davis Park, renewing this particular franchise with the County. And I'm happy to see it proceeding rapidly, I hope. I've been told I have ten minutes. I hope I don't take that long.

Your Section 9, where it says, "Petitioner will provide such service upon a regular schedule substantially similar to the service shown on the ferry schedules annexed hereto as Exhibit B" seems to include most of the concerns that the Davis Park Property Owners Association had. These schedules there are for the Year 2000. Something similar this year would be fine. We obviously know that we have to adjust schedules due to trains, number of people, cost of fuel, whatever it is.

Thank you very much. I do not see any problems with the Davis Park Ferry Company that could not be settled over a cup of coffee or perhaps a glass of wine. Thank you very much.

D.P.O. POSTAL:

Thank you. Is there anyone else who would like to speak on Public Hearing 1187? Motion?

MR. BECK:

Yes, I would like to speak.

D.P.O. POSTAL:

Legislator Foley. I'm sorry.

LEG. FOLEY:

Someone wants to speak.

D.P.O. POSTAL:

Yes.

MR. BECK:  
Yes.

D.P.O. POSTAL:  
Would you just give your name.

MR. BECK:  
Surely. My name is Walter Beck. I'm an attorney, and I represent the

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Davis Park Ferry Company. And I think our petition speaks for itself, but I wanted to let you know that we urge its granting, that the license and franchise of the Davis Park Ferry Company be extended for five years from the date of expiration. As the last speaker said, this company, who's been in this business in Patchogue for over forty-five years, works together with the people at Davis Park, the homeowners, in adjusting their schedule reasonably to accommodate their needs of persons traveling from the mainland of Long Island to Davis Park and Watch Hill. Unless there are any questions, I just wanted to make that presentation on behalf of my client and urge the passage of the resolution.

LEG. FOLEY:  
Quick question.

D.P.O. POSTAL:  
Thank you. Question, Legislator Foley.

LEG. FOLEY:  
Thank you, Madam Chair. And it's good to see you, Walter, here this evening.

MR. BECK:  
Nice to see you, Brian.

LEG. FOLEY:  
When we close the hearing tonight, we can take this up for a vote at the next general meeting, which will be on the 24th of April. That's within the window of time -- is that before the expiration of the current license?

MR. BECK:  
Yes, it is. The expiration is in the latter part of May, so that would tie in with the necessary window.

LEG. FOLEY:

Fine. So at the right time, Madam Chair, I'll motion to close, and three weeks hence on the 24th is when we would be voting on the resolution.

LEG. FISHER:

Second.

D.P.O. POSTAL:

Okay. Are there any other questions? Motion to close, Legislator Foley, seconded by Legislator Fisher. 1187 is closed.

MR. BECK:

Thank you, members of the Legislature.

D.P.O. POSTAL:

Thank you.

LEG. FOLEY:

Thank you.

D.P.O. POSTAL:

Public Hearing regarding Introductory Resolution 1207, a local law expanding the County Human Rights Law to public accommodations, employment and housing. I have no cards. Is there anyone who would like to speak on this public hearing? Hearing no one, I'd make a motion to close.

LEG. FOLEY:

Second.

D.P.O. POSTAL:

Seconded by Legislator Foley. 1207 is closed. Public hearing regarding Introductory Resolution 1257, a charter law to require annual expenditure disclosure for contract funding. I have no cards. Is there anyone who would like to address the Legislature on this public hearing? Hearing no one, Legislator Carpenter, motion to close, seconded by myself. 1256 is closed.

I would like a motion to set the date of April 24th, 2001 at 2:30 P.M. in the William Rogers Building for the following public hearings: Public hearing regarding the 2002 Capital Budget and 2002 to 2004 Capital Program, Public Hearing regarding Introductory Resolution 1248, Introductory Resolution 1261, Introductory Resolution 1262. And to set the date of May 8th, 2001 at 2:30 P.M. in Riverhead, New York for the following public hearing: Public Hearing regarding the 2002 Capital Budget and the 2002 to 2004 Capital Program. Motion by

Legislator Caracappa, seconded by Legislator Lindsay. The date of the public hearings is set.

I will now return to the public portion. We had a couple of speakers -- a couple of Legislators who were asking questions of Dr. Koppelman, and if Dr. Koppelman would not mind. I'm going to move rapidly through the remaining speakers. Again, I'm going to go to a time limit for public portion of three minutes per speaker. But, Legislator Binder, you were asking Dr. Koppelman questions.

LEG. BINDER:

Thank you. The question I left off on, and kind of an important question, is considering the enormity of the question for us, a policy question that affects basically or almost every child in Suffolk County, do you feel with the time allotted, the amount of research you can do, and what information you're going to be able to give us and give this Task Force, will there be enough information, in your opinion, this is an opinion question, will we have enough, not just to make a political decision, obviously, we could just pick what we like, with but that's not what I'm saying, to make a good reasonable, rational policy decision, not a political one, a policy decision for our children, will there be enough information that you can provide for us, so we'll have a foundation for that decision?

DR. KOPPELMAN:

You can make a rational decision on what approach you want to take, whether it's DARE or some other approach. As to whether it will have a positive impact on the children, vis-a-vis the basic objective of their not becoming drug users is a different question. Ultimately, because this is so fraught from a political policy point of view, it

is really quite different from the general kind of policy questions this Legislature has to answer. I'll give you an analogy. When you, as a Legislator, have to make a decision vis-a-vis the Community College Budget, you could look at it, quote, rationally in terms of cost effectiveness or whatever criteria you want to measure. But then the bottom line is that there's a built in constituency that is so supportive of the Community College, and a good deal of it is quite legitimate, that the bottom line from a policy point of view is for the Legislature to support the Community College, because those areas of social good, whether they meet efficiency criteria, is really not the issue, it's what the Legislature wishes to do.

You just went through a major hearing on livable wages. Every one of the speakers was right, the cost of living in Suffolk County is impossible, they're entitled to a living wage, but there are other aspects also, like who is going to pay for it. And these are tough

decisions, and the final decision inescapably becomes political.

Now, before you asked me about Robert Woods' study, \$13 million, how is this going to compare. It can't compare. They're spending a literal fortune and they may not come up with any better answers than we do. And that creates a real question for this Legislature and that is whether or not the study should even be done, because if there are split opinions among the Legislators, and I could respect all of the issues that are raised, I would suspect that there are members of this Legislature that already are absolutely convinced that DARE is a superb program, should be supported should be retained as is. I would suspect that there may be some Legislators who would have a contrary point of view. Whatever my study yields and whatever the appointed committee comes up with, obviously, there are going to be split reactions on this Legislature. So that raises a question what should be done. Because the bottom line, and you're not going to be able to escape it, is going to be a political decision. Maybe you want to wait until the national study is done. Thirteen million dollars you're not going to replicate with your study out here. And I'm saying to you that there are going to be members of the Legislature who are not going to be happy with whatever findings are produced.

[SUBSTITUTION OF COURT STENOGRAPHER - ALISON MAHONEY]

LEG. BINDER:

One last question. When you normally take your studies, what you do is you hand it over to committees, task forces, whatever. Is it safe to say or would I be safe in assuming that your expectation is that those people on the committee have a neutral attitude that they'll take your -- that they haven't come out and said this is what they believe or don't believe; in other words, have taken hard core positions before you've done the study that they would wait until after to determine the data and you might be a little concerned? Because I'm concerned that there's already people on this very task force who have taken hard-core, public, very public positions in the press as to what they think should happen to a program that you're just about to study and I'm wondering if that -- or, you know, possibly, depending on what happens with the vote, I just want to know what you think, how do you react to that?

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MR. KOPPELMAN:

Well, I don't want to be presumptuous, I presume you're referring to the Police Commissioner because he's the only one that I know of that has taken a position from the standpoint of his responsibilities.

LEG. BINDER:

Okay.

MR. KOPPELMAN:

I only met with the committee once and I could tell you with all candor I didn't feel any of that kind of pressure from any of members, certainly not from the distinguished Commissioner of Health nor from my colleague from Suffolk Community College, nor from your own colleague on this Legislature, Legislator Carpenter never gave any indication that they had an agenda that I should aim the study towards, nor would I ever do a study in that fashion. But the bottom line that you really have to address is what you as a Legislature expect to receive and whether or not it's even worth doing the study. In listening to the questions tonight, I would be less than candid if I didn't raise that question.

LEG. BINDER:

I'm glad you did. Thank you. Thank you for your candor.

D.P.O. POSTAL:

Thank you. Dr. Koppelman, several hours ago Legislator Towle had a question. Legislator Towle.

LEG. TOWLE:

I still do and, in fact, the number of questions are growing the more Dr. Koppelman speaks.

You know, Dr. Koppelman, earlier in the evening you had said to really do a comprehensive study, to give us an answer, whether DARE worked or didn't work, would cost I think you said, you know, well over a million dollars.

MR. KOPPELMAN:

Millions.

LEG. TOWLE:

Millions, that's a great answer. I appreciate --

MR. KOPPELMAN:

And it was referred to as the Wood Study which is 13 million.

LEG. TOWLE:

Exactly, exactly. And from my perspective, from my perspective as a County Legislator, I would have hoped that your study could tell us whether DARE works or doesn't work; that's just my opinion, one of 18. The reality is I've seen a half a dozen studies that say DARE works and I've seen a half of dozen studies that say DARE doesn't work. So I guess the argument could be made for either side depending on how you, you know, define the data and what you pull of that data.

The thing that impressed me in your comments tonight was why even do a study. And from my perspective, we had hoped to do a study to give us an answer on DARE. What has concerned me is that the County Executive and the Police Commissioner have already come out against DARE and because some members of the Legislature felt that it should be abolished, that DARE wasn't providing a positive, you know, result. Some members of the Legislature had filed a bill to stop that and prevent that and, therefore, the Police Commissioner agreed that he would evaluate that decision. You know, I think it's a little late once you yell, "Get rid of DARE," now let's evaluate it. And when your bill came here to the County Legislature at our last meeting, I was somewhat concerned as to how did the committee select a consultant how did they come about picking you. I have a lot less concerns about that tonight listening to your I thought very unbiased presentation and, you know, expressing what you would do if you were hired as the consultant. I think you have answered those questions for me but the question I have now is I would think, based on listening to your comments, that to do this study, you're not going to be able to give us the answer that we need for this kind of taxpayer dollars. And I guess that's my question.

MR. KOPPELMAN:

Well, let me answer it in two ways. Number one, you're probably making a correct assumption, but I wouldn't relate it to the amount of money or even the time that you put in. There's a good likelihood that the Robert Wood Johnson Foundation will spend \$13 million and won't be able to come up with a more definitive answer, because the issue when you deal with a program like DARE is that there are positives and there are negatives, then it depends which side you're coming down on. For example, one may argue that policemen are not educators so, therefore, perhaps people who are more geared to education would be better adapted to do that. The other argument is who better knows the drug trade than the police. Then there's also the issue that policemen in uniform, whether the DARE Program works or not, at least could instill a confidence among the youth of our County that the police are their friends, whether the overall objective is achieved is a second problem. So you have all of these factors that come into that decision process. And I'm sure there are many school districts that think this is the greatest thing since Carter's little liver pills and there are others who say, "Well, it really doesn't work." Well, maybe it doesn't work because this nation has spent billions of dollars and has not been able to adequately address the drug problem. And when alternatives are suggested like, well, maybe legalize it and maybe that might be a solution, it will take the profit out of it, take the criminality out of it, and then counter argument is, well, but then you'll have more people using drugs, and we don't have an answer to whether that's true or not.

LEG. TOWLE:

Dr. Koppel --

MR. KOPPELMAN:

All I'm saying to you, there are too many imponderables, too many unanswerables.

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LEG. TOWLE:

Dr. Koppelman, when you appeared before the committee and they selected you to possibly do this study, what did you walk away with from the committee as your charge or responsibility with this study, what do you see your roll here?

MR. KOPPELMAN:

I indicated to the committee the elements that I thought had to be in the study in terms of the interviews, the examination of controls in terms of a district that has it, districts that don't have it.

Certainly from the public hearings we would get some input as well, plus the thorough literature search to see what the array of options are and what the array of experiences had been. But a lot of it is going to be anecdotal because ten years in terms of coming up with the synoptic data is totally inadequate. The drug problem has been around for decades and here we're talking about a stratified group of young people, some of whom are just out of the school system and some of them are just starting the school system. And that raises another question, what age should we expose the students in school to the drug issue? And we don't even have adequate sociological data on that. Are some of the students too young to fully comprehend what the police are trying to tell them? We don't know. These are all the unanswered questions and the most we're going to be able to do is say -- and what I said to the committee was I'll try an array as best as can the facts both pro and con, and then they have to make a choice. And cost, by the way, is not one of the issues, but even the other issues are going to be to a certain extent unanswerable. And that's where it is and that's why I said, you know, your expectations for this may exceed what anyone is able to really produce, regardless of time or money.

LEG. TOWLE:

Dr. Koppelman, one final question, if I could. And I guess this is probably one of the more tougher questions you'll get asked. I mean, I'm almost walking away with the sense that you don't see a positive or necessarily the positive result that we would have had hoped to see with this study in giving us a definitive one way or the other. And I guess asking you as a person who is potentially the person that we're going to hire is a kind of tough question, but do you see this study as a worth while endeavor to spend, you know, forty something thousand dollars of the taxpayers' money to be able to present a report to the County Legislature giving us the pros and cons, most of which we've probably seen already but maybe condensing it into a little more

defined answer, but it really isn't giving us, "We should keep DARE here in Suffolk County or not keep DARE in Suffolk County."

MR. KOPPELMAN:

It's not useless in the sense that I feel this Legislature already has all of the options before them, because if you did you really wouldn't have had to even have the committee let alone do a study. So to the extent that information is useful, that's probably what you're expectation should be. The problem, however, is the Legislature is not going to be able to escape the bottom line.

Let's say hypothetically when the report is done, and I'm not going to recommend to the committee that DARE should be abolished or DARE should be kept, what I'll do is array what the consequences of each

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action may be, but let's take it both ways. Let us assume after the study is done and the committee digests it, let's say hypothesis A the committee says, "Let's abolish DARE"; then it comes back to the Legislature and you're back to square one because there are already strong opinions, the program is good, the program may not be good. Let's take hypotheses B, the reverse, you're back to the same problem and then it's a question of counting noses. The only decision that you'll be in more advantageous form is you'll have a little more of the pro and con arguments. In other words, hopefully the Legislature will be a little more informed than just anecdotal that you get from parents or opponents to the program, either pro or con.

LEG. TOWLE:

Do you see yourself or the members of your team speaking to children about this program?

MR. KOPPELMAN:

I'd have to give that a good deal of thought for this reason, there are very strict requirements in academia as well, as in government in general, in terms of querying individuals, and certainly where children are involved it is extremely difficult, and I'm not even sure that that would really be permissible. A number of the educators that I've spoken with over the years, because I've done a number of educational studies, when it comes to querying their own students, that was an absolute no no in most cases, and for very good reasons. So it becomes a question of experimentation and when you're dealing with minors, not only is it a problem academically but there are liability consequences as well. So the idea of surveying youngsters becomes very problematical.

LEG. TOWLE:

Thank you.

D.P.O. POSTAL:  
Legislator Lindsay?

LEG. LINDSAY:  
Yes, Dr. Koppelman. Just two quick questions. Do you know when the Robert Woods Johnson Study will be completed?

MR. KOPPELMAN:  
I don't think they know when it will be completed.

LEG. LINDSAY:  
Okay. And the second question, what -- assuming that the study is completed, would the results of that study be applicable to our community?

MR. KOPPELMAN:  
I'd have to answer that yes and no, for this reason. You have to understand that the study was funded by National DARE, okay. National DARE realizes across the country that there are problems and that the program, at the very least from their point of view, has to be improved. Therefore, the Johnson Study will probably be geared toward finding better workable solutions to how the DARE Program should be carried out across the nation. Whatever their findings are, they may or may not be acceptable here in Suffolk County.

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Hypotheses, the study that we do comes out negative, let's take the worst possible case, and the committee supports the study and the committee presents it to the Legislature and the Legislature agrees with it and the Legislature goes public saying, "We're going to abolish the DARE Program, " and then you have your Legislative meeting and the bodies will be lined up from here to the Town of Huntington. What's the Legislature going to do then?

LEG. CRECCA:  
Reenact DARE.

LEG. BISHOP:  
Blame Koppelman.

MR. KOPPELMAN:  
Oh, I understand that one. That's what has to be thought very carefully and very thoroughly.

D.P.O. POSTAL:  
Any other questions? Thank you, Dr. Koppelman.

MR. KOPPELMAN:

I thank the Legislature for your great patience. I know I go on at too great a length. Thank you.

LEG. D'ANDRE:

Can the Doctor go home now?

D.P.O. POSTAL:

Yes, if he would like to; you know, he may like it here, he may want to stay. Our next speaker is Dr. Joseph Burger.

LEG. D'ANDRE:

Dr. Bradley, you can go home now.

D.P.O. POSTAL:

All of our speakers have three minutes during the public portion.

Dr. Burger?

DR. BURGER:

I'll get through a very, very little bit apparently. Good evening, Ladies and Gentlemen. It is my pleasure to be here and I thank you for inviting me here to speak to you about an independent survey that was done in evaluation of the DARE Program that I was able to facilitate in 1992.

Just to give you a little of my background, I am a professor at Dowling College in the School of Education. I have been in the County working with schools and communities for 30 some odd years. I have been the Academic Chair of the School of Education and Department Coordinator for particularly special education and crisis intervention courses. I'm here to speak to you about this experience as the impartial, independent evaluator of the DARE Program in 1992. And I particularly appreciated Dr. Koppelman's comments because they were articulate, they were to the point, they were on target and they were very helpful remarks and I think he spelled out the situation pretty

clearly.

There are pitfalls of time constraints, serious pitfalls of time constraints in any study, and there are serious problems with regard to expectations of absolutes in outcome. If I have more time later I will tell you about some of the real life issues that speak to this question.

A little bit more about what I've done. Over the years I've been a preservice and in-service instructor for teachers, I have taught drug, alcohol, substance abuse prevention courses to about 10,000 people in this County, many of the teachers, I would dare guess, probably most

of the teachers either pre-service or in-service in this County for programs through {SETRAC}, BOCES, the State, SCOPE, etcetera. I have been involved and am presently involved in prevention of violence programs which we are now introducing through the State SAVE initiative. I have worked with the Department of Intercultural Relations on bias and discrimination prevention and task forces that have dealt with that. We are now doing extensive work on bullying prevention which goes in hand in hand, by the way, with the issue of the DARE Program and studies of these kinds of programs. We're addressing sexual harassment and all kinds of harassment prevention issues.

I have worked with North East Regional Center for Drug-Free Schools in communities which under Federal grants has trained teachers in programs similar to DARE and different from DARE.

LEG. POSTAL:

Dr. Burger, please sum up.

LEG. BINDER:

Madam Chair, I would ask, since he's on a resolution and he hasn't been able to come before the Legislature which is the same as the resolution where Dr. Koppelman had a very long time to speak. So members here have an opportunity to hear both sides on this, I would ask -- beg your indulgence to allow him to explain --

D.P.O. POSTAL:

Okay. And would you be equally willing to -- our next speaker is Mr. Foreman who is speaking on the same issue.

LEG. BINDER:

Both of these people, since Mr. Koppelman was allowed to go very long, unless Mr. Foreman is also looking to do a study, these are two --

D.P.O. POSTAL:

Well, Mr. Foreman is here on the same issue.

LEG. BINDER:

I understand, but except the difference is Dr. Koppelman and this gentlemen could be people who we would spend 40 some-odd thousand dollars of people's money on. And so for anyone here to understand the difference between the two, they would have to hear both.

D.P.O. POSTAL:

And I understand, but Dr. Foreman -- no, is not going to speak, okay.

All right. Go ahead, Dr. Burger.

LEG. BINDER:

Thank you.

DR. BURGER:

I'll try to be as quick as I can.

D.P.O. POSTAL:

But, you know, I would caution -- yes.

DR. BURGER:

If I can, I would like to read to you then quickly about what was stated about the survey. The survey was simple. It was also anecdotal and there were responses from the children, there were 7,000 children involved, we received 3,500 surveys back.

There were 50 questions on five parameters in order to determine the efficacy of the DARE Program on the following areas. One, increased their awareness and skill in making appropriate decisions and choices in general, that was one parameter. Another series of questions dealt with increasing their self-esteem and selective thinking. The third parameter was enhanced assertiveness and skill in resisting negative influences or pressures in life. The fourth parameter had to do with increasing the knowledge about both licit and illicit drugs, chemical substances, and influence their attitudes about the use of substances; that was the primary one that dealt with drugs, all the others dealt with human life issues. And the fifth one had to do with their -- whether there was an increased respect for law, for the reasons for law, law enforcement officers, etcetera.

As I said, there were 7,000 students involved. There were a 171,000, therefore, questions that were tallied from the 3,500 that were returned. I observed every single officer doing a presentation in class. My job was also as an observer, a supervisor and coordinator of student teachers for the County to give them feedback as to their performance in and recommendations as to how to improve their performance in the classroom. I did find that the performance was excellent, by the way.

I am not here to speak in favor or against the DARE Program. I am here simply to indicate that there was a model that was established that can be used that is simple but will not give you all of the answers that you're looking for. I interviewed parents, I interviewed administrators, all of these were included or pieces of these were included in the report, and there was obviously an overwhelming, positive outcome. However, that was ten years ago, so the program may have changed, the officers may have changed, the climate may have changed. We are also dealing with all of these other prevention problems and so we may have to look at how we are using the program that is in place. Perhaps not scrap it, perhaps subsidize it with other programs, compliment it with other programs. You saw youngsters here who are doing marshal arts expositions for us. Now, that's a program, that's not going to cure our society of drug use, but it adds

to a dimension as does the DARE Program, as does Pride, as does Project Quest, as does the Northeast Regional Center, as does the Reclaiming Youth Movement which is throughout the United States based in South Dakota and as do many other programs.

LEG. POSTAL:

Dr. Burger, again, please, I'm going to have to ask to you please sum up.

DR. BURGER:

Well, in summing up the issue, Dr. Koppelman has given you some very clear things to consider. But you do have a model that you can work with, it is doable, it is usable and it will evaluate the perception of the people who are presently going through and experiencing the DARE Program. And you can determine whether that is efficacy enough. Thank you very much.

D.P.O. POSTAL:

Thank you.

LEG. BINDER:

Madam Chair?

LEG. CRECCA:

Madam Chairman?

D.P.O. POSTAL:

Legislator -- I saw Legislator Binder and then Legislator Crecca.

LEG. BINDER:

Thank you. Doctor, you did a program, a study ten years ago and you came out with an outcome. Would you -- are you wedded to that outcome, is that -- because some Legislators said, "Well, we have to start fresh. He's already been there, he's already made the determination, so how could we go to someone who's made a determination already."

DR. BURGER:

I'm presenting a model to you. What is existing now -- and I have not been involved with the DARE Program since then. What is existing now is not necessarily what existed then. I am not wedded to any outcome and that would be a very fruitless kind of approach to take in the first place, because it would bias the whole study and there would be no point in doing it.

LEG. BINDER:

Now, your model could be done either on your own -- in other words, you would be able to be up and running quickly on your own, doing your own thing. You might be able to work with Dr. Koppelman? I mean, I don't know. Give me an idea of how you could do yours.

DR. BURGER:

Certainly Dr. Koppelman has some resources that are very valuable. I could do the same thing through some of my colleagues at the college.

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But we have a very respected gentlemen here who has done this kind of work as well, and I think that we can compliment each other. There needs to be a study of literature. We do need to understand other programs that are out there but we are primarily addressing the advantages and the criticisms about the present DARE Program as I see it.

LEG. BINDER:

Last question. If you were to do this, and the question I think was maybe the most important question asked of Dr. Koppelman, do you think you would be adding to our knowledge base sufficiently for us to be able to make the kind of informed -- I mean, Dr. Koppelman talks about political choices and I understand just about every choice we make at some level is political in some way, but most important -- and I just keep want to be coming back to this because we're talking about children here, it's a policy choice that effects their lives. Do we have enough information at the end of this rainbow, your study, Dr. Koppelman's study, a joint study, however it's done, do you feel that we're going to have enough information that we could make a reasoned, rational, and more than that, an informed decision that we could feel confident at the end of that decision making process that the policy we choose is going to benefit the children of Suffolk County

LEG. D'ANDRE:

No problem, Binder, no problem.

DR. BURGER:

A reasonable choice, a reasonable hearing of the information that you glean from this will indicate whether this particular program, the DARE Program, has merit or has serious flaws to it. Comparing it with other programs will be far more extensive. One thing that Dr. Koppelman did not really address is if you scrap DARE or if you scrap any program and it comes back to you, how are you going to decide on another program? You're going to try out another program, you're going to run it through and then you're going to do the same kind of study and you must do it year after year after year if you want to have any longitudinal data and information.

So I would consider that you should look at the outcome of a study, see how this particular program is helpful or not. In the long run, it lot will not cure the problems, no program will.

LEG. BINDER:

Do you think a study like this, 40, 50 days, whatever it ends up in the end, is going to give us what we need to make that decision?

DR. BURGER:

No.

LEG. BINDER:

Okay, and that's the important point. Thanks.

D.P.O. POSTAL:

Legislator Binder, are you finished?

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LEG. BINDER:

Yes.

D.P.O. POSTAL:

Legislator Crecca.

LEG. CRECCA:

A couple of questions, Dr. Burger. I was just looking at the handout that we got which includes the 1992 DARE Program which I understand you were involved -- well, actually you were the actual evaluator.

DR. BURGER:

I was the evaluator, I did it all.

LEG. CRECCA:

One of my -- I guess my main question is I'm looking at the student survey that was done; was the survey prepared by you?

DR. BURGER:

Yes.

LEG. CRECCA:

You know, I certainly don't propose to be an expert in surveys, but I did study this in college and worked with the {Manners} Institute for Public Opinion.

DR. BURGER:

Yes.

LEG. CRECCA:

And I'm looking at a 50 question survey which calls for a yes response on 50 out of 50 questions and, I mean, I look at your results --

DR. BURGER:

And did that taint it?

LEG. CRECCA:

I mean, I can't see how they wouldn't be tainted, number one, based on the content of the question and the way they're worded. I mean, I could figure out after -- I think my five year old might figure out after the first three questions that yes is the right answer. And then you look at your results and you've got -- with the exception of I think three or four questions, you've got 80, 90%, some of them close to a hundred percent positive response on.

DR. BURGER:

That's right.

LEG. CRECCA:

In addition, you've got police officers or the people who are actually teaching the program collecting the data and tallying the data. So, I mean --

DR. BURGER:

No, they sat with me in order to count the numbers.

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LEG. CRECCA:

All right. But, I mean, would you agree, I mean, the survey technique that was used here was sort of skewed. It would not --

DR. BURGER:

Yes.

LEG. CRECCA:

It would not produce independent results.

DR. BURGER:

Yes, and I would like to suggest that that was also done under the gun with very limited time. So that's why we're faced with this kind of problem. If you want to do an appropriate study with control groups in large populations -- in addition, we had to hand tally those things, nobody gave us bubble sheets or computers to work with.

LEG. CRECCA:

But beyond the hand tallying that --

DR. BURGER:  
I understand that.

LEG. CRECCA:  
-- I mean, just the questions themselves, the preparation of the questions is --

DR. BURGER:  
They're in a positive frame, yes. They could have been put in a negative frame, or maybe there would have been different results.

LEG. CRECCA:  
Well, any survey is unique where you put in test questions which had nothing to do with the topic, you mix them up, you mix up the responses so that you get more accurate responses. I mean, that's just basic, you know --

DR. BURGER:  
In terms of the time frame, in terms of the time frame, we worked the parameters that way so it was easier to work it through quickly. And that was the point that Dr. Koppelman is making. If you have a larger time frame, you can do it in a different fashion and it probably would be more appropriate.

LEG. CRECCA:  
How much time frame did you have for this -- the 1992 study?

DR. BURGER:  
From the time that we actually began, first of all, we ended up -- I ended up observing each of the officers personally.

LEG. CRECCA:  
Okay. But what does --

DR. BURGER:  
Observing their presentations, that was several months.

LEG. CRECCA:  
Okay.

DR. BURGER:  
The survey we had, to do all of this and get it all tallied, we had

less than a month.

LEG. CRECCA:

Okay. Thank you. I have no further questions.

D.P.O. POSTAL:

Legislator Fields.

LEG. FIELDS:

I, too, looked at the 50 questions and I think that you would have to be very unintelligent not to determine right away that you must answer yes to every question or you're a failure, you know.

DR. BURGER:

I don't see that. I don't see that.

LEG. FIELDS:

Okay. I'll read a couple of questions.

DR. BURGER:

I must be unintelligent.

LEG. FIELDS:

No, no. It says, "I have come to think a lot about the choices and decisions I make"; I would never answer no to that. "I have come to think a lot about the choices and decisions my peers make. I have come to think a lot about the choices and decisions people in my school make. I have been able to organize my time better. I have paid more attention to my mistakes. I have learned that there are peaceful ways to settle disagreements." After going through the program, I would think anyone would answer -- I mean, I would love to see the people who answered these and I would almost guarantee a good portion of them would answer yes for every question.

DR. BURGER:

The question is what the outcome is.

LEG. FIELDS:

And then furthermore, in the legislation, in the first RESOLVED it says that, "An assessment of the conclusions reached by studies of the DARE Program." Are you using your results to this to study that; in other words, are you doing a study of your study?

DR. BURGER:

At that point, I was supposed to submit the report.

LEG. POSTAL:

No, but with this new resolution --

DR. BURGER:  
Could you repeat that?

LEG. FIELDS:  
If you were going to be part of this, would you use your study to study?

DR. BURGER:  
No. No.

LEG. FIELDS:  
What would you do?

DR. BURGER:  
I would revise the questioning process, again, there are time constraints.

LEG. FIELDS:  
Okay. Now, but there are time constraints, I would think, and you just said on the record that the first one that you did you were under the gun with limited time; you would be under the gun within limited time again.

DR. BURGER:  
Yes, I'm saying the same thing. I'm saying that you need more time to do an appropriate, long-term study.

LEG. FIELDS:  
But we're really looking at this saying that we're under the gun now.

DR. BURGER:  
I understand that.

LEG. FIELDS:  
Okay. Thank you.

LEG. POSTAL:  
Thank you, Dr. Burger. Our next speaker is Margaret Bianculli.

MS. BIANCULLI:  
Hi. Mr. Binder, before you just leave, I just want to say God bless you and thank you for giving this community, taking some of the mud off of us that has been slung on us and say to you as you give yourself the graciousness that you spoke about, not be considered racist and to say that you're doing things with your honest of heart.

I have been a victim, as my neighbors have been victimized, by those who have refused to accept our heart in this, our homes and our children. We are against 1193, we resent your vote last week, we thank Mr. Binder and we thank Mr. Caracciolo. And those Legislators --

Applause

-- who have the true integrity and heart to look at a community that is suffering because of the lawlessness. Tonight I heard many, many

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things. I have been a teacher of the DARE Program and for me, although I don't have to put out thousands of dollars to support it, I am grateful for the DARE Program and many of the students that I'm still in contact with who were beneficiaries of it.

You've talked about the living wage. My husband, because of the impact of foreign nationals or alien labor who happens in his commun -- his job to be legal, they have been able to hold down the wages so that my husband who has worked ten years for a company who claims a billion dollars in profits, he does not make a living wage where I can stay home and continue to harass you guys, where I have to work, and it's because of the impact of that labor.

We spoke about many -- you spoke about many things tonight and I have -- all our tax monies are going for this and this and this. And I don't know all the ramifications, so I can't speak yea or nay for any of them except to say when you're appropriating \$80,000, which is just a little spit in the bucket, for a community development center that will sorely impact my home -- do you know since your vote last week there are many of us in our community who have been solicited by Hispanic real estate agencies and asked if we're willing to sell our house. My daughter happens to be a real estate agent and we responded to one of the real -- that's just since your vote last week. And she said she wanted a certain amount for my house and the man said, "Why that much? It's a small house, it's in the old part of town, it's the part that's being impacted." And so my daughter said, "You're expecting my mother to leave her retirement, you're going to have to pay for her retirement if you want her home." And my neighbors all feel the same way, we're not going anywhere unless they're willing to provide us with enough money for our retirement and a place where we can move someplace else.

I would just like to give some of you the evidence and there are a couple of other speakers tonight who will be able to provide you evidence that you guys were asking for; we've given it to you for three years many times. I'll sum up, I hear the beeper. I'd like you to take a look at U.S. Code, Chapter 14, Subchapter 11, Section 1621 which talks about whether or not nonqualified aliens have a right to receive public benefits from local governments. Section 1324 and 1325 of Immigration Code -- U.S. Code 8, Immigration Law, take a look at those.

[RETURN OF COURT STENOGRAPHER-LUCIA BRAATEN]

And just to reiterate, we're against -- there are many more people coming up in our community right now that are voicing their -- being against 1193. Thank you for time. And that's it.

D.P.O. POSTAL:  
Thank you.

(Applause)

LEG. CARACAPPA:  
Question. Question.

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D.P.O. POSTAL:  
Joe?

LEG. CARACAPPA:  
Yeah. Margaret.

D.P.O. POSTAL:  
Legislator Caracappa has a question.

LEG. CARACAPPA:  
Margaret, just let me ask you a few question. Since the hiring hall was voted on last week, or the funding for a community center -- community center -- what has -- what have you been hearing and your neighbors hearing from the day-laborers themselves? I know there's an article in Hoy, which is the Spanish edition of Newsday, and there were some interesting quotes in there from the workers themselves who were being basically told or asked to use this facility now, what are some of the things being said by the workers themselves in Farmingville?

MRS. BIANCULLI:  
There are many things that have happened in this week, this past week, and one of the things, like I said, is many of us are being solicited by real estate agents. Also, another thing that is happening is many people who have not spoken up before have just presented us with a petition. They're sorry they haven't spoken up, they're going to speak up. They're presenting that to Gaffney. In yesterday's Hoy -- Hoy is the Spanish -- Hoy?

LEG. COOPER:  
Hoy.

MS. BIANCULLI:  
Well, okay. What do you want from an Italian girl from Brooklyn? Hoy

is the Hispanic part of Newsday, and they interviewed the men in our community, our illegal aliens. We do feel very possessive towards them. And some of the things that they talked about is the aliens said the -- another day-laborer seemed insulted by the idea of building a hiring hall in his town, Farmingville. He was quoted as saying that "They want to pen us up there like a bunch of animals." And I think Mr. Binder was concerned about that when he spoke about that last week. But most interesting statement made by far was made by a day-laborer, who said, "There are many factors that they," meaning you, "did not consider before imposing that center hiring hall on us." Needless to say, most taxpayers, homeowners in Farmingville would agree with this day-laborer, and just ask them and they'll tell you. Anyway they are -- we have presented other issues, other ways of remedying our situation and peaceful solutions, and we would have never had the opportunity to come forward without being battered, and harassed, and put out saying that we are not -- we are racist and all of our claims are invalidated. There has been an increase in crime.

And Gallagher was manipulated into saying the things he said on August 31st. Violating our borders is a criminal violation, not a civil violation. And {Olshansky}, I don't know what her legal background was, but she misled you. You guys have been misled. And the

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day-laborers themselves said -- oh this is what a day-laborer said. "Everyone knows that hiring illegal aliens is against the law." That's what one of them said. They also went on to say that they won't go to the hiring site, because their bosses won't go to the hiring site. Now this is something we've been telling you. I stand in the street with the men. I'm surrounded by 30 or 40 of them at a time and we talk through translators or through broken English and broken Spanish, whatever, but we talk, and this is something that we have been told all along and you've not listened to us.

And so I am here to say, I don't know what's going to come down, but I hope, I hope that your moral leadership will stand up and do the right thing by this community and your oath of office, which is to uphold the law. We heard Mr. Lindsay today say that he is -- took the oath of office to uphold the Constitution of the State and the United States government, and that is for the interest of citizens and taxpayers and all the things you've been doing tonight. And, therefore, I hope that somewhere along the line somehow, you'll be able to make right the wrong that you have done to my family, my retirement, and my neighbors. And we do have solutions and we need leadership to help us with these solutions. Thank you.

(Applause)

LEG. CARACAPPA:

Margaret, one final question from me, simple yes or no.

MS. BIANCULLI:

Okay.

LEG. CARACAPPA:

Beside the --

MS. BIANCULLI:

That's difficult, Joe.

LEG. CARACAPPA:

Beside the illegality of it, do you think this -- for the reasons you stated earlier in the questioning I had earlier, do you think and your neighbors think this hiring hall can work?

MS. BIANCULLI:

Absolutely not.

LEG. CARACAPPA:

Thank you. Neither do I.

MS. BIANCULLI:

Absolutely not.

(Applause)

D.P.O. POSTAL:

Thank you. Next speaker -- actually, I have two individuals who filled out this next card, Sherry Radowitz and Stacy Villagran.

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DR. RADOWITZ:

Stacy Villagran is ill this evening, so I'll be including her message with my testimony.

D.P.O. POSTAL:

Okay.

DR. RADOWITZ:

I'm Dr. Sherry Radowitz. I'm the Senior Vice President of Community Initiatives for Long Island's United Way, and Stacy Villagran is the Assistant Vice President of the Success By Six Program at United Way, which is a community collaboration addressing the needs of very young children on Long Island.

I want to just get the message across for Stacy, because that I think is the most important part, and then I'll add a few thoughts of my own. Stacy shared with some of you previous testimony at the Child Care Council's Legislative breakfast her plight about using child care in Suffolk County. She's a 28 year old woman, she has a two-and-a-half year old daughter. She had her child in two child care centers in Suffolk County. In her child's 2 1/2 years, she's had twenty different teachers. This addresses the need for some support for retention of child care workers. She lives in Hempstead, she works in Deer Park, and her children were in child care programs in the Commack area. She has now switched her child to a child care center in Nassau County. Nassau County has a salary enhancement program. It has had a salary enhancement program for ten years. I know you're questioning whether this is the right approach or not. The only flaw with the salary enhancement program in Nassau County is that it doesn't have -- it doesn't attach to credentialing or skill enhancement. But for ten years, it has impacted positively on the child care programs in Nassau County and has reduced turnover.

The center that she's in now she felt obligated to interview, because she was so terrified of what would happen if her child had yet to go through more turnover. Her child's head teacher has been at the center for five years. The assistant teacher has been at the center for three years. And the center was sort of kidding around, saying, "Well, we also have a new person in the room," and that person has there a year. It's been Stacy's experience in Suffolk County that every other month, her child care teachers change. This is a serious, serious problem.

In talking with the staff at the centers, as she did, because she's also an advocate in the child care area, she found that the biggest complaint was the salaries, the salaries of \$6 an hour and \$7 an hour, and they would leave the field to take jobs in fast food restaurants, in department stores, despite the good intentions of what they had as their education and what they wanted to do in their heart.

I've been working in the human services field for thirty years. I consider myself somewhat of an expert, I've surely paid my dues, and I really question what we're all going to do about this problem.

In 1971, I made \$6,000 as a day-care teacher in Upstate, New York. That was \$2.88 an hour in Upstate New York when the salaries were

lower than in this area, and now they're not making much more. My son, who is 23 years old, earned -- he's in corporate bond trading, this year earned the same salary I earned last year after 30 years of experience in the administration of human service programs.

D.P.O. POSTAL:

Sherry, would you sum up, please?

MS. RADOWITZ:

Yes, I will. Thank you. The corporations are doing their part, the donors are doing their part, the parents are doing their part. I believe government must set social policy in this country. We have a real problem with roots of childhood violence being determined to be under the age of two years. I think that we are a smart country. We have scientists, doctors, technicians. We can do so many different things. Why can't we get a child care policy in this country, in this area that will -- that will make any kind of difference? Why can't we put all of this good talent to solving this problem? Why can't Suffolk County be willing to say, "Let's be a leader in this?" Take a risk. Look at it as an opportunity.

I think that -- according to T. Berry Brazelton is the closing -- a closing statement. He said we are -- and he's a very well-known, recommend pediatrician nationally. "We are the richest, most powerful nation and, yet, we are the least child and family oriented culture in the civilized world. You have the opportunity to begin. It's not going to be the whole solution, but it's an opportunity to begin to approach the problem and work cooperatively with all of us that are really trying to do so. Thank you.

D.P.O. POSTAL:

Thank you.

LEG. FISHER:

Thank you.

D.P.O. POSTAL:

Next speaker is John Clark.

MS. BIANCULLI:

He had to leave. He had -- from Washington D.C. and he had to leave.

D.P.O. POSTAL:

Bill Buchanan. Bill Buchanan here?

MR. BUCHANAN:

My name is William Buchanan. Forgive me for saying the obvious. Your quest for a living wage is an admission that the market doesn't work for unskilled workers. The mounting supply of unskilled illegal alien workers is one reason for this. But, too, if possible, yield the remainder of my time to Miss Russo.

D.P.O. POSTAL:

I'm sorry.

MR. BUCHANAN:  
Can I yield the remainder of my time to Miss Russo?

D.P.O. POSTAL:  
Miss Russo has not spoken?

MS. RUSSO:  
Right.

MR. BUCHANAN:  
She has not spoken.

D.P.O. POSTAL:  
Okay. Does she have a card? Miss Russo, come up.

MR. BUCHANAN:  
Thank you.

MS. RUSSO:  
I have some -- I have made a copy, a packet that I would like the board to be able -- the Legislature be able to look at.

MR. BUCHANAN:  
It's not a lawsuit.

MS. RUSSO:  
No, it's absolutely.

D.P.O. POSTAL:  
No. Someone is coming to take that from you.

MS. RUSSO:  
Okay. I'd like to read this letter into the record and it is on one of the packets. You have been told of the success of hiring sites in Glen Cove, Huntington Station and Farmingdale. Enclosed are photographs of each site. You will also find photographs of numerous men still soliciting work on the surrounding streets in each of those communities, thus demonstrating the failure of hiring sites. Therefore, what justifies the wasteful expenditure of taxpayer dollars?

We continue to oppose Resolution 1193 for the following reasons: They do not work. Taxpayer monies are wasted and hiring site activities are illegal. Sadly, you have been misled, and we urge you to ask County Executive Gaffney to veto 193.

These -- whoops. Okay. The far picture is Glen Cove, which is probably the most egregious since it has existed the longest. They will be moving to new quarters. But, currently, the directors, {LaFuenza Unida Del Glen Cove}, some Inc. After it, they are -- they

run this hiring site out of the third story office building across the street from City Hall, probably not low rent. The men are still, just as your men are, just as Farmingdale's men are, and just as Huntington Station's men are, out on the street. My heart is not bleeding for the men, but who's making the bucks? And is there some other self-interest here?

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In Glen Cove this week, the number of men on the street outnumbered the men at the site. In Farmingdale, three days this week, more men were on the street than on the site. And in Huntington Station, it was 50-50. They don't work.

I have got many, many more of these pictures, if you want them, but this says it. And I don't care who tells you they work, they don't. This is from March 24th to March 31st last week. And our numbers in Farmingdale have increased from 30 to approximately 90, we're not at the height of the season yet this year, in a year.

So there isn't a whole lot more to say except you have been misled. Please accept that you have been. Be big enough and noble enough, and obey your oaths enough to realize your mistake and correct it.

(Applause)

D.P.O. POSTAL:  
Legislator Bishop has a question, Miss Russo.

LEG. BISHOP:  
Where did the contracting occur between the laborer and the contractor, the hiring?

MS. RUSSO:  
Anyplace you would like it, some at the site.

LEG. BISHOP:  
I mean, it occurs in the site? Is the problem that the -- that the contractors are not going into the site to hire the men?

MS. RUSSO:  
I can't tell you these contractors' psychology other than the best deal for his buck. Some of them -- I have video with me of them being picked up right off the street. I have all last summer's being picked up at a site. Just because government calls it legal, it isn't.

LEG. BISHOP:  
So the site would work, theoretically, if somebody enforced that it's

supposed to occur on the site and not off the site.

MS. RUSSO:  
Precisely.

LEG. BISHOP:  
Okay.

MS. RUSSO:  
That's the cover that government has given, because what are they going to do? So they do that, they make it sound like it's legal, and we all know in our hearts it isn't.

MR. RUSSO:  
Farmingdale, they don't have a picture of it, but Code Enforcement is right on the other side of the block where these men meet.

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MS. RUSSO:  
Yeah, Saturdays in Farmingdale, the numbers come out more, because Code is not there. The point is, no matter what we call it, no matter what you want to dress it up as, you all know, Legislator Binder mentioned it -- I have a terrible time with Caracciolo.

LEG. CARACCIOLO:  
Very good.

MS. RUSSO:  
And the law is the law, guys. You're all -- we're all in deficit. Let's not waste the money on noncitizens who would pull from this system instead of contributing to it.

(Applause)

D.P.O. POSTAL:  
Thank you, Miss Russo. Next speaker is Barry Weinstein. Is Barry Weinstein --

MS. BIANCULLI:  
He had to leave, also. He had to go back to Manhattan.

D.P.O. POSTAL:  
Raymond Rivera.

MR. RIVERA:  
Good evening. My name is Raymond Rivera. I live there in Farmingville. And just so you could get a little understanding of

what we're dealing with, I just want to share a little personal note when my wife and I were looking at that house. I lived in some of the most undesirable places here on Long Island where drugs just -- all night, all night music, beer bottles in the grass, and the whole nine yards. We were looking for two years prior to when I -- when we moved into this house. My wife came back, I mean, her eyes were just open, you know, "Hey, I found the house," you know. And I looked at the area, I looked at the neighborhood, and I said, "You know, I'm not going to be able to afford it, it's just not going to happen." And when we met with the people that owned the house, we came to an agreement on a number which I thought was still just out of my league. But, however, I went to the bank, got approved. My wife -- and we were just so happy, we were ecstatic, because for years before that, you know what, we just lived in places that, you know, you wouldn't just -- you wouldn't drive by at night, you just wouldn't. And now that we're there and we've had to make the choice, we were thinking about the choice of, "Hey, you know what, should we move, should we just, you know all this stuff going on?" But then we took a step back and I look at my kids and I say, "Hey, you know what, we like it here." We like -- why should -- why should we have to move to a place that we're very happy with, except that now we have this problem.

For some -- for sometime now, this has been going on, and myself as an Hispanic-American, I felt, well, you know, if I go and I speak against these things, I'm sort of going against my own people. And I'm saying, you know, there are many times that I had things that I could

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have done illegally, or I could have worked off of the books and made extra money, but I didn't do that. We decided to go and do what was right and save. I mean, there was a time, you know, we were eating bow tie macaronis, I had it coming out of my ears, because we just -- that's all we were eating. But, you know, we did it, we did it. And now we're in a place where, you know, we really like it. This is our investment, this is our home. We're happy here. We want to be able to raise our children here, but we have this going on.

Now, those of you that are making this hall a reality, I just want you to know that in making this a reality, you're neglecting to focus your energies on enforcing the laws that already in place.

(Applause)

I mean, if I would have known it was, you know, just like that, I would have done illegal stuff to make cash, a quick buck any time, but no, because of the laws, yet, this is going by.

In summarizing, I just want to say that you're stealing from me and

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for what I've worked hard to give my wife and my children, a safe, clean environment to live in. Concerning this hiring hall, Resolution 1193, contractors don't want it, we don't want it in the community, the illegal aliens don't want it. Please, I ask you at this time, building this hiring hall, help us in Farmingville maintain the quality of life that we and others like myself and others like me have worked hard for and pay taxes for. Thank you.

(Applause)

D.P.O. POSTAL:

Thank you, Mr. Rivera. William Maggi.

MR. MAGGI:

I'll be within the three minutes. Good evening. My name is William Maggi. I'm the President of the Suffolk County Correction Officers Association. I am here tonight to seek your support on Resolutions 1215-01, three-quarters disability, and 1216-01, the heart bill. This legislation is extremely important to both Correction Officers and deputy sheriffs. The passage and the eventual signing of these bills will us on a level playing field with other law enforcement agencies, such as New York City Corrections, New York State Corrections, New York State Court Officers, Police Officers and Fire Fighters. If you pass these resolutions, and we ask that you will, your actions would demonstrate your continuing support for both Correction Officers and Deputy Sheriffs, and acknowledgment of the difficult and dangerous job that both branches do for the citizens of Suffolk County.

I would like too thank Legislator Fred Towle and his colleagues on the Human Resources Committee, as well as Legislator Carpenter and her colleagues on the Public Safety Committee for passing these two resolutions out of committee unanimously last week. Also, a special thanks to Legislator Mike D'Andre, who sat on both committees and spoke strongly on our behalf. And lastly, and thanks to Legislator Mike Caracciolo who sponsored both these bills, and Presiding Officer Paul Tonna who helped facilitate these legislation.

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As you can see, members from both organizations are here tonight, and many more were here, but they had to go to work, to seek your support. We are not here to intimidate or strong-arm. That is not my style, nor would that work with this Legislative body. Rather, we are here to put faces and families behind these issues. Many times we get lost and off track dissecting numbers, budget lines and debating words and phrases. We lose focus of the central theme.

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We're here tonight to ask for your support in providing a level of protection for what many public officials proclaim is the toughest job in law enforcement. We need this protection, because assaults on officers have increased 11 1/4% since 1995, yet our workers compensation roles have fallen well below our peers over the same period. We need this protection to help officers who get gassed, that is urine and feces thrown at them, a popular sport amongst inmates. We need this protection, because HIV, hepatitis and tuberculosis are on the rise with the inmate population, and by law, line officers are barred from knowing and having this information. We need this protection because predatory gangs are taking over facilities, and to take out a Correction Officer is a badge of honor rather than a mark of shame. We need this protection because society has demanded of us to take their castoffs and make them whole. We'll do this job, we'll take the risk, we just ask for a fighting chance.

Resolution 1215 provides three-quarters disability for officers who become incapacitated by injuries sustained in the performance of their duties by the act of an inmate. Resolution 1260 provides the presumption that heart diseases resulting in total or partial disability or death was incurred in the line of duty unless contrary can be proven by competent evidence. I'll finish up.

These two pieces of legislation, which took over seven years of lobbying in Albany, will sunset by June 2001, if not enacted by local municipalities.

In closing, request your support in passing these resolutions. Give the people who have the toughest job, who walk the toughest beat a level of protection that they need and, more importantly, that they've earned. Thank you.

(Applause)

D.P.O. POSTAL:

Thank you, Bill. Bill, a question from Legislator Foley. Bill, a question from Legislator Foley.  
That was

LEG. FOLEY:

Thank you, Bill, for your presentation. You heard earlier from the Comptroller who, in his opinion, feels that this would cause great financial -- would place a great financial burden on the County. Could you give this Legislature your understanding of how the other municipalities that already have this particular benefit to their employees, does that cause any great harm to their budget or to their

fiscal books? Could you just answer that particular point that the Comptroller had expressed some concern about?

MR. MAGGI:

I don't know -- quite know how he got those figures, because this is legislation that's just been given to County Correction Officers last year, so I don't the experience is necessarily there yet. I know New York City has it, Corrections, and the Police Department. But, first of all, that's under New York City Retirement System, and those are 40,000 officers respectively for the Police Department, and over 11,000 for the Department of Corrections. So any comparison would -- I don't believe would be fair to us. I know the Suffolk County Police Department has it as a comparison, and in ten years they have one case pending.

I do have an expert here, Jordan Zeigler, who's an expert in this type of law and he can answer some of the questions with regards to how many people have availed themselves to this over the years. I don't believe the numbers would do us justice.

And I disagree with Mr. -- what Mr. Caputo said, that there would be a mad rush and that this would overburden the -- you know, the system. I believe that once it does go and you go into the retirement system, because they get involved, I think the focus shifts from the County to the State. So I couldn't give you an accurate number. I don't -- I don't agree with his number, though. I don't believe it's going to happen, what he says.

P.O. TONNA:  
Legislator Lindsay.

LEG. LINDSAY:  
Yeah. Bill, did I hear you correctly, Suffolk County P.D. has this same benefit now?

MR. MAGGI:  
Yes, sir.

LEG. LINDSAY:  
Okay.

MR. MAGGI:  
They just don't have the presumption, that's all.

P.O. TONNA:  
Okay. Any other questions?

LEG. CARACCIOLO:  
Paul.

P.O. TONNA:  
Legislator Caracciolo

LEG. CARACCIOLO:  
Not a question. I'd just like to make an acknowledgment that several weeks ago, I think it was about six, seven weeks ago, members of your

Board approached myself and the Presiding Officer about sponsoring this legislation, and at first, both of us really had some serious questions about what the financial impact for this benefit might be to the County of Suffolk in future years. It is a large department, there are a lot of members. But I could state tonight, Mr. Chairman, that at my request, the Budget Review Office, in addition to Mr. Jordan Zeigler, who is an attorney who represents a number of law enforcement organizations for disability retirement benefits and 207C Workers Comp cases, based on the information they provided me, along with information your own Executive Board, particular Gary, who did an excellent job.

MR. MAGGI:  
Greg. Greg.

LEG. CARACCIOLO:  
Greg.

MR. MAGGI:  
Greg Johnson.

LEG. CARACCIOLO:  
I always get Greg and Gary mixed up and I did it again.

MR. MAGGI:  
Greg Johnson.

LEG. CARACCIOLO:  
I apologize. You put together a very, a very informative package. I understand this package was distributed to all the Legislators. And I would say, when the resolutions come up for consideration later tonight, that if anyone has any questions that you feel are unanswered, really, this speaker and the next speaker are the two individuals you should be addressing your concerns, much as the concern Legislator Foley raised based on representations by the County Comptroller and Phil Bauccio at the Ways and Means Committee -- not Ways and Means, at the Human Resources Committee, of which I am not a member.

I understand and appreciate their concerns, particularly Phil's. He's only carrying out his responsibility to bring to our attention what he considers some serious concerns. But this is the opportunity to hear those concerns, put them on the record as it was done in committee, and really clear the air as to what these benefits provide and what they don't.

On the first of these two resolutions, 1215, essentially, what that does is give to Correction Officers a benefit that is currently enjoyed by all other sworn law enforcement officers in this state.

MR. MAGGI:  
Yes, that's true.

LEG. CARACCIOLO:  
And that's -- and that's a full disability retirement instead of the present disability benefit of one-third salary should you be injured

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in the line of duty. That just simply doesn't cut it. It's not up to standard. It's discriminatory that members of the Correction Officers' union should have to labor as they do under the conditions they do with the inmates, and so forth, and only have a benefit should they become disabled in the line of duty of one-third of their salary.

So 1215 just simply redresses that and gives those individuals the same benefit that's currently enjoyed by other sworn officers in Police, in Deputy Sheriffs and Sheriff capacity. So that's one benefit no one should have any qualms or reservations about.

1216, which provides a heart retirement benefit, I'm going to save some questions for the next speaker, because I think he will unequivocally clear the air as to the relationship between 207C and this new benefit, should the Legislature adopt it tonight.

MR. MAGGI:  
Just as a final reference, Brian, Brian, I just remembered, in comparison to Nassau County and Westchester County, who had the like amount of CO's, the number on the workers comp role, we have over 920 between the Correction Officers and the Deputy Sheriffs. We have 1.7 of our officers on workers comp compared to over 4% in Nassau County and to over 7% in Westchester. So our numbers are considerably down from other counties of like size, of like size. That's the important. I don't want to compare myself to New York City, that's not fair.

LEG. CARACCIOLO:  
Mr. Chairman, on that very point, because that --

P.O. TONNA:  
Wait, wait, wait. Mike, you have to ask a question.  
That's --this is --

LEG. CARACCIOLO:  
It's going to be a question on that point, on that statement.

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

LEG. CARACCIOLO:  
Could you just quantify what you mean by 1.7 and 4? You're talking percentage.

MR. MAGGI:  
We have total around 920 line officers in uniform between Deputy Sheriffs and Corrections. I'm look for Greg. I believe right now, we have, out of the 920 total, around 12 officers -- I'm sorry, 14 officers total on workers comp. Out of that, three of those are long-term, the other one's a short duration. So, as you can see, our officers, if they get hurt, they try to get the help and they get back to work.

P.O. TONNA:  
That's good? All right. Thank you so much --

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MR. MAGGI:  
Thank you. Thank you.

P.O. TONNA:  
Mr. Maggi. Okay.

(Applause)

Next speaker, Jordan Zeigler.

MR. ZEIGLER:  
Thank you. Good evening.

P.O. TONNA:  
Jordan, are you a little nervous? Are you a little nervous at all?  
No?

MR. ZEIGLER:  
No, I'm not nervous.

P.O. TONNA:  
Don't worry about it.

MR. ZEIGLER:  
Only -- I'm not going to look at you at all.

P.O. TONNA:

You're among friends, Jordan.

MR. ZEIGLER:

Some of you know me, some of you don't know me. My name is Jordan Zeigler. I am with the law firm of Brecher, Fishman, Pasternack, Popish, Heller, Rubin, Reiff, one of the largest workers comp firms in New York, with one of the largest workers comp firm names in New York. Be that as it may, what I do at the firm is I chair the department for the disability retirement pensions for public employees. I've been doing this type of work for over nine years, and I have experience from applications to appeals, all the way up at every level with the retirement system. I am here tonight by invitation of the Correction Officers, because as part of what I do, I represent law enforcement from Westchester County, Nassau County, Suffolk County, probably somewhere between on any given day five to eight thousand law enforcement personnel under my umbrella of who I represent. And I was asked to give a little background to maybe clarify some -- any misconceptions or clarify some issues you may have regarding these two bills.

One thing I'll just clear up right away is -- actually two things. I've heard them both tonight. One is that if the Correction Officers get this bill, then there'll be a windfall for them, and then the next thing you'll know the police officers will have the same thing.

P.O. TONNA:

Everyone, please shut off their mikes.

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MR. ZEIGLER:

The misconception with that is that, in fact, the police officers already have the same bill. They have statewide, every police officer in every town, county, village, state has a heart bill for disability retirement. They have a 50% of their -- 50% of their salary heart bill. They also have a presumption that that heart problem was caused in the performance of their duty. So that is the same bill that the Correction Officers are seeking today. And Suffolk County Police Officers, everybody in Suffolk has that presumption from the heart bill, if you're a Police Officer, so that already exists.

The next thing is that presumption exists that it was caused in the line of duty, but the retirement system does not have a presumption that you are disabled from that heart condition. So if you have a heart condition and you make the presumption that it's related to your job, you still have to prove you're disabled.

And one thing you have to remember is the retirement system is its own entity, separate and apart from the Workers Compensation Board, separate and apart from 207C in the County. They have their own regulations, they have their own standards, they have their own doctors. So because someone is granted workers comp or social security, that does not mean that's binding or you're going to get approved for disability retirement. Vice versa, if you get approved for your disability retirement pension, that does not mean you're going to be approved for workers comp in Suffolk County. Suffolk County still has to defend the cases the same way they would defend any other line of duty injury, but there is no presumption back the other way.

I think those were the only two things that I heard tonight that were a little off --

P.O. TONNA:

Can I ask you, there was -- I think there was discussion in committee with regard to workers comp, that everyone who gets -- you know, who applies for this disability, it will also carry over into workers comp field?

MR. ZEIGLER:

Well, the way the law is written by the -- for the State and for the retirement system, the section has no presumption the other way. In fact, there's case law that I have with me that I'm not going to bother reciting, but if you want to talk to me afterward, I'll be happy to share it with you, which says workers comps' decisions are not binding, they're not persuasive in the retirement system, and vice versa, because they're separate distinct systems. So there's no presumption the other way.

P.O. TONNA:

Okay. So somebody who gets disabled is not going to all of a sudden flood the workers comp?

MR. ZEIGLER:

No. The County still -- I mean, they can file a workers comp claim that they had a heart attack on the job, but the County, as they do

with ever workers comp line of duty injury, or nonline of duty, can defend it, and they can disprove and say it's not line of duty. And if even if the County says it's not line of duty, the retirement system can says that it is.

Now, what's interesting is if you are approved for disability

retirement pension, under 207C of the General Municipal Law, which provides benefits for law enforcement, once you're approved for disability pension, your 207C benefits cease upon the approval of disability retirement. So the County is not responsible for workers comp 207C when you're approved for disability. They may be responsible for workers comp into the future, but not full salary.

P.O. TONNA:

Just a quick question, Jordan, with regard to you represent -- how many police officers that you represent with this heart bill, I mean, what are the numbers? I mean, we have what, 900 -- Mr. Maggi was talking about combined, there's almost 900 or 900 and something with the Sheriffs and the Correction Officers. Is there going to be a huge run on this? I mean --

MR. ZEIGLER:

No. There's more than that in Nassau.

P.O. TONNA:

What's the experience.

MR. ZEIGLER:

There more than that in Nassau. There's about the same, if not more, in Westchester County. In the last four years, including all the law enforcement that I represent, I have two cases pending, one Suffolk County Police Officer, actually, under the bill that I've said does exist that we've heard doesn't exist, and one White Plains police officer. So out of all these thousands that I represent and that feel free to call me if they need me, I have two cases pending in the last four years. And going back beyond that, I can't remember anymore with Suffolk at all.

P.O. TONNA:

Thank you.

MR. ZEIGLER:

So I see -- I have two pending in the last four years.

P.O. TONNA:

Okay. Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you. Mr. Zeigler.

P.O. TONNA:

And Legislator Bishop.

LEG. CARACCIOLO:

Could you just explain and maybe amplify for the benefit of those who are not familiar with the provision of General Municipal Law 207C,

when does one initiate the process for a claim, for a workers compensation claim? What's the process? What does it entail, examinations by positions, and so forth? And what role and what cost to the County is associated with 207C benefits?

MR. ZEIGLER:

Well, I don't know the cost number with 207C benefits, that I have no idea. The way you start a 207C hearing, a 207C procedure, is, basically, if you're injured in your line of duty and you inform the County, your employer, they will file a report with the Workers Compensation Board that you've been injured. You then in turn should file a report with the Workers Compensation Board that you've been injured. After that starts, if it's determined that it is a line of duty injury, under 207C, you'll start getting your 207C benefits while you're out of work.

LEG. CARACCIOLO:

Okay. Well, just, you know, let's back up a minute. Who makes a determination as to whether or not you're qualified for 207C benefits?

MR. ZEIGLER:

Okay. It's actually the County and the County physicians. It includes the police surgeon, and it can be persuasive by the workers comp doctors. So that's 207C, the employer and the County. The employer, if they want to, can request a 207C hearing. They can also request that the law enforcement officer present at a 207C hearing, give them cooperation for 207C benefits, and if it's determined that an officer is fit for even limited duty, once that's determined, 207C will stop at that point as well. That's --

LEG. CARACCIOLO:

Well, that's very key, because oftentimes, I should -- maybe I shouldn't say oftentimes, but there are occasions when an individual is deemed fit for some type of limited duty or light duty and is reassigned back to the work force.

MR. ZEIGLER:

Correct.

LEG. CARACCIOLO:

So we need to understand that not in every instance where someone may be the recipient of 207C benefits they're off the payroll in terms of, you know, no longer performing work.

MR. ZEIGLER:

Okay. I understand what you're saying. Yes. When you are sent back with a line-of-duty injury to a limited duty position, that is still encompassed under 207C, because you're injured and you're light duty. Now that does not translate into the retirement system approving your disability either under the heart bill or the three-quarter bill. In fact, the more you work on light duty, the more difficult it is to get your disability retirement pension, because there is a statute under

the New York Code Rules and Regulations that say, if you are working a certain amount of limited or light duty, you are now to be examined by the retirement system as a light duty officer versus your ability to do your full duties. So let's say you have a heart attack on the job

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and you reach that presumption, as I said earlier, and the State cannot rebut that presumption. It's a rebuttable presumption, by the way. So if they don't rebut the presumption, but now you're working at your light duty post and you've been working for two years, three years, four years, you may have already had your heart attack, you filed for the pension, you go before a retirement system doctor who examines you, and if at that time your stress test is fine and you're able to walk on the treadmill, you could do deep knee bends, that doctor is going to say your fit for duty and will be denied your disability retirement pension, most likely. So the fact that you go back light duty actually hurts your case with the retirement system. The retirement system does not want you on their payroll per se, they want you stay down here with the County, they don't want --

LEG. CARACCILO:

Okay. I think that really speaks to the heart of the issue with the heart bill in terms of what it is and what it isn't. Because when one reads the language and you read that language about presumptive evidence, once you are basically sworn in as a Correction Officer or Deputy Sheriff, that if any time thereafter you incur some type of heart disease or heart attack, there is an automatic presumption that it was job related and, therefore, would qualify you for this new benefit. And what I just heard you say is that it's not automatic, that it has to be or it could be refuted by competent evidence, and there's actually case law to that effect as it relates to the other law enforcement groups in the State since 1969.

MR. ZEIGLER:

Correct. Once you are -- actually, the facts that I have with me, I brought a slew of cases that are reported under the heart bill with the Police Officers and the Fire Department. Seventy-five percent of the cases that are reported up to date have been denied by the retirement system, so that presumption is rebutted. If you read the letter of the law, it says there's a presumption in favor of the law enforcement officers. That's the letter of the law. If you go into the practice of it, the retirement system does not want you to get approved. So they have their doctors examining you through their eyes. And the facts are that of the 70 -- out of the 100% of the cases that I have reported in front of me, 75% of those have been denied their disability, that the presumption has been rebutted.

LEG. CARACCILO:

Is the presumption in the State bill, the heart bill for Police Officers and Fire Fighters comparable to the presumption that's in this legislation?

MR. ZEIGLER:  
It looks the same to me.

LEG. CARACCIOLO:  
Okay.

MR. ZEIGLER:  
Looks identical.

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LEG. CARACCIOLO:  
Okay. So there is no distinction between the two?

MR. ZEIGLER:  
No.

LEG. CARACCIOLO:  
There isn't a lesser standard in this legislation?

MR. ZEIGLER:  
No.

LEG. CARACCIOLO:  
Thank you.

P.O. TONNA:  
I ask this question, because I -- basically, you're telling me you represent about 8,000 people. Only two cases you have, you know, with regard to this. What's the significance of this bill then? I mean, I have -- I have, you know, Budget Review, and I'd ask Fred, I mean, just I have a memo from you on March 19th and it says the past -- the past service cost of both disability and retirement options, as calculated by the New York State and the local retirement systems is \$976,934. Is that -- I'm trying to understand. I don't think that's what you're saying is going to be the cost of the heart bill, right?

MR. POLLERT:  
No. When we contacted the State of New York for Resolution 1215, the back service credit was \$732,000, and for 1216, which is the heart bill, the previous credit was \$224,000.

P.O. TONNA:

Okay.

MR. POLLERT:

So if you add the two together, because you can only adopt the heart bill, if you adopt 1215, then the total cost is -- the total is 732 plus the 244.

P.O. TONNA:

So what you're saying is this is going to cost us a million dollars, approximately?

MR. POLLERT:

That's what the previous service credits are as calculated by the State of New York. They can be paid over a period of time. However, the State of New York does assess a charge of approximately 8 to 9% interest charges if you decide to do that.

P.O. TONNA:

Okay. That's over a five or ten-year period, right?

MR. POLLERT:

That's correct.

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LEG. CARACCIOLO:

Mr. Chairman

P.O. TONNA:

Okay. But, just, Jordan, the significance of the bill -- let me just finish. The significance of the bill, if basically there's not going to be any huge run on the benefits and everything else, why --

MR. ZEIGLER:

Well, you know what, it acknowledges the extremely stressful life-style that these Correction Officers have to lead. And, basically, most all, if not all, other law enforcement in the State have it, not to say that that's why you have something, but it recognizes the stressful type of work that they work in. And for the people that are able to have the presumption and not be rebutted, it's something that it is worth having for those -- for the limited people that are entitled to it.

P.O. TONNA:

But we're talking about very limited.

MR. ZEIGLER:

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That's the retirement system limiting their own approvals. The other thing is, I just want to add also that this does not have -- there is a scope of time here -- there is a time limit within which this has to be filed by a Correction Officer, so you're not going to have Correction Officers from the last ten years coming out of the woodworks filing for this. Once it's adopted by the County and then once it's sent up to the retirement system and the retirement system starts the benefit, if you have been off the payroll for more than two years prior to that, you're not entitled to file for this anyway. So you've got a small window of people that are going to be eligible from now on into the future, but the past is limited from two years within which the bill starts.

P.O. TONNA:

Okay. Thank you. Legislator, I think, Bishop was next.

LEG. FISHER:

Fisher.

P.O. TONNA:

No, Bishop, then Fisher, then Caracciolo back.

LEG. BISHOP:

All right. I'm going to have to admit that after sitting through the Public Safety Committee, numerous advocates and your thorough answers, I still need help in understanding what this is about. So let's take a hypothetical Correction Officer. We'll call him Vito Maggi, an amalgam of two --

MR. ZEIGLER:

And I'm not going to be able to concentrate on that. Okay.

LEG. BISHOP:

And Vito works very hard and he -- and on the job while working he

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suffers a heart attack. What occurs now and what would occur if we adopted this legislation?

MR. ZEIGLER:

Okay. If he has a heart attack while he's working, okay, he will -- we would assume that the employer, the County, is notified. So the County then files a report to the Workers Compensation Board. They're required to do that. When they are notified of an injury, they're required to do that. So now you have a workers compensation claim by the County anyway. Then within two years of that claim, date of accident, the Correction Officer is required to file a workers comp claim as well to preserve his rights, should he want lifelong,

potentially lifelong workers comp benefits. Now, let's say the officer is out of work because of the heart attack. What will happen is the County has its choice, basically, to accept that as a line-of-duty case or deny it as a line-of-duty case. If they accept it as a line-of-duty case, the officer will start receiving full salary under General Municipal Law 207C. That what it provides for.

LEG. BISHOP:  
For how long?

MR. ZEIGLER:  
It depends. I mean it could be -- well, there's different stops. I mean, it could stop ten different ways.

LEG. BISHOP:  
It's going to be a long -- okay. He receives full salary. And what --

MR. ZEIGLER:  
Full salary. If he returns back to work, 207C stops. If the County gets him examined and finds him able to go back to work and he refuses, 207C. If he's approved for a disability retirement pension, 207C stops.

LEG. BISHOP:  
Okay.

MR. ZEIGLER:  
So that's a few of them, but --

LEG. BISHOP:  
And so the rebuttable presumption will not occur when?

MR. ZEIGLER:  
The rebuttable presumption will now occur only if that officer sends an application to the New York State Retirement System for disability pension. That's where the presumption is, between the officer and the retirement system, not with the County. So they will send that up and then it will go through the process. It takes seven to twelve months for an application to be processed these days with the retirement system. During that process, the retirement system will request history records from the officer, from his family records, his physician.

LEG. BISHOP:  
Well, let me just ask you, why is it so rare then? If you represent

thousands of law enforcement officials, I'm sure numerous of them suffer heart attacks.

MR. ZEIGLER:  
Well --

LEG. BISHOP:  
Why is this a rare occurrence?

MR. ZEIGLER:  
From my position, and I'm an advocate for law enforcement, I'm on the claimant's side, the reason I think it's so rare is because the retirement system retains their doctors to examine the claimant. So that doctor is examining on behalf of the retirement system with the eyes through the retirement system. If that doctor denies you and you want to go to a hearing and an appeal on the process, the hearing officer is an independent contractor/employee, if you want to get technical, of the retirement system. So that's why in my opinion it's so difficult to get.

LEG. BISHOP:  
But now at this hearing, there would be a rebuttable presumption in favor of the heart attack victim, Correction Officer, is that what this is --

MR. ZEIGLER:  
There should be a rebuttable presumption in favor of the Correction Officer, correct, that it was line of duty.

LEG. BISHOP:  
Right.

MR. ZEIGLER:  
But not that he's disabled.

LEG. BISHOP:  
Oh, okay. Just that it was -- okay.

MR. ZEIGLER:  
Right. So once you get past the first bar, you still got to get past the part --

LEG. BISHOP:  
Then you still have the second hurdle, which is --

MR. ZEIGLER:  
-- that you're disabled, permanently disabled to perform your job duties as a Correction Officer is the standard. So that's why it's so difficult.

LEG. BISHOP:  
Thank you.

P.O. TONNA:  
Legislator Fisher.

LEG. FISHER:  
Thank you.

LEG. FISHER:  
Hi, Jordan.

MR. ZEIGLER:  
Hello. Good evening.

LEG. FISHER:  
I'm on the Human Resources Committee, and Phil Bauccio spoke before the committee and his major concern was the whole presumption question, which is that the burden of proof is on the County, that the County then is burdened with having to prove that the job was -- that the injury or the disability was not job related. And we even discussed how there might be a process in place in order to protect the County's interest and our fiscal responsibilities. But it seems to me that you're saying that the retirement system has the safety valve with regards to this issue, so there already is a system in place to protect the County's interest.

MR. ZEIGLER:  
Correct.

LEG. FISHER:  
Okay.

MR. ZEIGLER:  
Correct.

LEG. FISHER:  
So there are hurdles and there are points at which there can be a check; is that correct?

MR. ZEIGLER:  
That's correct.

LEG. FISHER:  
Did I understand what you just said?

MR. ZEIGLER:  
Exactly.

LEG. FISHER:  
Okay. So --

MR. ZEIGLER:

You understood me exactly.

LEG. FISHER:

Then the problem -- Mr. Caputo this morning gave us very high figures. Okay. If you have such a minimal number of claimants who have been successful, how do you think he arrived at those figures?

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MR. ZEIGLER:

I have no idea. And I don't -- but I don't speak to say that I would know or I wouldn't know.

LEG. FISHER:

Okay.

MR. ZEIGLER:

My area is the retirement system and the filing procedures and the medical procedures. I don't know how the retirement system audits the County and what dollars they use to justify paying. I don't have any idea of how they do that. So I will stay away from that completely.

LEG. FISHER:

There's a second part to my question. The million dollars or 900 some-odd dollars that this is going to -- that we're being charged by the State for this is ostensibly based on actuarial tables. Now, if the claimant -- if the number of claimants is as low as you're indicating, then why would the actuarial tables come up with such a high figure?

MR. ZEIGLER:

That I don't know. Now I'm not --

LEG. FISHER:

I'm having so much trouble reconciling the numbers with what you're saying.

MR. ZEIGLER:

Well, I am not -- first of all, I'm not the only attorney in this practice that handles disability retirement pensions for public employees and for law enforcement. There may be half a dozen that handle maybe as much, maybe not as much as me lately, but I probably handle a fair share of them. So I can't tell what another law firm, how many cases they have pending with them. So that I don't know. All I can tell you is my office experience. We're the largest comp firm in New York, probably the country. I chair the Disability Pension

Department, and I was a former Suffolk County PBA attorney for five-and-a-half years and all I did with that law firm was disability retirement pensions. So for the last nine years, I really can't -- I can only think back four years where I have accurate records with this present firm. I have two cases. Prior to that, I can't remember any. I hope -- I would assume I had two, three, maybe, but I can't think and that's a wild guess. So what I'm sure of is I have two pending in the last four years, and I've been handling more law enforcement in the last four years than I did in the last nine combined, almost. So I can't tell if there's -- if another law firm has one or two pending and another law firm has one or two pending, I can't speak to that. That you could probably go back to the unions and ask them in general.

But, when you go to the case law and you look at the section of the law, Section 363A that handles police officers and firemen in -- fire personnel with the heart bill and you look at just the list of cases that have been appealed, 75% of those have been denied. So it's not a windfall, it's not everyone's going to grab their heart and rush out

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and everyone's going to get approved. I don't know where they're coming up with the dollar numbers and I don't know what that's based on, because I don't deal with it, but I have two in four years.

LEG. FISHER:  
Thank you.

MR. ZEIGLER:  
You're welcome.

D.P.O. POSTAL:  
Thank you.

LEG. CARACCIOLO:  
Right here.

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

LEG. CARACCIOLO:  
Okay. Mr. Zeigler, I'd like to just expand on 207C benefits, because, you know, there is a financial cost to the County today without this benefit when an employee is injured on the job and is a recipient of 207C benefits. Now I know, based on what I've heard secondhand, the County has a number of employees who are out for extended periods of time, who are not working, but, yet, are receiving 207C benefits, which the County has to provide monetarily. And maybe Budget Review could fill us in on some of the numbers, because these costs have

increased substantially. But my point is, right now, there is a tremendous cost to County government in this County, and perhaps elsewhere, by virtue of employees who, through no fault of their own, are injured on the job. I mean, let's understand what we're talking about here. We're not talking about people who come to work injured, file a claim, a fraudulent claim, go through a 207 hearing and get a benefit. It doesn't work that way. There has to be evidence substantiated at the hearing and by the hearing officer in making a decision that the individual qualifies for the benefit; correct?

MR. ZEIGLER:  
Correct.

LEG. CARACCIOLO:  
Okay. I'm told those benefits today, employees who are out on 207C compensation, runs into the millions of dollars presently, so that's there. Perhaps, with this legislation, those individuals who suffer from a disability that they should be retired on will be removed from the work force and the lingering effects and the costly effects of maintaining employees who are eligible to receive 207 benefits for extended periods of time will be eradicated from the County in terms of cost. So there could actually be a net cost benefit to providing these two new benefits that the State Legislature, in its wisdom, provided by State legislation, and essentially said to local governments that if you adopt this legislation to those who qualify, there actually may be a cost benefit analysis.

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D.P.O. POSTAL:  
Mike, is there a question?

LEG. CARACCIOLO:  
Yes, I'm getting to the question.

D.P.O. POSTAL:  
Okay.

P.O. TONNA:  
Yeah, can you get to the question?

MR. ZEIGLER:  
I know what his question is.

LEG. HALEY:  
Say, "Do you agree with that?"

LEG. TOWLE:

We want to go home before 2 a.m.

MR. ZEIGLER:

I could translate that into a question.

P.O. TONNA:

Michael.

LEG. CARACCIOLO:

Now --

P.O. TONNA:

Michael, we've got 30 cards here still.

LEG. CARACCIOLO:

Looking at the financial impact statement by the State Retirement System, and I think the question raised by Legislator Fisher is a good question, where do the actuaries in Albany come up with these numbers, okay? Well, I'm not going to speculate where they come up with these numbers, because, obviously, there's a very limited experience on the books in terms of other locals and other --

P.O. TONNA:

Michael, a question. You've been --

LEG. CARACCIOLO:

Well, I'm trying to answer her question.

P.O. TONNA:

No. No, this is not the time to answer her question, this is the time for the public to speak. Please, Legislator Caracciolo.

LEG. CARACCIOLO:

Let me -- let me --

P.O. TONNA:

Ask the question.

LEG. CARACCIOLO:

I will ask the question then, okay. I'm looking at some decisions. I think you probably are familiar with some of these decisions. And it's clear to me that when you look at some of these decisions where they talk about someone who files for this benefit, talking about the benefit, the heart disability benefit, where there's a presumption that once they're sworn in, no matter what happens after that, if they

get heart disease, they automatically qualify for a 50 or 75% heart disability benefit. It just doesn't work that way.

MR. ZEIGLER:  
Correct.

LEG. CARACCIOLO:  
One case here in --

MR. ZEIGLER:  
I could answer it.

P.O. TONNA:  
Michael, please.

LEG. CARACCIOLO:  
This is important for the record, Paul.

P.O. TONNA:  
Michael, you're going to have time to debate the bill. That's when we put it on the record.

LEG. CARACCIOLO:  
All right.

P.O. TONNA:  
Right now we have the public to speak.

LEG. CARACCIOLO:  
Then let me --

P.O. TONNA:  
There's got to be a question

LEG. CARACCIOLO:  
Here's the question. Here's --

P.O. TONNA:  
If not, I'm going to have to rule you out of order.

LEG. CARACCIOLO:  
Here's the question, okay, because this issue, too, was raised. The issue was, you know, is there an additional cost to the County by virtue of providing this benefit? And if you look at the FIS, there appears to be. But on the -- on the other side of the coin here, Mr. Pollert, over the last five to ten years, what have -- what has been the trend line with respect to County contributions for its employees to the New York State Pension System, both the employees retirement

system, which is nonuniform, and the police and firemen system, which is for uniform and so forth?

MR. POLLERT:

They have decreased to unprecedentedly low levels. At this point in time, it's approximately one half of a percent for AME employees, and I believe about one and a half percent for sworn personnel.

LEG. CARACCIOLO:

Would that including Corrections and Deputy Sheriff's, the one-half percent?

MR. POLLERT:

That is correct.

LEG. CARACCIOLO:

And that's one-half percent of current salary?

MR. POLLERT:

Yes.

LEG. CARACCIOLO:

Is that base salary?

MR. POLLERT:

That includes a total remuneration.

LEG. CARACCIOLO:

Okay. So if we go back five years, approximately, how much less today is the County contributing for its work force to the New York State Pension Systems?

MR. POLLERT:

The costs are currently about one-tenth of what they were.

D.P.O. POSTAL:

Michael.

LEG. CARACCIOLO:

One-tenth of what they are.

D.P.O. POSTAL:

Michael, could I suggest that these questions for Budget Review are not for the speaker, and they're questions that can be asked --

LEG. CARACCIOLO:

Okay.

D.P.O. POSTAL:

-- when we debate the bill?

LEG. CARACCIOLO:

Okay. But I just wanted to repeat that last statement by Mr. Pollert, because that's very significant. On one hand, if there are those who

are going to look at this legislation and say there is a net cost and that's based on some actuary estimate. On the other hand, let's not

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forget that in the last five years, we have seen pension contributions decrease by 90%.

D.P.O. POSTAL:

Thank you. Thank you, Mr. Zeigler.

MR. ZEIGLER:

Thank you

D.P.O. POSTAL:

Our next speaker is --

(Applause)

-- Ray Wysolmierski.

MR. WYSOLMIERSKI:

Thank you. I'm Ray Wysolmierski. I reside at 13 John Drive in Farmingville. And I addressed this legislation -- this Legislative body last time it met.

You've been listening to a lot of people who have taken the more liberal approach, this thing is going to work. I know you've been bombarded with an ad nauseam amount of information, but I would like you to just consider reading one more piece. This is a -- this is written by a K. Millard, and he is a -- he did an objective viewpoint of the -- of the hiring site in Costa Mesa Job Center. And I do you think that upon reading this, you may reconsider what you've said before. Over and above that, I want to say this. Sometimes in the -- when you're in the best -- dealing with all the best of intentions, we do something which results in a great deal of evil. Now, I'm going to read something to you that's occurred since the last time you and I spoke, something which is not a reduction in tension, but an actual increase in tension. May I? Indulge me for a second, please.

There is a website that has emerged, which has now become even more outrageous than it had previously been and is now continuing to write this incredible stuff. Listen to this.

"This website is dedicated to fighting racism, which has propagated in Farmingville by the racist organization named Long Island Quality of Life, formerly Sachem Quality of Life. LIQL is a racist organization and has made their racist views very well known through their extremist activities. This racist group and their partners in hate,

the American Patrol, are discussed in the Southern Poverty Law Center's website, a site dedicated to tracking hate. It is with great pleasure that Long Island racist -- Long Island Life, as racists, announces that Sagem Quality of Life has managed to completely discredit itself to all. Even their best advocate, Joseph Caracappa, has clearly indicated his disgust with this racist organization." As their website mentions, they have indicated their intent to file a lawsuit. Then it goes on.

"The racist organization has made several leading statements suggesting that they will use guns to enforce their racist views. It is reported that Ray Wysolmierski, moi, left the Suffolk County

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Legislative building screaming, "Now I have to shoot them." And earlier it was reported, "He was stockpiling weapons." This is a scary day in Farmingville when a known extremist organization has plans to acquire guns. Later on, it says, "Here's a picture of the racist dogs picketing some day-laborers who LIQL has target as their victims." These are people exercising their First Amendment rights on a Saturday morning.

D.P.O. POSTAL:

Mr. Wysolmierski, would you sum up?

MR. WYSOLMIERSKI:

My summary is this, that while we may have with the best intentions and with the greatest hope for compassion to all of you who Ovoted for this thing, I think that what has resulted in only ten days and what will continue to result as an aftermath of what you've done is that this kind of thing with emerge. Now since Mr. Caracappa's name has been mentioned in this, I'm going to give this to him, and if he wishes to show you just how this works, that's up to him. Thank you very much.

D.P.O. POSTAL:

Thank you.

LEG. CARACAPPA:

Just on that, Madam Chair.

D.P.O. POSTAL:

Yes, Legislator Caracappa.

LEG. CARACAPPA:

Just, Ray, just to --

MR. WYSOLMIERSKI:

I'm sorry.

LEG. CARACAPPA:

That's all right. I just wanted to say you pretty much said it right, that the stuff in that website is completely ridiculous, and the things that were mentioned about me fall right in line with that. So I just wanted to put that on the record.

MR. WYSOLMIERSKI:

And they have no -- they certainly don't have any compunction about just submitting outright lies and stating them as such.

LEG. CARACAPPA:

You know, and I've tried to get to the bottom of who's been at that web --

MR. WYSOLMIERSKI:

Oh, that's what I'd like to ask.

LEG. CARACAPPA:

-- who's been conducting that website. And no one -- you know, they say a lot of brave things, but they refuse to put who they are on the

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website and who is behind putting these words on the internet.

MR. WYSOLMIERSKI:

Yeah.

LEG. CARACAPPA:

So, you know --

MR. WYSOLMIERSKI:

Well, Joe, what's going on now is that --

LEG. CARACAPPA:

-- profiles in courage.

MR. WYSOLMIERSKI:

I understand that the --

D.P.O. POSTAL:

Joe, a question, please.

MR. WYSOLMIERSKI:

-- Police Department may know who's doing this. And if they do, we want to know now, because in the aftermath --

D.P.O. POSTAL:  
Okay.

MR. WYSOLMIERSKI:  
-- of the Columbine situation, who knows what they'll do. Thank you.

D.P.O. POSTAL:  
Thank you. Next speaker is Janet Walerstein.

(Applause)

MS. WALERSTEIN:  
Good evening. My name is Janet Walerstein and I'm the Executive Director of the Child Care Council of Suffolk. We are a not-for-profit planning, central planning and coordinating agency for child care in Suffolk County. We help make child care work for all of Suffolk's diverse communities. We help parents, 4,000 per year, to find the appropriate care for their needs, and most importantly, we help inform them in how to be good consumers of child care. After speaking with us, they know what to look for and how to select good child care for their children. We also help recruit and train child care workers or providers in how to care for children in a developmentally appropriate way. As a result, we know what parents need, a good nurturing learning environment for their children that helps in their development during the critical years of six weeks to 12 years. We also know that good high quality child care is getting harder to find as the skilled workers are leaving the field because they cannot earn a livable wage. There is also no career ladder in which to rise to a level that might keep them in the field of early care and education.

Child care centers are closing down rooms because they cannot attract

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and retain people of quality due to the abysmal wages and incredibly hard work. Therefore, parents have fewer and fewer options from which to choose. This is particularly true in baby care and school age care. As a solution, parents will find care wherever they can. Some of it not regulated, but perhaps available and maybe affordable, even if it is 25 kids in a basement. Parents have to work and this becomes an economic development issue as well. Corporations see this as an issue in recruitment of employees for their businesses and of course in retention.

We are in a crisis that hurts children and families in Suffolk County. The plan that has been set forth by the Legislature is a solid start to address the issues of affordable, accessible, available high quality child care. And that's -- I refer to the resolution by Vivian

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Fisher that has a plan for stipends to be awarded to child care workers who achieve a level of credentials. It has precedence and success in North Carolina and California, as well as other parts of the country.

Don't let the hard working parents of Suffolk down. Everyone more directly, we need to support children by giving care givers the dignity they need and the children the stability they deserve. Thank you.

D.P.O. POSTAL:  
Legislator Fisher.

LEG. FISHER:  
Janet, as you know, there are only four members of the Human Resources Committee, and so many Legislators haven't looked at this resolution with a great deal -- in a great deal of detail. So can you, please, tell us, can you describe whom we would be helping through this -- through the original resolution, which secured the money in the Operating Budget?

MS. WALERSTEIN:  
Yes. This would be helping all child care providers, whether they are in a center base or in at-home, in a family home providers, to get a stipend based on their credentials, and this would be for a CDA, Child Development Associate Degree, for an Associate Degree, for a Bachelor's Degree and for a Master's Degree. And for each level, there would be a stipend attached that would go directly to the worker. It would not go into any other pot or any other -- you know, it doesn't come to the center at all.

LEG. FISHER:  
Janet, can you describe how much they would be getting?

MS. WALERSTEIN:  
Yeah. There's -- I think Linda Devin-Sheehan who put together the proposal -- where is she? Oh.

D.P.O. POSTAL:  
Yeah, Linda is the next speaker.

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MS. WALERSTEIN:  
Right. So that if she would --

LEG. FISHER:

Okay.

MS. WALERSTEIN:

You know, she can develop that as well.

LEG. FISHER:

All right, Janet. There is another question that I thought you might be able to respond to. There has been criticism that there is not enough money, that the \$550,000 isn't enough money. Social Services has indicated that they're concerned about that.

MS. WALERSTEIN:

Yeah.

LEG. FISHER:

Can you respond to that?

MS. WALERSTEIN:

Well, the appropriation is maybe adequate for 2001 because of the lag that we have had in trying to pull this through. And then there are other ways of offsetting some of the rest of the money, and I think we had spoken about some of the corporations that would be asked to fill in on the -- to give --

LEG. FISHER:

That would partner with us.

MS. WALERSTEIN:

Partner with you. And so that -- and there are other kinds of models that we have throughout the country that have shown of how to deal with getting more money into this. But this is a remarkable thing that you have done in this Legislature, and we appreciate it and know that, you know, this is very unique, and you are a unique Legislature to be able to see the need and to want this to happen in Suffolk County.

I got a call today from Albany and they say, you know, that they're watching, you know, what's happening here in Suffolk, because it is such a remarkable thing that you have pulled off here, and we want to be able to help in any way that we can.

LEG. FISHER:

Send bucks.

MS. WALERSTEIN:

Send dollars, right.

LEG. FISHER:

Send dollars down.

MS. WALERSTEIN:

Right. Well, I'm working on that, you know that.

LEG. FISHER:

Okay. But, Janet, there was a question, because we need to clarify this further. But the money will be going to the individual child care worker.

MS. WALERSTEIN:

Right. It --

LEG. FISHER:

The person who's making, as was testified to earlier, less than what --

MS. WALERSTEIN:

The six dollars.

LEG. FISHER:

-- most of them would be making if they worked at Burger King.

MS. WALERSTEIN:

Right, right. The -- that was in some other models that have been done before -- I'm losing my words. This is too late for me. Some other models that have been structured before, the day-care center got the money. And as we all know, the money is very tight in day-care centers, and so when it came to paying bills or paying the staff, this was not a good model, because the day-care center had to make choices. But this way it goes directly to the home of the child care provider, either from center or from a family home.

LEG. FISHER:

Thank you, Janet.

MS. WALERSTEIN:

But the credentials are the thing. The quality piece is the issue, is raising quality. We have to have skilled people who are caring for babies and for the toddlers. This is a scarcity then and dangerous for children, what's happening and where parents have to leave kids.

LEG. FISHER:

Thank you, Janet.

MS. WALERSTEIN:

Thank you.

D.P.O. POSTAL:

Okay. Linda Devin-Sheehan.

MS. DEVIN-SHEEHAN:

Where's that motorized scooter when I need one? What I am going to be speaking about you all have heard about several times, many times

before. Janet also has distributed the proposals, so that you can read it more at your leisure. But all of you have received a copy of it in the mail and you received it last year. And as a result of that and as a result of the many times that I have spoken to you and Janet has spoken to you individually in committees as a whole, we were so appreciative when you finally put this into the Operating Budget, and

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we were so happy when the County Executive signed it into law, and we thought hooray, finally, finally, this is going to happen. And it would be so significant and it will be so significant, so please do the right thing.

Children should be our priority, and I know that you believe that. You have to demonstrate it by supporting this and funding this. And note, there isn't enough money, but there are ways in which, first of all, we can use these funds to leverage other funds. And Legislator Fisher is already working on certain things. We have other -- we have other programs that we're looking at in the rest of the country that also didn't have enough money originally, but found ways to structure the programs so that you target the greatest needs in the community in terms of child care, and that you help those child care providers that were most needed who had the most credentials who could make the biggest difference. And, of course, this is early intervention and prevention. This has to be a priority. I know there are competing things that you're being asked for money to solve the problem, but what can be more important than our children? And you heard that story before about this mother who's had twenty different -- twenty different teachers in her classroom. This money is for the teachers and for the teacher assistants. They are for the direct providers, whether they are in a family home or they are in a center. What could be more important than that, to keep qualified people. And this is a program that has been developed over three years looking at the best models in the country where there is demonstrated impact, where are research findings showing that if you do it this way with enough funding, as opposed to the way New York State has done it, that it will make a difference. You will be able to retain the more qualified providers, and you will be able also to provide an incentive for those people who are in the child care field right now, because you will have demonstrated to them that you recognize how important their work is to the employers as well as the parents, as well as to the child care providers.

D.P.O. POSTAL:  
Legislator Fisher.

LEG. FISHER:  
Thank you, Linda. Thank you, Madam Chairman -- Chair.

D.P.O. POSTAL:  
That's all right.

LEG. FISHER:  
Madam Chairman sounds funny, doesn't it?

D.P.O. POSTAL:  
No problem.

LEG. FISHER:  
Madam Chairwoman sounds heavy, doesn't it? At any rate, Linda, what are the number amounts that we would be awarding to the child care providers? And I want to underscore that Linda said this includes even those child care providers who are providing child care in a home situation, people who get their certifications and are taking care of

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children in their own homes. These people are eligible for the stipend.

MS. DEVIN-SHEEHAN:  
So it starts at \$1,500 at the lowest level for someone who has a child development associates credential, which is a few college courses that -- or the equivalent of college courses. These are things that -- these are -- this is course work that Head Start, for example, provides through their agency for child care workers to take. But if you -- but the -- one of the emphasis of this is to try to keep the qualified people and to encourage other people to become more qualified. So it starts at that \$1,500 level and it goes up to \$4,000, and it is funding that would go to -- directly to the provider, be sent directly to their home, if that's where they want it to be directed. It does not go to the provider to temporarily pay utility bills and these other things, it goes to the -- it goes to the people who need it, who have been so under -- underpaid for so many, many years. And did that answer --

LEG. FISHER:  
Yes. Thank you, Linda. But I have another question. How does the New York State Child Care Enhancement Program --

MS. DEVIN-SHEEHAN:  
It starts at --

LEG. FISHER:  
-- supplement this one?

MS. DEVIN-SHEEHAN:

It starts at three -- the New York State program, which has the same -- started with the same kind of concept, but is so -- is doing it with such a bad design, because it's so little money that it will not have the impact that the Suffolk County funding could have. So while the New York State program is not designed in a way that is going to have the impact that it should have, what it will do is provide a source of support for the Suffolk County program, because we -- and will reduce the cost to the County, because we would require that the providers who apply to Suffolk County apply first to the State, and then the stipend that they receive there would be -- would be subtracted from the funding that they get from Suffolk County.

LEG. FISHER:

So, in fact, the \$1,500, if the New York State enhancement is applied to, then becomes a \$1,200 stipend, because they're receiving the \$300 from New York State.

MS. DEVIN-SHEEHAN:

That's right. Or it would be 700 -- 700 --

LEG. FISHER:

For the year.

MS. DEVIN-SHEEHAN:

Eight hundred dollars if the -- I don't know. It's too late for me to do this, but --

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LEG. FISHER:

It's \$300 if you're talking about a six-month period, isn't it? Seven hundred dollars --

LEG. LINDSAY:

No, it's seven -- the State program is \$300 for 18 months. Now what kind of an impact can that have for anybody? That is just piddling this money away. It's important to make -- to have the stipend be substantial if you want to have an impact, and it has been demonstrated that this kind of funding will have an impact.

LEG. FISHER:

Thank you, Linda. We have discussed the models that are being used in other parts of the country. I have been in touch with North Carolina. And North Carolina, can you say what their amounts is -- are? Do you remember what their number amounts are?

MS. DEVIN-SHEEHAN:

They start low, but they go up to \$4,000.

LEG. FISHER:

Okay. Thank you, Linda.

D.P.O. POSTAL:

Thank you. Our next speaker -- thank you, Linda -- is Dan Hickey. I know I saw Mr. --

LEG. ALDEN:

He was here.

D.P.O. POSTAL:

I saw him out in the hall a minute ago. I think we'll move to the next speaker in the meantime. Glenn Svoboda. Dan, if you could just wait, you'll be our next speaker.

MR. SVOBODA:

Okay, just wait?

MR. HICKEY:

I'm going to defer until the resolution is discussed. I'll speak later.

D.P.O. POSTAL:

Oh, okay. Mr. Svoboda.

MR. SVOBODA:

Yes. Thank you for your patience, everybody, for sticking around. I believe tonight we all spoke about the quality of life issues here on Long Island. I represent the Child's Rights Council, Parental Rights in a T.V. show, "Let's Get it Straight." I just came back, I spent two days in Albany last week, and also, I had the pleasure, if Mr. Crecca is here, to have visited the Bar Association with the head matrimonial Judge, Jackie Silberman, into some staggering problems that we're suffering here in Suffolk County. I came here specially, because after this week, I found out that the association known as

VIBS here in Suffolk County, the Victims Information Bureau Services, has the worst record in New York State. In fact, it has almost the worst record in the nation. Eighty-five percent of their accusations against domestic violence are inaccurate and baseless, and in essence here, people were separating the families here on Long Island. This is the quality of life.

We can't afford to live here no more and it's not even a safe place to live. It's breaking up our families, people. And I've mentioned this to you before. And I would hope that somewhere along the line that we

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try to keep our families here together and stop special interests in filling up our jails. I know Mr. Pataki has spent billions and billions of dollars building jails. We know what his goal and we know what a lot of goals are around here is for special interest. We're begging of you. I know I've seen some good things. We can't promote illegal work here in Suffolk County, especially with the Child Support Enforcement Bureau. I know Mr. Caracappa and Mrs. Carpenter did pass the "Boot Bill," and if you're encouraging illegal work stations here to be put up, we heard lots of complaints from you tonight, I don't believe that we could deal with both of these problems here.

But I would like to just read you some statistics, which would save us quite a bit of money, if we can here, by separating our families . I want to again encourage to keep our families together in any circumstance, to stay here in Suffolk County that is. Children that no longer have both parents, which is the number one social problem today, are five times more likely to commit suicide. Right now, through the gallant efforts here in New York State, men have tripled in suicide. That's one -- four men to one woman are committing suicide. It doesn't seem to be an important issue to some Legislators here, but it is, because I had a lots of judges on my show and I visited with a lot of politicians, including seeing Mr. Steve Levy up there. And I don't even want to get into mentioning to him.

Also, children without a father are thirty-two times more likely to run away, twenty times more likely to have behavior disorders. I'm almost done. Fourteen times more likely to commit suicide and rape. Nine times more likely to drop out of school. Ten times more likely to abuse alcohol and drugs. And I believe that relates with the DARE Program. Let's save our families, people. Really, I hope so. I hope we could do it. Thank you very much.

D.P.O. POSTAL:

Thank you, Mr. Svoboda. Next speaker is Paul Arfin, who's speaking on the child care salary enhancement.

MR. ARFIN:

Thank you. I will be brief.

D.P.O. POSTAL:

Three minutes.

MR. ARFIN:

Three minutes, okay. 10:29. I think the goals of the salary enhancement program are wonderful. However, I ask the Legislature to review the specific aspects of the legislation before taking any

action. There were some comments made earlier that I think need to be looked at with greater detail.

Child care workers who have bachelor's degrees, who have master's degrees, would receive \$4,000 salary enhancements. Those are -- those people do not represent where the major problem in child care recruitment is today. The major problem is recruiting the assistant teacher at the entry level position. So I urge you to take a very close look at the four different levels of funding. In my opinion, the higher level -- the higher amount should go to the lesser educated people than the higher educated people. We're not having problems hiring center directors, and this would -- these monies would go in part to center directors where we have no problem hiring people. Part of the money -- it doesn't say it just goes to child -- to send people in child care rooms caring for children, it also would go to supervisors and to directors. I would love to be able to see this as a bill that had the kind of funding to permit that, but with \$550,000, it seems to me that the focus needs to be where the need is the most.

The -- I just wanted to say one other thing. The Department of Labor for many, many years has documented that child care workers are the lowest job -- paid job category on record. The need to do this is very important, but the reality is, is that child care workers are not in the future, unfortunately, going to have bachelor's degrees and master's degrees, they are going to be teachers with AA degrees, and so let's spend the money there, and in training people who perhaps just have a high school diploma and some baby-sitting experience and bring them into the field and train them and pay them a better salary. To me that's where scarce dollars should be spent first, not on the people who have been in the field the most.

LEG. FISHER:  
Paul.

D.P.O. POSTAL:  
Legislator Fisher.

LEG. FISHER:  
Thank you for your comments, and thank you for the letter that you sent us. And we agree with you. And because we do have very limited funds, because the State has extraordinarily limited amounts that they're disbursing to child care providers, we -- I have sat down with people from the Child Care Council and with the Commissioner of the Department of Social Services. In fact, even as late as this evening, we have been discussing the prioritization that we would need in the management plan, which is to target the people who need the most help, which is the people who will be at those lowest levels --

MR. ARFIN:  
Well, that's great.

LEG. FISHER:  
-- which you are discussing. We probably will not -- we anticipate in all reality not reaching the higher levels at all, because our funds are limited, we need to access the people who are making wages that are below the living -- living wage level. Those are the people who,

as you say, are not staying. And so my question to you is, if you had a worker who could -- who had the incentive to stay at least six months and take -- and -- in public education, you call them in-service course -- courses, and I know that Head Start has some training courses, the community -- the Child Care Council has some training courses. If that person were offered an incentive of \$1,500 a year, do you think that would be an incentive to that person?

MR. ARFIN:

Yes. Yes, it would be. But \$4,000 would be --

LEG. FISHER:

It would be a much greater incentive.

MR. ARFIN:

Yeah. Maybe I'm not understanding. I mean, Janet and Linda spoke about the law as it was approved, and it said \$4,000 for master's degree level and 3,000 for this. Is that --

LEG. FISHER:

That was how -- that was how we had approved the resolution. Okay? What we're saying is, when that resolution had been presented, it had been presented requesting \$2 million.

MR. ARFIN:

Yeah.

LEG. FISHER:

Okay? However, in the omnibus, where we only had \$550,000, and now we're looking at a management procedural process in order to implement an enhancement, a child care enhancement program, we're working with DSS and we're working with the Child Care Council to prioritize where that money is going, because it's so limited.

MR. ARFIN:

Yeah. And I just --

LEG. FISHER:

And the prioritization works from the bottom up, not from the top down.

MR. ARFIN:

Well, I'm glad to hear that. I just didn't hear that from the Council, and it sounded like that was the -- that was what was moving forward.

LEG. FISHER:

No. We have just been sitting, as I said, with Sylvia Diaz and Dan Hickey, and Kim, whose last name I can't remember.

MR. ARFIN:

Okay.

LEG. FISHER:

Okay.

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MR. ARFIN:

Thank you so much for your leadership on this. And it's a good day that we're here in moving this forward, it's great.

LEG. FISHER:

And what's important here, Paul, is I'd like to ask you, because I know that I have been inundated since people know that I have sponsored this, but I feel is that we have promised the people of Suffolk County that this exists and it's in place, because it was in our budget. I have received many calls. What has been your experience regarding this issue?

MR. ARFIN:

Well, yeah. I mean, we spread the good news, you know, last October -- in November when this was approved, and there are child care workers who have -- who are counting on this money and have budgeted their lives accordingly, people who are earning 12 to \$16,000 a year. To get 1,500 to \$3,000 is something that they --

LEG. FISHER:

That's over a 10% --

MR. ARFIN:

Yeah.

LEG. FISHER:

-- increase.

MR. ARFIN:

You're talking about planning to go to -- take courses, paying all -- paying part of -- making a dent in a car payment, and moving out of the parents' house, and, you know -- and moving up in one's life. You know, even at those humble levels, this is advancement and they're counting on it.

LEG. FISHER:

Yes. And there's a sense that we're saying to them, "The checking is in the mail," and they're still waiting.

MR. ARFIN:  
Yeah.

LEG. FISHER:  
Thank you, Paul.

D.P.O. POSTAL:  
Thank you. Thank you, Paul. Next speaker is Ronit Angel, or {Anhel}. I don't know how to pronounce that.

MS. ANGEL:  
Yes, Ronit Angel, that's fine.

D.P.O. POSTAL:  
Do you have something to distribute, because -- Ilona, you can -- why don't you take that from --

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MS. ANGEL:  
Leave it over here?

D.P.O. POSTAL:  
Yes, yes. And you can -- there's a microphone right back there. You have three minutes.

MS. ANGEL:  
Good evening. I got six minutes, because I'm taking Tom Longi's --

D.P.O. POSTAL:  
Oh, okay, your husband, Thomas? Is that your husband, Thomas Longi?

MS. ANGEL:  
No, he's my associate.

D.P.O. POSTAL:  
Your associate. Okay. He's relinquishing his time to you.

MS. ANGEL:  
Good evening, Ladies and Gentlemen. This is a speech directed at the people of Suffolk County and to you Suffolk Legislators. Ladies and Gentlemen, my name is Ronit Angel. Four months ago, I met a man with a dream to help thousands of people and animals. His courage, creativity and state of mind reflected a poem that I wrote in 1996 called "Faith". I have found through research and investigation the

immoral injustice that has been done to the communities of Suffolk County and to the man who tried to make a difference. I reached and studied every aspect of the plan submitted by Mr. Longi, which he designed to create a future for Long Island. I believe in that dream and I have an image in my mind. I have made commitment to you people to educate and expose an injustice and create the power of vision to reach beyond and gain the passion to rejuvenate and rise up the economy with open hearts and choices.

Wake up, Long Island, wake up. Your future and the future opportunities for your children has been sold by your local town government. I could feel in a heartbeat that the heartbeat is missing in those principals of these townships, especially when I see the kids walking the streets and no hope for a future here.

When Northrup-Grumman and the U.S. Navy decided to move off of Long Island five years ago, the local economy was devastated, and many families were left in financial ruin. Many of you lost your jobs, many of you lost your homes. What's more, your drinking water has been contaminated through operation of the former NWIRP in Calverton and the large adjacent Brookhaven National Lab, two federally owned facilities that together represent over one-third of Suffolk County land mass. The federal government was allowed to walk away from Long Island owing you people millions of dollars in compensation in exchange for 3,000 acres of prime real estate the Navy gave to the Town of Riverhead as a gift. The Town, in turn, was supposed to reuse this property to create a future for all Suffolk County. Instead, the Town made money for itself and kept the debt the Navy owes you a secret.

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Since March of 1996, the Town of Riverhead has conducted a charade on behalf of the U.S. Navy and at the expense of the residents of Suffolk County.

The Town of Riverhead has secrets to hide. It had a large piece of property, but did not know how to use it. So they asked Tom Longi to come up with a plan. In a short time, he did submit a complete plan with architect rendering, engineering projections, business strategy, bid and proposal, and at the demand of Grubb & Ellis and Island Realty, a letter of credit for \$20 million. I would like to show it to you. I'm sorry if it's going to take a minute longer, but at least it gets the opportunity.

D.P.O. POSTAL:  
You have another three minutes.

MS. ANGEL:

This is the architect's renderings that they designed by an architect that worked with Mr. Longi based on his ideas and concepts. Tom created the only plan that does not require years of construction and still manages to put 30,000 people to work in Suffolk County and work in high paying jobs. We're talking --

D.P.O. POSTAL:

Can I just interrupt you for a minute? There's a microphone. Legislator Cooper, maybe if you give Miss Angel the microphone.

MS. ANGEL:

I want to --

MR. LONGI:

Excuse me. Can I just interject for a second? She's going a little bit fast. I don't want her to have, you know, a heart.

D.P.O. POSTAL:

Okay. During -- she's got, you know, another two minutes and forty seconds, so --

MR. LONGI:

Okay. Take your time.

MS. ANGEL:

Tom's projects was to create four -- okay. Yeah, this is the deal. This is the hangar space, the four million square feet. You will divide -- you will create \$4 million out of it. You can make four -- sorry. \$400 million a year, and I'll explain to you how. The property of \$400 million will be created by dividing the hangars, combining with the franchises to production support companies, generating the \$400 million per year, enough to build a production city. And I'll show you. This is the ten-story hotel and the heliport, which is, you know -- which would be -- sorry. Which would be a celebrity hotel with a conference center, and entertainment center, indoor and outdoor concert stadium, and you have the animal care facility.

They kill animals every five days. They kill a lot of animals in the shelters, and we want to empty the shelters and make it the largest

facility in the world for animals. Everybody loves animals and I'm sure you guys love animals, and celebrities, too, and they will travel to see them while they're working. And, also, as a present to Long Island, Tom designed his own power generating facility, maybe in solar, which he can explain to you how it works. It will astound you. Thank you. One second.

Okay. I'm comfortable with this mike, but it's just -- I'm very excited to be here, because I hear a lot of people here and I know everybody got something to say, but we can make a difference. We don't have to be politicians to make a difference. Okay. Okay. He submit that with the two bid -- two-page bidding proposal. Thank you, sir. That will help me.

LEG. BISHOP:

If you would just relieve her of the six minutes, the whole thing -- you got her crazy.

MS. ANGEL:

Okay. This two-page bidding proposal that you're going to see in your piece of pages that I gave you was read allowed before at the Town Board meeting in Riverhead and was announced to be the best concept for replacing the -- the best concept submitted to the site. Tom Longi's whole concept to replace the defense industry with a production industry actually was announced to be the best reuse strategy for the site, for the 3,000 acre site in the form of a fully self-contained production city, was good enough to stop the bidding on the property.

It's exciting, everybody. But because Tom came from the area most affected by the base's closure, the Town felt that they could dupe him out of his project and out of his financing he brought into the table. This shows how little regard these people have for the rights of others.

Tom is a scientist and has worked in the field of theoretical physics for many years. His unique production Mecca strategy also came with his own invention, which was a source of power designed specially for the property --

D.P.O. POSTAL:

Miss Angel, would you -- there are two questions. So I think --

MS. ANGEL:

Yes, please.

D.P.O. POSTAL:

-- if you would suffer an interruption. Legislator Caracappa first, and then Legislator Fisher.

LEG. CARACAPPA:

Actually, I'll defer to Legislator Fisher first --

D.P.O. POSTAL:

Okay.

LEG. CARACAPPA:

-- before I ask my question. Thank you.

LEG. FISHER:

Okay. I see that you mentioned that the Town had approved some acres. Can you tell us about that?

MS. ANGEL:

Yeah. What happened was 1996, Mr. Longi -- maybe he should come down and tell -- he's the real person who was right there. This is Mr. Longi that created the program.

D.P.O. POSTAL:

Excuse me. He gave you his time.

LEG. FOLEY:

Come on, Max.

D.P.O. POSTAL:

So --

P.O. TONNA:

You can't do that.

D.P.O. POSTAL:

I'm sorry, Brian, but, you know, there are rules for everybody.

LEG. FOLEY:

All right.

P.O. TONNA:

It's almost 11 o'clock.

MS. ANGEL:

Miss. Miss, it's very important for the people to know --

D.P.O. POSTAL:

And I --

MS. ANGEL:

-- that we can make their lives better. And I'm saying this is the right -- I really appreciate that I have the moments to stand here --

D.P.O. POSTAL:

I know.

MS. ANGEL:

-- and help these people.

D.P.O. POSTAL:

I know. I would suggest that Legislator Fisher asked you a question. Calm down. You can respond to her question, and you can do that, but

he deferred his time to you. He can't take it back after you've spoken for six minutes. But she has asked you a question, so just relax and answer her question.

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LEG. FISHER:

It's right in your speech.

MS. ANGEL:

You want me to keep the speech? Oh, okay. So, you know, Tom is a scientist and he created his own source of power that required no money, because right now we're paying the highest rates for electric rates in the country and he can put -- we put together a whole idea how to use power with no -- you know, no extra expense. So then -- okay. Tom is a scientist who worked in the field of theoretical physics for many years. His unique production Mecca strategy also came with his own invention, which was a source of power --

D.P.O. POSTAL:

Miss Angel, you can respond to the question, but you can't continue your statement.

MS. ANGEL:

Miss, she asked me if I can finish my speech.

P.O. TONNA:

No, no.

LEG. FISHER:

No.

D.P.O. POSTAL:

No. I think --

LEG. FISHER:

That was her response, that was it.

D.P.O. POSTAL:

I think that you responded to her question.

LEG. FISHER:

Yes.

P.O. TONNA:

Okay. Just, Legislator Caracappa, do you have a question?

LEG. CARACAPPA:

Yeah. I'm just trying to get to the heart of the presentation.

P.O. TONNA:  
What's your question?

LEG. CARACAPPA:  
Obviously, this has to do with the Calverton facility. And is this -- are you coming to us to tell us that Riverhead Town has denied this project?

MS. ANGEL:  
Riverhead Town --

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LEG. CARACAPPA:  
Oh, let me finish.

MS. ANGEL:  
-- ripped Tom Longi of his project and what he built. What they did, they cut bits and pieces of his ideas, projects and renderings, and we have all the proofs. One second, I'll show you.

LEG. CARACAPPA:  
Oh, that's not necessary. Just answer the question.

MS. ANGEL:  
This is the document.

LEG. CARACAPPA:  
Basically, what you're saying is you're here to object to the Town of Riverhead saying no to this project as it is described on your drawings here today?

MS. ANGEL:  
Well, this is the project that he designed, and the Town of Riverhead gave to old boy -- old boy companies, they gave him --

LEG. CARACAPPA:  
Excuse me, sir. The question I just asked, is that a yes or a no --

MR. LONGI:  
No, it isn't just --

LEG. CARACAPPA:  
Just quickly, why are you coming to the County Legislature --

D.P.O. POSTAL:  
Joe.

LEG. CARACAPPA:  
-- for the Calverton facility?

MR. LONGI:  
When the Calverton facility went down, everybody out here lost their jobs. Suffolk County was the area most affected by the base's closure. There were members of Suffolk County Legislature that's supposed to be on a board deciding how this property was to be used. Riverhead stole my project and is handing it out to whoever they feel like. And right now, it's being closed upon by somebody who stole it, handed over by the Town of Riverhead.

She's very anxious, she's very nervous and she did her best up here tonight.

D.P.O. POSTAL:  
And she did very well.

MR. LONGI:  
Okay.

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D.P.O. POSTAL:  
If I could --

MR. LONGI:  
We're setting --

D.P.O. POSTAL:  
I think what Legislator Caracappa is saying to you is that this -- this was a decision made by the Town of Riverhead Board, and it really has nothing to do with decision-making on the part of the Suffolk County Legislature, if I'm -- if I'm interpreting Legislator Caracappa's question to you.

LEG. CARACAPPA:  
Yes. What I'm trying to get to, Madam Chair, is the fact that --

MR. LONGI:  
It is a Suffolk County matter.

LEG. CARACAPPA:  
I understand that apparently feel slighted by the Town of Riverhead and --

MR. LONGI:

No, no, no, not at all. I'm saying that Suffolk County was responsible for seeing that that property was to be used to the benefit to all of Suffolk County. And up to this point --

LEG. CARACAPPA:

No, I think you're misinformed. I think members maybe of the Legislature or appointees of the Presiding Officer, if that, or maybe --

P.O. TONNA:

Not me.

LEG. CARACAPPA:

Not you, Paul, previous Presiding Officers, may have been put on a Task Force of some sort, but that is strictly the Town of Riverhead's --

LEG. GULDI:

Congress gave it to Riverhead. Congress --

LEG. CARACAPPA:

Yeah, Congress gave that federal property, which did belong to the Navy, to the Town of Riverhead.

MR. LONGI:

No. Actually --

LEG. CARACAPPA:

And to say that Suffolk County had a part in, or continues to have a part in seeing what goes on that land or the projects that are decided for that land, what is accepted and what is not, just is not true.

MR. LONGI:

Have you seen the Commission report on the property? It said --

LEG. CARACAPPA:

The Commission report.

MR. LONGI:

It said that the federal government was in charge of handing this over to the local government, which is you.

LEG. CARACAPPA:

Town of Riverhead.

MR. LONGI:  
No.

LEG. CARACAPPA:  
Yep.

MR. LONGI:  
Not the Town of Riverhead.

LEG. CARACAPPA:  
Town of Riverhead.

MR. LONGI:  
All of Suffolk County. And Suffolk County allowed -- elected a board called the RDC.

D.P.O. POSTAL:  
I'm going to have to --

LEG. CARACAPPA:  
I don't want to drag this on.

D.P.O. POSTAL:  
I know.

LEG. CARACAPPA:  
Yeah, I don't want to drag this on. It is the Town of Riverhead.

D.P.O. POSTAL:  
I'm going to have to ask you --

P.O. TONNA:  
We could just -- we could -- just our Legal Counsel, Paul, is Suffolk County responsible for this?

MR. SABATINO:  
My understanding, which is pretty sound on this, is that the property was given to the Town of Riverhead. The Town of Riverhead is negotiating all of the RFP's, all of the proposed transactions. They have exclusive jurisdiction. The County of Suffolk, unless you've got some documents to the contrary --

MS. ANGEL:  
I got all the documents here. It will prove --

MR. SABATINO:

Well --

MS. ANGEL:

-- any question you have, sir.

MR. SABATINO:

Do you have a document that shows that the County of Suffolk owns the property?

MR. LONGI:

No.

MR. SABATINO:

I don't think you do, because the Town of Riverhead does.

MR. LONGI:

Suffolk County is -- the Suffolk County Legislators are involved with seeing that that property gets used to the benefit of all the people of Suffolk County.

P.O. TONNA:

Can I ask --

MR. LONGI:

This is a Commission report by all the representatives.

P.O. TONNA:

Paul. Paul, is there a board or commission that Suffolk County Legislators or that the Presiding Officer appointed, or something like that with regard to this?

MR. LONGI:

Yes, there is. I can -- I have it here.

MR. SABATINO:

Well, give me the name of it, because I have a pretty good memory and recollection and I don't recall anything remotely connected to this property. But if you've got a document that says to the contrary, I say --

P.O. TONNA:

Legislator Cooper, is he on this board?

MR. LONGI:

Okay. I'll submit. It.

MR. SABATINO:

Give me the name of the board.

MR. LONGI:

It's called the RDC. It is a member -- actually, they're members of various townships, Islip, Brookhaven, Southold, and members of Suffolk

County Legislatures -- of the Suffolk County Legislature on that board.

P.O. TONNA:

Can we get the Legislator from Riverhead? Is he around? He might be able to solve this in two seconds.

LEG. CARACAPPA:

That's my point, Mr. Chairman. We're always appointed to boards from dealing with school board issues to national issues that pertain to our districts, and I think maybe that's what's being misrepresented here.

MR. LONGI:

This is important, because it means 30,000 jobs.

P.O. TONNA:

What I would ask is this. What we'll do is when we take our 1:00 break -- no. When we take our break, maybe you could turn over the documents, if you have copies.

MR. LONGI:

Okay.

P.O. TONNA:

Give them to our Legal Counsel. We'll have -- Legislator Caracciolo, have you --

MR. LONGI:

Can I say a quick thing? Just one quick thing. I've seen people come up here and talk about youth and jobs and lack of jobs on Long Island. I provided something that -- 30,000 high paying jobs for Long Island.

P.O. TONNA:

Well, you know --

MR. LONGI:

And Suffolk County --

P.O. TONNA:

My concern -- my concern, and I'm not an attorney, and some -- the only thing that I would say is that, from what I here you saying, is that you offered an idea to the Town of Riverhead, they took the idea.

MR. LONGI:

Correct.

P.O. TONNA:

And they basically have --

MR. LONGI:  
Farmed it out to various people.

P.O. TONNA:  
Farmed it out to somebody. Then you should probably retain an attorney. Okay?

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MR. LONGI:  
No. There's another issue also.

P.O. TONNA:  
Well, I just say, and not that I would like the --

MR. LONGI:  
There is a County issue also, sir.

P.O. TONNA:  
-- legal profession to get any money, but I think it's a --

MR. LONGI:  
No, no, listen.

P.O. TONNA:  
You know, but --

MR. LONGI:  
Listen to me. There's another -- there's another County issue as well.

P.O. TONNA:  
Which is?

MR. LONGI:  
The Suffolk County Clerk sent me here to speak to you.

P.O. TONNA:  
Oh, the Suffolk County Clerk?

MR. LONGI:  
Correct. I placed a lien in the Town of Riverhead for \$130 million against that piece of property, and the Suffolk County Clerk is waiting for a decision from you to enforce that lien.

P.O. TONNA:

Okay.

MR. LONGI:

This is what I was told, sir.

MR. SABATINO:

The Suffolk County Clerk told you to come here --

MR. LONGI:

Correct.

MR. SABATINO:

-- to enforce a lien?

MR. LONGI:

No. More than that. There is documented evidence of fraud against the Town of Riverhead here.

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P.O. TONNA:

Okay. Could I -- yeah, okay. This is what I would say, sir. Obviously, there is -- just with all due respect to everyone here, I thank you very much for your --

MS. ANGEL:

Excuse me, sir.

P.O. TONNA:

No, no, no. No, no, wait.

MS. ANGEL:

This is a test of intellectual property.

P.O. TONNA:

Wait, wait, wait, wait, wait. Just, please, no excuses necessary. I'll have somebody from my office, okay, or somebody from Legal Counsel's Office -- that's why you make the big bucks -- to sit down with you and try to sort out some of the things. I think maybe there are some jurisdictional things that are somewhat confusing and we'll help sort out some of that stuff. Obviously, you've been told a number of different things, to go to another -- a number of places.

MR. LONGI:

No, sir. I have documented everything. And what I have been told is that you people --

P.O. TONNA:

Well, the Suffolk County Clerk, if the Suffolk County Clerk told you that, and you met with Ed Romaine and he sat down and he told you exactly that, then what we probably need to do is have a conversation with Ed Romaine, because maybe he needs to be educated on, if that's true, on where the right place is to go, or whatever else. And what we'll do is we'll help you to -- we'll help you to sort that out. I hear your frustration. I --

MR. LONGI:

No, it's more than frustration. I think I could provide 30,000 high-paying jobs for these people out here and for the kids.

P.O. TONNA:

Okay. And --

MR. LONGI:

I mean, why shouldn't we all try to do that?

P.O. TONNA:

Right. And what I will be glad to do is try to get somebody who will be my liaison with the Legislature with you to find out and sort out some of these issues.

MR. LONGI:

Okay.

P.O. TONNA:

Okay?

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MR. LONGI:

Very good. Thanks.

P.O. TONNA:

Thank you. Okay.

LEG. CARACAPPA:

I like the part with the animals, though, I got to admit that.

P.O. TONNA:

Thank you. And it was -- by the way, you had a great presenter there. Thank you very much. Thank you, ma'am.

LEG. CARACAPPA:

Good job.

P.O. TONNA:

All right.

MR. LONGI:  
By the way, it was the animals that made everything work.

(Applause)

P.O. TONNA:  
All right.

MR. LONGI:  
Celebrities were willing to come out and see the animals.

P.O. TONNA:  
Thank you. Valerie Rizzo. Going once, going twice. Valerie. Sold.  
Okay. Chuck Hammer.

MR. HAMMER:  
Yes.

P.O. TONNA:  
Okay.

MR. HAMMER:  
I'd like to defer my time to John.

P.O. TONNA:  
Can I say something, Chuck?

MR. HAMMER:  
Yes.

P.O. TONNA:  
You've spoken before. We're not going to go time here and give the  
time there. You want to say something?

MR. HAMMER:  
No. I'd like to defer my time.

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P.O. TONNA:  
No, we're not deferring any time. It's 11:00. We have an agenda. Do  
you have -- do you have anything that you want to say?

MR. HAMMER:  
No.

LEG. CARACAPPA:

Mr. Chairman, he has the right to defer his time.

P.O. TONNA:

Defer his time to what, to another time?

LEG. CARACAPPA:

To another speaker. To another speaker.

P.O. TONNA:

Did you fill out a card.

LEG. CARACAPPA:

Yes, he did.

MR. HAMMER:

Yes, I did.

P.O. TONNA:

No, the other -- did you fill out a card, sir?

AUDIENCE MEMBER:

No, I didn't, sir.

P.O. TONNA:

No.

AUDIENCE MEMBER:

No. But I've been sitting here since 7 o'clock.

P.O. TONNA:

Go ahead. Go ahead.

AUDIENCE MEMBER:

Thank you.

P.O. TONNA:

Well, fill out a card next time, also.

AUDIENCE MEMBER:

All right, fine. Thank you.

P.O. TONNA:

And that way, so is everybody else, and we still have 15 cards to go.

AUDIENCE MEMBER:

I'll make it very short and sweet. I live in Medford three years now. I've live on the Island my whole life. What you guys are doing in

Farmingville is absolutely against the law. If that's the message that you want to send to the younger generation on this Island, maybe you'll lose us to other states.

The other thing that I want to say is the conflict of interest that I see going on around here. This is the first time I've been in one of these sessions. They're very interesting and I will be back. But people talk about a living wage. You want to pay somebody \$9 an hour, you want to make them a living wage, but yet you -- on the same hand, you want to let people work off the books. These people making a living wage working in McDonalds is still not going to compare to somebody working off the books, jumping on a truck and making 80, 90 \$100 off the books a day. If you want to -- you know, I mean, everybody's talking about vote your conscience and do the right thing, do the right thing, follow the letter of the law. It's illegal to hire somebody off the books. It's illegal to come to this nation and not become a citizen. It's illegal to have a driver's license in this country -- well, in this state right now it's illegal, yet I have a friend who drives a motorcycle who was hit by one of these illegal aliens and now he's crippled for the rest of his life. Is the State going to come through for him? You know, these are the questions that I pose when you guys talk about voting your conscience.

P.O. TONNA:

The question that I have for you is just, you know, and I don't mean in any way to pick on you, don't pick on him, but -- and I -- we were talking --

AUDIENCE MEMBER:

No, no, please, ask me any question you want.

P.O. TONNA:

We were talking outside. The bill that was proposed and passed and everything else, where is that illegal? I mean, did you consult with a lawyer and he told you was illegal?

AUDIENCE MEMBER:

Is it illegal? Okay, fine.

P.O. TONNA:

Did you consult with a lawyer and just, you know, or is it just kind of like your opinion?

AUDIENCE MEMBER:

Fine, yes. You want to use my tax money to build a building for people to congregate to get illegal work.

P.O. TONNA:

I don't think we're building a building. We're not even building a building.

AUDIENCE MEMBER:

Whatever it is, the \$80,000, which is piddley compared to the money that you guys spend. That's fine. What happens when one of these

people get hurt, and now because they got picked up at a site that Suffolk offered up and they sue Suffolk County and they win --

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P.O. TONNA:  
No, they can't sue Suffolk County.

AUDIENCE MEMBER:  
Of course they can, because they will.

P.O. TONNA:  
They would be suing Catholic Charities.

AUDIENCE MEMBER:  
Okay. And Catholic Charities is going to back these people? They're going to pay the taxes on the wages that these people work?

P.O. TONNA:  
No.

AUDIENCE MEMBER:  
Are they going to provide insurance, workmen's comp.

P.O. TONNA:  
All right. I did it, I did it. All right. Thank you, sir.

AUDIENCE MEMBER:  
I'm just -- you know, these are legitimate questions --

P.O. TONNA:  
No. I appreciate it.

AUDIENCE MEMBER:  
-- that you don't have answers for.

P.O. TONNA:  
No. They are questions that we had answer for ad nauseam for the last six months that this has been debated.

AUDIENCE MEMBER:  
So Catholic Charities is taking care of this. I missed something.

P.O. TONNA:  
Last session. Anyway, okay. Joey --

AUDIENCE MEMBER:  
Okay. Thank you.

P.O. TONNA:

-- Alcarese. Thank you, sir.

(Applause)

MS. ALCARESE:

Well, It's almost time to say good morning. My name is Joey Alcarese. I am cofounder and president of Us Against Abuse, and also general manager of WGGB, Long Island's first radio station. I'd be neglect if I didn't say that.

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Anyway, I know you're all tired. Now I know why I don't get involved in politics. But it has been very interesting here tonight, and I think I have a couple of radio shows out of it. But the truth of the matter is it is about our children that I'm hear. We have extended an invitation. You're talking about Project DARE, you're talking about so many different things, wages, and there are answers to these questions, but you have to explore the alternatives.

And the reason I'm here is to invite everyone personally. I stayed here five hours to stand up here, so no one can tell me that they were not invited to this conference, that you can't send a representative. On Thursday, April 5th, our children, our future, we are bringing in the author, Dr. Shaw, who wrote "Jack and Jill, Why The Kill." And this man came out of prisons with a lot of answers for us as a community. And I think we need to pay attention. There's a Task Force that has been formed, or I should say a panelist, Council for Unity. They have all different things. And we talk to the kids, we work with the kids. The thing is, you know, in everything that we stand here as adults doing, we talk about our ideas for these kids. We need to really listen to the kids. They are actually the client. And the parents, the parents aren't being listened to. And we need to give our children -- that's the future. We need to give them the right pay, so that they can make a living. We're in -- we need to invest in our kids and we're not doing that.

P.O. TONNA:

Thank you. Your time is up.

(Applause)

MS. ALCARESE:

Was my three minutes up?

P.O. TONNA:

Yeah.

MS. ALCARESE:  
I'm sorry.

P.O. TONNA:  
No, no. Why are you sorry? It was perfect timing. Okay. Joseph Sadowski.

LEG. BISHOP:  
He spoke.

P.O. TONNA:  
He did? Okay. Lucia Oddo. Lucille? Lucia? Going once, going twice. Sold. Eugene Cordi. Okay. Matthew Reindl. Matthew?

MR. REINDL:  
Hi. I'm Matthew Reindl.

P.O. TONNA:  
Hi.

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MR. REINDL:  
I reside in Deer Park. My friend pretty much said basically what I wanted to say. I just wanted to say that I do run a small factory where I employ legal immigrants, and I have lost people to -- some of these immigrants to these hiring sites where they work off the books, and that's wrong. It is unfair. It is morally wrong for one group of people to pay taxes and not the other group. That's wrong. And for you to blind your eyes to the labor laws of this country is wrong. That's all. Thanks.

P.O. TONNA:  
Sir, I just want you to know, you know, and I'm a big advocate, I don't disagree with a word that you've said.

MR. REINDL:  
Yeah. We pay so much in taxes --

P.O. TONNA:  
Not one word, and I don't think anybody here --

MR. REINDL:  
-- and it's unfair, it really is, for the taxpayers. That's all.

P.O. TONNA:

Thank you, sir. Okay. Barbara Cotrel. Barbara.

MS. COTREL:  
Yep.

P.O. TONNA:  
Cotrel. Cotrel.

MS. COTREL:  
Cotrel.

P.O. TONNA:  
Cotrel.

MS. COTREL:  
Thank you. Mr. Caracciolo and Mr. Binder, both of which are not here, I would like everybody on the board to please tell them thank you for voting no against 1193.

I live in Farmingville for almost 29 years now, and the plastic three or four years I've seen it go almost totally down the toilet. I'm really, really an optimist, and all along, I keep saying, "Something's got to be done. Something will be done." Well, unfortunately, you did pass 1193, but I'm optimistic that Mr. Gaffney is going to veto it, and I certainly hope that all of you who voted for it or abstained from it will reconsider and vote against it. Thank you.

P.O. TONNA:  
Thank you, ma'am.

(Applause)

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[SUBSTITUTION OF COURT STENOGRAPHER - ALISON MAHONEY]

P.O. TONNA:  
Okay. Fred -- I think that's probably your hus --

MR. FRED REINDL:  
Not my husband.

P.O. TONNA:  
Okay, sorry. Oh, no, that's right, I got it, Matthew and Fred. Fred, please.

MR. FRED REINDL:

I have the original version, five and a half minutes, I have a really cut down version, three minutes and 15 seconds.

P.O. TONNA:

I would say you're at 2:40 now, so figure that one out.

MR. FRED REINDL:

Okay. If this site is approved, okay, if Catholic Charities or a coalition of concerned religious groups accept the authority to create and manage this site, they must also accept the responsibility which goes hand in hand with authority. You cannot have authority without responsibility. The manager must run this site similar to a temporary employment agency. They must register and collect payment from the employers which will include wages for the workers in a surcharge of approximately 30%. The surcharge will allow the manager to pool the money and provide a form of workmen's compensation insurance for the workers. Approximately half of the surcharge would simulate a legal employee Social Security and Medicare Tax, this would go to the cost of running the operation and possibly affording some health services for the illegals. Appropriate residual monies would then be donated to the Internal Revenue Service and the New York state Income Tax Bureau.

The solution solves several problems. It ensures that the workers will be paid at least a minimum wage and not be taken advantage of by unscrupulous employers. It provides a form of workmen's compensation insurance which will cover the employee if he is injured on the job. It also takes the contingent liability away from Suffolk County and its taxpayers. Hospitals will be reimbursed for emergency services rendered, this will take the financial strain away from taxpayers and health insurance. It allows legitimate businesses which operate legally and follow the labor laws and regulations to compete -- to compete fairly with profit-seeking, illegal employers. It allows legal residents and legal immigrants to compete with illegals for jobs on a more equitable basis. If Catholic Charities wants to take this course one step further, they can set up affordable housing themselves. Catholic Charities could set up a type of housing, dormitory or barrack style similar to the housing we afford our men and women who are serving in the armed services for us. This would take the profit out of the slumlords' pockets and give these people affordable and decent housing.

I feel that my proposal alleviates not all but some of the problems that this site creates and at least gives it some sense of accountability to responsible citizens, businesses and residents.

Thank you.

P.O. TONNA:

Thank you, Sir. And you had 21 seconds to spare, very good. Okay, thank you very much.

All right, we have one more. Who is that?

LEG. FISHER:

Well, I had requested for Dan Hickey to come up because I just needed to ask him a question.

P.O. TONNA:

Okay. We're going to do it -- do you mind if we do it during the time when we're debating this? Okay. This is what I'd like to do.

LEG. FISHER:

Well, I --

P.O. TONNA:

Do we have ten -- hold on, I understand now, just wait. How many people are here? One, two, three, four, okay, eleven. I would make a motion to extend the meeting to one o'clock.

LEG. FISHER:

Okay, because I wanted to be certain that we did have this discussion.

P.O. TONNA:

I want to make a motion -- I need 12 votes? Can I please -- there we go. I'll make a motion to extend this meeting to one o'clock.

LEG. CARPENTER:

Second.

P.O. TONNA:

Fine.

LEG. ALDEN:

I abstain.

P.O. TONNA:

All in favor? Opposed? Fine, it's now till one. Now, I would ask before we do this, is it okay because some people have been here almost the whole time, I would like to take a 20 minute recess, 20 minute recess. Twenty minute recess and I don't think I even have to ask permission.

LEG. CARPENTER:

Second.

LEG. ALDEN:

I abstain.

P.O. TONNA:  
There you go. Twenty minute recess.

[THE MEETING WAS RECESSED AT 11:10 AND RECONVENECT AT 11:27 P.M.]

P.O. TONNA:  
All right, we're back. Henry, there was a concern that you didn't call the vote; is that true?

MR. BARTON:  
I didn't, no.

P.O. TONNA:  
Oh, you didn't call the vote? Okay, so Legislator Binder is right, I would hate to admit that. Okay, so roll call; now can you call the vote?

MR. BARTON:  
Sure.

LEG. GULDI:  
Roll call.

P.O. TONNA:  
Call the vote. All right, roll call.

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

P.O. TONNA:  
Yes, to extend it to one.

LEG. CARPENTER:  
Here.

P.O. TONNA:  
No, this is roll call for extending the vote.

LEG. CARPENTER:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. BINDER:  
No.

P.O. TONNA:  
This is to extend till one o'clock.

LEG. BISHOP:  
Yes.

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LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Yes, absolutely yes.

LEG. ALDEN:  
(Not Present)

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
Maybe. Is that a vote? No.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. TOWLE:  
No.

LEG. GULDI:  
No.

LEG. CARACCIOLO:  
No.

LEG. ALDEN:  
Yes.

MR. BARTON:

12.

P.O. TONNA:

Thank you very much for those 12 votes. All right. Now, let's get to the agenda.

LEG. CARACAPPA:

Motion to approve the consent calendar, Mr. Chairman.

LEG. FISHER:

Second, Mr. Chairman.

P.O. TONNA:

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

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LEG. CRECCA:

What was the motion, I didn't hear it.

P.O. TONNA:

Okay, I'm going to say this one more time. Ladies and Gentlemen, Ladies -- I mean, the women's caucus and gentlemen, I would ask that everyone here spend --

LEG. CARACAPPA:

You can put me in the single man's caucus.

P.O. TONNA:

And the single male's caucus, okay, that's Legislator Caracappa, and depending on Legislator Guldi's status at the moment.

LEG. TOWLE:

It varies from second to second.

P.O. TONNA:

Oh, and Legislator Haley, I'm sorry about that. Oh, and Legislator Alden. You know what? I'm mistaken.

LEG. CRECCA:

You said men, though.

P.O. TONNA:

No, I said -- you know what I should have said? I should have said just available men. Anyway.

LEG. BINDER:

I hear Crecca's going to be real soon.

LEG. FOLEY:  
Can you have honorary members, too?

P.O. TONNA:  
It all --

LEG. BINDER:  
Should we mail that transcript to your wife?

P.O. TONNA:  
Okay. All I would ask is that everyone from this point on be -- I'm not asking to be serious but at least to be focused. Thank you. There is a motion and a second for the consent calendar. There was a vote called, 18-0, right?

LEG. CRECCA:  
Mr. Presiding Officer?

P.O. TONNA:  
Yes.

LEG. CRECCA:  
Motion to take 1215 --

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P.O. TONNA:  
No, we're going to just -- we have three pages to this agenda, let's get this thing done.

LEG. FISHER:  
No, we're going through it.

P.O. TONNA:  
Please, Legislator Crecca, I beg you.

LEG. CRECCA:  
All right.

P.O. TONNA:  
All right.

LEG. CRECCA:  
I'll withdraw that.

P.O. TONNA:

Okay, are you ready?

We have Tabled Resolutions-2000, No.1525 - (Requiring the Department of Public Works to prepare and disseminate program evaluation and review techniques (PERT) time line charts for all Capital construction projects (Foley). Is there a motion?

LEG. FOLEY:  
Motion to table.

LEG. FISHER:  
Second.

LEG. GULDI:  
Second.

P.O. TONNA:  
Motion to table, seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:  
18.

LEG. BISHOP:  
Are we going to do the consent calendar?

LEG. BINDER:  
Did you do the consent calendar?

LEG. CRECCA:  
We just did it.

P.O. TONNA:  
We have 18, you voted. It was not a roll call vote, Allen, you were here, they counted you as a nay.

1948 - (Calling a public hearing upon a proposal to form Suffolk County Sewer District No. 24 - Yaphank in the Town of Brookhaven (County Executive). Is there a motion?

LEG. TOWLE:  
Motion to table.

LEG. GULDI:  
Second.

LEG. HALEY:  
On the motion.

P.O. TONNA:  
Motion to table, seconded by myself. On the motion to table.

LEG. HALEY:  
Yeah. Freddy, what's the issue now? You still didn't get any responses?

LEG. TOWLE:  
We met with them and I'm still waiting for some documentation that I've not received.

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

MR. BARTON:  
18.

P.O. TONNA:  
2051 - (Implementing Day Care Program for County employees (Towle).  
Motion by Legislator Towle?

LEG. TOWLE:  
Yeah, Mr. Chairman. Actually, I'm waiting for a response from the County Executive's Office. The RFP went out for day-care, unfortunately we've gotten no responses. There was a commitment by the County Executive staff that myself as the Chairman of the Human Services Committee would be put on the -- I guess the screening committee for the proposals that were sent in to the County. There was some question brought up today by Mrs. Rosenberg that that was not going to happen via the fact that we had passed a resolution; I checked with Counsel, that is not the case. And I'm waiting for a response on that reference to the RFQ now apparently. I don't know, maybe she can join us at the microphone for a second.

P.O. TONNA:  
Okay. Mrs. Rosenberg.

MS. ROSENBERG:  
Legislator Tonna. I just checked with --

LEG. GULDI:  
Turn that mike on, please.

MS. ROSENBERG:

It's not on? I think it's on.

P.O. TONNA:

It's on but you have to speak into it, Brenda.

MS. ROSENBERG:

I'm sorry. I just spoke with Sylvia Diaz and she believes that it's not in the RFP, so I have to check with Purchasing to see who was on the committee. I don't have an answer, Fred, she doesn't know.

P.O. TONNA:

Okay. So are we going to table this?

LEG. TOWLE:

Yeah, for the last time. I mean, if we can't get an answer on this, then I'm going to look to move this resolution.

LEG. HALEY:

Second.

P.O. TONNA:

This is what I would ask. Brenda, just with all due respect, this is I think the second or the third time that Legislator Towle has tabled the bill pending information from the County Executive's Office. All I would ask is -- and if need be, Ellen Martin, I would ask that you help facilitate with Legislator Towle, you know, the garnering of that information so that at the next meeting we will be able to vote on this.

MS. ROSENBERG:

Okay.

P.O. TONNA:

Oh, this is the fourth time, I'm sorry. Okay, Legislator Towle.

LEG. TOWLE:

Motion to table.

LEG. HALEY:

Second.

P.O. TONNA:

Second. All in favor? Opposed? Fine.

MR. BARTON:

18.

P.O. TONNA:

Okay. 2289 - (Authorizing the sale of surplus property sold at the November 15, 2000 Auction pursuant to Local Law 13-1976 as per Exhibit "A" (Omnibus Resolution) (County Executive). Is there a motion?

LEG. POSTAL:

Motion to approve.

LEG. TOWLE:

Mr. Chairman, yes, there is. Motion. I'm going to make a motion --

P.O. TONNA:

Okay, there is a motion to approve by Legislator -- wait, wait, I have a feeling this one's going to be a little while. There is a motion to approve by Legislator Postal, there is a second --

LEG. CARPENTER:

Second.

P.O. TONNA:

-- by Legislator Carpenter. There is a motion to table by Legislator Towle.

LEG. TOWLE:

Correct.

P.O. TONNA:

Is there a second?

LEG. GULDI:

Second.

P.O. TONNA:

By Legislator Guldi. Okay, the motion to table. All in favor?

LEG. POSTAL:

On the motion to table.

LEG. BISHOP:

This is on which one?

LEG. POSTAL:

2289.

P.O. TONNA:

This is 2289.

LEG. POSTAL:

Yeah. On the motion to table, Mr. Chairman?

P.O. TONNA:

Yes.

LEG. POSTAL:

We have been tabling this for at least a couple of meetings. I have had people who have called me who purchased property at the November auction who have paid a deposit of -- I mean, one individual has given the County over \$10,000, he's not making interest on this money, he wants to close on this property which he purchased back in November. You know, I would ask what the reason might be to continue tabling this.

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LEG. TOWLE:

Mr. Chairman, if I could address that. And I need to ask Legislator Lindsay to move that roll of paper towels, I'm trying to see to Legislator Postal so that I can address her. Thank you.

There are two parcels of property that are on this resolution or in this packet. One was a piece of property that a local church in my district was interested in, they're adjoining property owners; the second was a piece of property that the William Floyd School District had expressed interest in for a community center. I alerted the Department of Real Estate or Division of Real Estate and asked them to remove these two properties from the auction list prior to the auction; I spoke to Mr. Grecco personally and I was assured that that would happen. Low and behold, the auction took place and upon checking a few days early to make sure what I was told would happen, I found out that we auctioned these two properties off.

I scheduled a meeting with him prior to his trip to Russia and I asked him again that you had told me this was going to happen. I had provided him with the documentation from the church and from the school district expressing their interest. And in fact, on the school district we had given them a time frame of May 1st, which is rapidly approaching, to put the monies together necessary to do a community center. At that time, a second time he assured me that we would void those sales and remove these items off of this packet; to date that has not happened. I spoke to him yesterday morning. Once again, he told me he was working with the Executive's Office to remove these two properties from this packet; I spoke to Mrs. Rosenberg today and was informed that they were not going to do that.

So for that reason, I cannot support this resolution, and I would ask you as a colleague today to support me on tabling this until that's done. And I have attempted and offered every compromise I could possibly offer, including separating these two items from the packet so we can vote on the packet.

LEG. BISHOP:  
Legislator Towle?

LEG. TOWLE:  
Yes, Legislator Bishop?

LEG. BISHOP:  
May I ask a question of Legislator Towle?

LEG. POSTAL:  
Go ahead.

P.O. TONNA:  
Sure.

LEG. BISHOP:  
Weren't the items that you want removed auctioned on November 2nd?

LEG. TOWLE:  
Yes, they were.

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LEG. BISHOP:  
So then there's nothing that can be done legislatively, it's obviously --

LEG. TOWLE:  
Not true.

LEG. FOLEY:  
They can return the money.

LEG. TOWLE:  
They took a deposit, they didn't take --

LEG. GULDI:  
If we don't approve -- if I may, if you'll yield. If we don't approve the resolution with those two parcels in the packet, they can't be sold at auction, they'll have to return their deposits. They're subject to Legislative approval, we have the discretion.

LEG. BISHOP:  
So then the whole package has to go down.

LEG. FOLEY:  
No.

LEG. GULDI:

No. Not the whole package, the package can be amended as to delete only those two parcels.

LEG. TOWLE:

Those two parcels could be removed, Legislator Bishop, which is what I've asked to be done. In fact, I've asked that we file separate resolutions on those two parcels and if the church and/or the school district fall through, we can still move forward and this package tonight could be approved, but the Executive's Office has refused to do that.

LEG. FOLEY:

Through the Chair, can we ask the --

LEG. BISHOP:

Why don't you file a bill to do --

LEG. FOLEY:

Mr. Chair, can we ask the Executive Branch representative to go to the podium to give us an explanation as to why these two parcels could not be excised from the rest of the resolution?

MS. ROSENBERG:

One of the parcels that Legislator Towle wanted for William Floyd School District sold for \$175,000, Legislator Towle wanted to give it to the school district. Several reasons why the Executive Branch is not in favor of that; one, in this fiscal crisis, we don't feel that it's an appropriate position to take. And we have vetoed resolutions prior to this speaking to this issue to give school districts land, so

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that would be against the policy of the County Executive.

LEG. FOLEY:

You said 180 -- wait, I have the floor, I have the floor. Through the Chair, you said it's \$180,000?

MS. ROSENBERG:

A hundred seventy-five.

LEG. FOLEY:

Okay. What about the church as the adjacent owner?

MS. ROSENBERG:

The church --

LEG. FOLEY:

Was that property valued less than \$20,000 or was it --

MS. ROSENBERG:  
It sold for 20.

LEG. FOLEY:  
It sold for 20.

MS. ROSENBERG:  
Correct.

LEG. FOLEY:  
All right. And why couldn't the exec -- why couldn't Real Estate or the Executive agree with the local Legislator, at least in that particular case where it's not a sizeable amount of money, that you would agree to return those monies in order to allow the church to utilize the property?

MS. ROSENBERG:  
Legislator Towle indicated that he wanted to do it as a 72-h, it is my understanding that legally we can't give a religious organization a piece of property under 72-h.

LEG. FOLEY:  
All right. Well, I'll just finish with this. Why can't we then, just to take a step back with that particular parcel, if it's taken out --

LEG. BISHOP:  
How do you reconcile that with George Bush's faith-based --

LEG. FOLEY:  
I have the floor, please. If it's taken out of the resolution, have a mini-bid for all the adjacent owners, if it doesn't work that way where the adjacent owners can come up with the money for that parcel then it can go back on the auction block. Why not have a mini-bid for that small parcel to see whether, in fact, the church would be able to purchase that property as opposed to going through a 72-h? Legislator Towle, would the church be able to purchase it if it was a direct sale?

LEG. TOWLE:  
Legislator Foley, I'll address both issues, if I could, if you wouldn't mind -- suffer an interruption.

LEG. FOLEY:  
Yes.

LEG. TOWLE:  
First of all, the church has explored two options, one is purchasing the property as an adjoining owner and the other would be a 72-h through the Town of Brookhaven, and I have encouraged them to go speak to the Town of Brookhaven to see if the town would step up to the plate to do that. So that's the story on the parcel that's next to the church.

As far as the school district is concerned, I've not indicated one way or the other that they would pay or not pay. I also suggested to them that they should speak to the town in reference to a 72-h and I gave them a specific time frame because that was quite a large plot of property and that time frame was agreed to by Mr. Crecca -- Grecco; excuse me, Legislator Crecca -- Allen Grecco which was May 1st. And as I said, both the school district and the church provided the documentation necessary to support my verbal and then written request to remove the properties, he agreed to that. I informed both of these groups that it would be done and lo and behold the resolution was approved with these two properties. And in both of my conversations he's continued to tell me that he's willing to do it, however, the Executive's Office is opposing it, and that's why I've continued -- you know, from my perspective, I know there were a couple of other Legislators that had problems with this bill as well, and yourself included, and these two problems have not been addressed. And I can just not support this resolution, it's the wrong thing to do.

LEG. GULDI:  
Mr. Presiding --

D.P.O. POSTAL:  
Legislator Carpenter is next followed by Legislator Caracappa and then Legislator Guldi.

LEG. CARPENTER:  
Well, because this resolution has the effect of bringing \$5 million to the County in what the sale -- the auction sales total, it seems foolhardy for the sake of two parcels to continue to hold this up. And as Legislator Postal said, there are people who have got their money tied up thinking this is going to go through. Because -- if we were to take the two parcels out, it doesn't necessarily mean that we're giving the property to the school district for nothing or we're selling it or whatever; it seems to me that those are separate issues that we would have to deal with separately. So can't we find a way, Mr. Presiding Officer, of pulling these two parcels out so that we can move forward with this resolution?

LEG. FOLEY:  
A CN.

D.P.O. POSTAL:  
Well, the only way, I would imagine, would be if the County Executive is willing to provide a Certificate of Necessity.

LEG. ALDEN:  
Paul?

LEG. CRECCA:  
Can we just --

D.P.O. POSTAL:  
Yeah, let me put you on the list.

LEG. ALDEN:  
Just one question.

LEG. POSTAL:  
Okay, just one minute. Legislator Caracappa was next.

LEG. CARACAPPA:  
Thank you, Madam Chair. Brenda, it was asked already but it really wasn't answered. You gave an answer of what the auction brought for those two parcels; just answer as to why wasn't it pulled in a timely fashion when it was requested by Legislator Towle? I don't know if you can answer that question but that would have saved us a lot of problems here.

MS. ROSENBERG:  
I don't want to say that Allen Grecco didn't say that to Fred -- to Legislator Towle because he probably did, but he never came up to the administration and we never told Mr. Grecco that he had the authority to go ahead with that. And then when he did come up this week with that he was told that that was unacceptable. So I'm not --

LEG. CARACAPPA:  
Whoa, what was unacceptable?

MS. ROSENBERG:  
To pull the two properties from the auction list.

LEG. CARACAPPA:  
Well, that's quite unfortunate. And in my view, I think it's -- unfortunately it's going to hold up this process and a lot of people who are going to have to wait a little longer, but just based on that explanation alone, I think it's worth tabling.

D.P.O. POSTAL:  
Legislator Guldi.

LEG. GULDI:

Brenda, I need you to stay where you were. You mentioned in your response to earlier questions that the \$175,000 auction price for the parcel to the -- that the William Floyd School District expressed

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interest in was a lot of money and contrary to the policy of the County Executive. You -- because of prior school transfer issues and the like. What policy were you referring to exactly?

MS. ROSENBERG:

To give away property to a school district for no compensation.

LEG. GULDI:

Okay. And how did the County Executive set that policy?

MS. ROSENBERG:

It's an administrative policy.

LEG. GULDI:

What provision of the Charter of the County of Suffolk was that policy adopted or created pursuant to?

MS. ROSENBERG:

I don't believe that we need to have a Charter number for a policy. It's a policy issue, it's not necessarily a legal definition, it's a policy decision.

LEG. GULDI:

Yeah, but I thought that the -- see, I have read the Charter and my familiarity with the Charter says that the policies of this County are established by this Legislative body and not by the Executive. So I wonder what policy of the County Executive's you were referring to and what independent policy making authority is vested there. Because I know of none and I would like you to tell me what Charter provisions you're referring to or relying on in promulgating such a policy.

MS. ROSENBERG:

Well, I'll have --

LEG. BISHOP:

If that's what you'd call it.

MS. ROSENBERG:

The County Executive sets policy from our standpoint and this is his policy. There is nothing -- I don't know if there's anything in the Charter, I'd have to refer to our Legal Counsel.

D.P.O. POSTAL:

Legislator Guldi, are you finished?

LEG. BISHOP:  
That's his policy.

LEG. GULDI:  
Well, I'll say I don't have any more questions in light of the responses I just received.

D.P.O. POSTAL:  
Legislator Alden?

LEG. ALDEN:  
This is a question for our Counsel. Can we amend this ourselves,

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either just --

LEG. CARPENTER:  
In other words, file a bill --

LEG. ABSTAIN:  
No, no, no, I'm just saying amend it and lay it on as a late starter and then it's alive, right?

MR. SABATINO:  
Well, you can't amend this particular bill because it's the Executive's bill. However, what you can do which is what's been done in the past is technically you could break this out into a thousand separate votes because the way the law is written, each parcel that gets auctioned is subject to a Legislative approval process. They're basically put into an Omnibus on the theory that it's one vote. You can break it out. What we could do right now is if --

LEG. ALDEN:  
I can make a motion to approve all but those two parcels.

MR. SABATINO:  
No, no, you have to create two new resolutions, lay them on tonight. One resolution will have all of the parcels minus the two that Legislator Towle is concerned about, the second resolution will just have the two, so three weeks from tonight you'll be voting on Omnibus minus two.

LEG. ALDEN:  
Okay. Would you do that for us?

MR. SABATINO:

Well, we're trying right now, my secretary is going to pull the documents. We didn't draft this particular resolution so we're going to have to do some xeroxing. But I don't know which two parcels you want to pull, so if you can just write them down, we'll delete them with some white-out and we'll have two bills for you before the night is over.

LEG. ALDEN:

Good.

D.P.O. POSTAL:

Legislator Crecca?

LEG. CRECCA:

I wasn't on the list.

D.P.O. POSTAL:

Okay. I have some questions, Brenda. First, while Brenda is coming back up to the podium, just with regard to this policy. A number of years ago all of a sudden the policy changed and those Legislators who had been here for a long time remember that I had asked for the Ways and Means Committee to address the change of policy in the County whereby we were no longer providing properties through 72-h's for

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affordable housing and for other public purposes, and all of a sudden we were expecting to get the value of the property on those 72-h's. The Ways and Means Committee was never willing to address that change in procedure because obviously it wasn't a policy that was changed by this Legislature, it was that the procedure changed. Very honestly, this Legislature was unwilling to confront that change in procedure that took place I don't know how many years ago. So, you know, it's almost like all our chickens are coming home to roost. We weren't willing to address that way back and now all of a sudden, after many, many years, we're suddenly recognizing that there was a change in policy that never involved this Legislative body.

So that's my comment. But I have a question with regard to the \$20,000 property. Was that property appraised prior to the auction?

MS. ROSENBERG:

Yes, they all had to be.

LEG. FOLEY:

There's an upset price.

D.P.O. POSTAL:

Was it sold for the upset price?

MS. ROSENBERG:

No, the upset price I think was 9,000, it sold for 20.

D.P.O. POSTAL:

Okay, that was my question. Because if the upset price -- if it was appraised for less than 20, then according to the policy we adopted, it could be sold as a direct sale to adjacent owner.

MS. ROSENBERG:

Right.

LEG. GULDI:

Right.

LEG. POSTAL:

And, you know, I would certainly object to transferring it as a 72-h because I believe that that's in violation of State Law, you can't do a 72-h to a religious institution.

MS. ROSENBERG:

Right.

LEG. POSTAL:

But as a direct sale for a property appraised under \$20,000, that's perfectly legitimate. Anybody else?

P.O. TONNA:

There's a motion and a second to table, right? Okay, let's have the vote on that. Okay, roll call.

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

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LEG. TOWLE:

Yes.

LEG. GULDI:

Yes.

LEG. COOPER:

Pass.

LEG. BINDER:

Pass.

LEG. BISHOP:  
No.

LEG. D'ANDRE:  
Pass.

LEG. CRECCA:  
Pass.

LEG. CARPENTER:  
Pass.

LEG. ALDEN:  
Pass.

LEG. FIELDS:  
Yes.

LEGISLATOR LINDSAY:  
Pass.

LEG. FOLEY:  
Pass.

LEG. HALEY:  
Yes.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Yes to table.

LEG. CARACCIOLO:  
Yes.

LEG. POSTAL:  
No.

P.O. TONNA:  
Yes.

LEG. COOPER:  
No.

Yeah.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEGISLATOR LINDSAY:

No.

LEG. FOLEY:

Yes, one more cycle.

P.O. TONNA:

Okay.

MR. BARTON:

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P.O. TONNA:

Well, that was at least a civil debate. Okay, let's go on.

LEG. TOWLE:

Thank you.

P.O. TONNA:

Much better than I expected. Okay, let's go to Tabled Resolutions 1005 - (Changing designation of "Pet Safe" Program to provide temporary shelter for pets of domestic violence victims in Suffolk County to PAWS (Cooper). Is there a motion by Legislator Cooper?

LEG. COOPER:

Motion to table.

P.O. TONNA:

Motion to table, that's great.

LEG. HALEY:

Second.

P.O. TONNA:

Is it just so that you can keep the pets on the agenda each week --

LEG. COOPER:

No, I actually --

P.O. TONNA:

-- or we can think about something pet and safe?

LEG. COOPER:

I actually have a name now, but I'm not going to share it, I want to keep you all in suspense till the next session.

P.O. TONNA:

That's great, thank you. With bated breath, motion to table, seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:

18.

P.O. TONNA:

1069 - (Imposing reverta clause on non-Brookhaven Town PILOT Payments pending appeal of Gown decision (Haley)).

LEG. HALEY:

Motion to table.

P.O. TONNA:

Motion to table by Legislator Haley, seconded by Fisher. All in favor? Opposed? Tabled.

MR. BARTON:

18.

P.O. TONNA:

No. 1114 - (Amending the Adopted 2001 Operating Budget and appropriating funds in connection with Suffolk County Planning Federation for Smart Growth Policy Plan Training (Fields).  
Motion by -- what are we doing here?

LEG. FIELDS:

Motion to approve.

LEG. POSTAL:

Second.

P.O. TONNA:

Motion to approve, seconded by Legislator Postal.

LEG. CARPENTER:

Explanation.

P.O. TONNA:

Yes, what is this?

LEG. CARACCILOLO:

On the motion.

P.O. TONNA:

Wait, wait, wait, we have asked for a legal explanation first.

LEG. CARACCIOLO:

Well, I would like to know what the offset is.

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P.O. TONNA:

Okay, but first we want an explanation of the bill and then I will recognize you. No, 1114, Paul, Operating Budget and appropriating funds in connection with the Suffolk County Planning Federation for Smart Growth Policy Plan Training.

MR. SABATINO:

1114 was the \$1,000 to implement one of the recommendations that came out of the Smart Growth Report that was issued pursuant to Legislative initiative of a year ago. It's basically a thousand dollars --

P.O. TONNA:

Legislator Caracciolo, do you have your answer?

LEG. CARACCIOLO:

Yes. I recall that previously the offset was the Board of Elections which we received a memorandum from the Commissioners, they were opposed to it, I see it's been amended and changed. Thank you.

LEG. BISHOP:

Opposed to a thousand dollars.

P.O. TONNA:

Well, okay. I would say that's probably a very appropriate place for offsets. Okay. Anyway, a motion and a second to approve. All in favor? Opposed? Approved.

LEG. BINDER:

Opposed.

P.O. TONNA:

Opposed, Legislator Binder.

LEG. CRECCA:

Abstain.

P.O. TONNA:

Abstain, Legislator Crecca.

MR. BARTON:  
16-1-1 (Opposed: Leg. Binder - Abstention: Leg. Crecca).

P.O. TONNA:  
1121 - (Directing the County Department of Public Works to educate the public as to health effects of pesticide applications (Caracciolo).

LEG. CARACCIOLO:  
Motion to table.

P.O. TONNA:  
Motion to table by Legislator Caracciolo, seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:  
18.

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P.O. TONNA:  
No. 1144 - Allocating funding for pay-as-you-go financing for

strengthening and improving County roads and landscaping on County roads (CP 5014.335, 5178.414) (Foley). Motion by Legislator Foley.

LEG. FOLEY:  
Motion to approve.

P.O. TONNA:  
Motion to approve.

LEG. CARACCIOLO:  
Second.

P.O. TONNA:  
Seconded by Legislator Caracciolo. This is the pay-as-you-go, this is -- okay. I would just -- I'll recognize myself. That I just think that -- have we done any prioritization?

LEG. FOLEY:  
Yes. Just on the record, Mr. Chairman. A number of concerns were raised by Legislator Caracciolo. I know that the Commissioner of Public Works had addressed a number of his concerns; if members of the committee wish to have a copy of the letter that was sent to me with a copy to Legislator Caracciolo outlining the methodology that was utilized to identify which roadways were put on the list. As I mentioned the last time, there are such things as traffic safety

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concerns with the pavement friction or the lack thereof, therefore those roads needed to be resurfaced. A number of roadways have not been repaved or strengthened in over 20 years, considering the fact that this was one of the worst winters as far as the freeze/thaw cycles. There's a number of roadways that many of us are very aware of, County roads, that are in worse condition than they have been in years.

For those reasons, I believe that they have satisfied Legislator Caracciolo's concerns, and also the fact that there are some budgetary issues that people have as far as the amount of monies that are left in the pay-as-you-go policy. And it's my understanding that the budgetary framework that's being developed by the County Executive's Office as well as the BRO Office is they're looking at perhaps saving or not spending half of the pay-as-you-go money which would be \$5 million, this uses four million which leaves another million left over for other purposes that other Legislators deem important.

I will just end with this, as I said the last time. This serves two purposes, it improves traffic safety along our roadways and, number two, it puts people to work on our roadways, it puts people to work at living wages in order to provide for their families. So for those two reasons, public safety as well as creating jobs, I believe that this is a very worthy resolution and I hope that we would pass this.

P.O. TONNA:

Fred, is this as Legislator Foley said, basically 40 --

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LEG. BISHOP:

Oh, you're next on the list?

P.O. TONNA:

I was next on the list, my prerogative. That this is actually 40% of the total pay-as-you-go?

MR. POLLERT:

Yes, that's correct. There's about \$9.85 million in the pay-as-you-go program this year and this would use roughly \$4 million of it.

P.O. TONNA:

My concern, Brian, is last time that we -- and the reason why we tabled is is that we thought that we would get a priority list --

LEG. FOLEY:

Correct.

P.O. TONNA:

-- of instead -- once -- if we're going to try to save \$5 million in the pay-as-you-go and we have now -- this is March and April and we are now looking at the issue of spending basically ninety something percent of our pay-as-you-go money.

LEG. FOLEY:

Well, no.

P.O. TONNA:

Yeah, because we're --

LEG. FOLEY:

Well, if you have five -- okay, go ahead.

P.O. TONNA:

So my concern is are we sure these are the roads you want fixed?

LEG. FOLEY:

Well, it's not so much what I want fixed, this is what is in the expert opinion of the traffic safety engineers of the department. When I had asked them directly whether or not we could come up, we together could come up with a compromise, if you will, it was their considered opinion that we would be compromising traffic safety, compromising the safety of some of the roadways if we effectively eliminated a number of these projects from the list.

P.O. TONNA:

Okay.

LEG. FOLEY:

So the Commissioner, with the concurrence of the County Executive directly, believes that we need to have this amount and no less, not just because it's something in their department but again, if it was a mild winter I would agree with you, but this was an exceptionally difficult winter as it relates to our roadways.

P.O. TONNA:

Okay. The County Exec's office supports this resolution?

MS. ROSENBERG:

Yes, we do.

P.O. TONNA:

You do. Okay. Dave.

[RETURN OF STENOGRAPHER-LUCIA BRAATEN]

LEG. BISHOP:

Thank you. I'm not going to ask about the freeze/thaw cycle.

LEG. FOLEY:

Thank you.

LEG. BISHOP:

But I do want to know about the pay-as-you-go fund. We are -- or we're planning on using or not spending half of that fund. When we created the fund, we were obviously planning on spending all of the fund. So what is being crowded out? Fred, I'm sorry.

MR. POLLERT:

The fund was to pay for equipment in the Parks Department, equipment in the Department of Public Works, was to pay for some dredging projects. So we have the complete list of how we worked up the \$9.9 million.

LEG. BISHOP:

We did the dredging, though, at the last meeting, right; is that correct?

LEG. FOLEY:

That's correct.

MR. POLLERT:

Right.

LEG. BISHOP:

So now we're doing the roads.

LEG. FOLEY:

Correct.

LEG. BISHOP:

And what is getting cut out is equipment.

MR. POLLERT:

That is correct.

LEG. BISHOP:

All right. Is that prudent to cut out equipment?

MR. POLLERT:

Ken's budget model is showing that he is projecting that he is going to save one-half of the money this year and a like amount next year. We were anticipating to spend the full dollar amount this year, but to save half the dollar amount next year. So it really depends upon which computer model you're looking at. With the Budget Review Office, we had anticipated that the full \$10 million would be expended this year.

LEG. BISHOP:

Now when it's equipment out of this pay-as-you-go, it must be very small equipment.

MR. POLLERT:

Yes, it's equipment which has item cost of less than \$5,000.

LEG. BISHOP:

Right, okay.

LEG. CARACCIOLO:

Mr. Chairman.

LEG. BISHOP:

I'm just concerned that that's probably the kind of equipment that keeps the County parks running and, you know, it's not toys, what we really need to do the day-to-day operation. But if that's the plan that we're heading towards, we're going to have to do it in tough times. But I appreciate Legislator Foley's work on this issue.

P.O. TONNA:

Legislator Crecca and then Legislator Caracciolo.

LEG. CRECCA:

A quick question for Legislator Foley.

LEG. FOLEY:

Sure.

LEG. CRECCA:

Did we -- if you know, and the Public Works picked out these projects to do, did they work for a dollar amount and say, "Okay, these are projects we can do," or did they just pick out the most important projects, or do you know?

LEG. FOLEY:

No. They picked out the most important projects, because, you know, frankly, they could expend \$8 million of these monies.

LEG. CRECCA:

I guess that's my question. In other words --

LEG. FOLEY:

They didn't back into this number. They could have identified \$8 million worth of projects easily.

LEG. CRECCA:  
These are the projects they feel need to get done right away.

LEG. FOLEY:  
Absolutely.

LEG. CRECCA:  
Okay. But, in other words, they don't think they can cut it down to 3 million or 2 million or --

LEG. FOLEY:  
It's a good question that I had asked --

LEG. CRECCA:  
And that's --

LEG. FOLEY:  
Yes.

LEG. CRECCA:  
Because that's my only concern here.

LEG. FOLEY:  
I asked the Commissioner that question directly and he was quite, let's say, forceful and persuasive that, again, considering this particular winter, because it was not a mild winter, that he couldn't in good -- well, in good conscience have any reduction in the amount of money.

LEG. CRECCA:  
Thanks.

LEG. FOLEY:  
And I know in past years he'd be willing to do that.

LEG. CRECCA:  
Thank you --

LEG. FOLEY:  
But again --

LEG. CRECCA:  
No.

LEG. FOLEY:  
-- this year he couldn't.

LEG. CRECCA:  
Thank you. I appreciate your help.

P.O. TONNA:  
Legislator Caracciolo.

LEG. CARACCIOLO:  
Yes. I'd just like my colleagues to know, Legislator Foley was copying some correspondence that I requested regarding information

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about these locations. And to answer Legislator Crecca's question about priority, that was the issue I raised with Commissioner Bartha . He supplied to me by fax late yesterday, and the Chairman of Public Works, Mr. Foley was -- provided a courtesy copy, of when these roads were last resurfaced. And as I recall, and I left my copy in the office -- Brian, do you have your copy?

LEG. FOLEY:  
Yes.

LEG. CARACCIOLO:  
Okay. Could you just go down the list --

LEG. FOLEY:  
Sure.

LEG. CARACCIOLO:  
-- as to when they were last resurfaced?

LEG. FOLEY:  
Sure. Some of the projects were --

P.O. TONNA:  
Brian.

LEG. FOLEY:  
Yes. There's a question from Legislator Caracciolo.

LEG. CARACCIOLO:  
Yeah. The majority, as I recall, were pre '85. I think there was one or two in the '90's.

LEG. FOLEY:  
The majority were pre '85, several were done in the early '90's that

needed to be again because of traffic safety reasons, and by that they mean that there are some pavement friction issues where there's too much of a -- there's too less of friction on those roadways, which it can lead to skidding and the like, and there have been accidents because of that. But the majority of these projects are pre '90's and a number of them are pre '85.

LEG. CARACCIOLO:

Brian, on the list, I think there was one in the '90's or two?

LEG. FOLEY:

There are several out of the group, but the great majority were pre '90's.

P.O. TONNA:

How many of those were in your district, Legislator Foley? No, I'm joking. Okay. Legislator Alden.

LEG. ALDEN:

Fred. Fred, I just had a quick question. One of the offsets, you said parks equipment. Is that part of the legislation that Legislator Caracciolo had passed for the golf course equipment?

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MR. POLLERT:

No, that was a separate resolution, so that's independent of that. Basically, this is small equipment for parks, as well as for the Department of Public Works.

LEG. ALDEN:

Okay, thanks.

P.O. TONNA:

All right? All in favor? Opposed?

LEG. BINDER:

Roll call. Roll call.

P.O. TONNA:

Roll call.

(Roll Called by Mr. Barton)

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Yeah.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. HALEY:  
Yes.

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LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. TOWLE:  
Yes.

LEG. GULDI:  
No.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yep.

MR. BARTON:  
16-2.

P.O. TONNA:  
Great.

LEG. FOLEY:  
Thank you.

P.O. TONNA:  
Okay. You're welcome. Good work, Brian. 1177 (Appropriating funds in connection with the purchase of a portable shooting range-Suffolk County Police Department), a bonding resolution.

LEG. CARPENTER:  
Motion.

P.O. TONNA:  
Motion by Legislator Carpenter.

LEG. CRECCA:  
Second.

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

MS. JULIUS:  
Roll call.

P.O. TONNA:  
Roll call. I got you, Ilona.

(Roll Called by Mr. Barton)

LEG. CARPENTER:  
Yes.

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LEG. POSTAL:  
Yes.

LEG. COOPER:

Yes.

LEG. BINDER:  
No.

LEG. BISHOP:  
Pass.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Yes.

LEG. ALDEN:  
No.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
Yes.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. TOWLE:  
Yes.

LEG. GULDI:  
No.

LEG. CARACCILO:  
Yes.

P.O. TONNA:  
Yep. George, I'm surprised. I thought you might be able to --

MR. BARTON:  
Legislator Bishop.

P.O. TONNA:  
-- pop off a couple of rounds out there. Okay.

LEG. BISHOP:  
No.

MR. BARTON:  
15-3.

P.O. TONNA:  
There you go. Same motion, same second, same vote. 1209 (Designating week of May 27th as Cooley's Anemia Awareness Week". Motion, Legislator Crecca?

LEG. CRECCA:  
Oh, yeah, motion to approve.

P.O. TONNA:  
Yeah. Seconded by myself. All in favor? Opposed? Approved. Okay.

LEG. CARACAPPA:  
Cosponsor.

LEG. TOWLE:  
Cosponsor.

P.O. TONNA:  
You have a few cosponsors.

LEG. BINDER:  
Cosponsor.

LEG. ALDEN:  
Cosponsor.

P.O. TONNA:  
Okay. Who doesn't want to cosponsor? Legislator Bishop, because on principle. Since he didn't help with the bill, he's not going to cosponsor. And myself, I'd be -- although I think it's a great bill, since I didn't really have anything to do with it. Oh, am I already a cosponsor?

LEG. CRECCA:  
Yeah.

P.O. TONNA:  
Oh, I'm on, so --

MR. BARTON:  
Who was the second?

P.O. TONNA:

All right. Let's go to --

MR. BARTON:  
Paul, who was the second?

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P.O. TONNA:  
The second was myself.

MR. BARTON:  
Okay, 18.

#### FINANCE AND FINANCIAL SERVICES

P.O. TONNA:  
Thank you. 1250 (Amending the Truth and Accuracy in Property Tax Billing Policy). Motion? Legislator Foley, what's the truth in accuracy? I smell a Paul Sabatino bill coming up.

LEG. FOLEY:  
No, not at all.

P.O. TONNA:  
Okay.

LEG. FOLEY:  
In fact, I was the one that asked him to draft the resolution, not vice versa.

LEG. TOWLE:  
For a change? For a change?

LEG. GULDI:  
How unusual.

LEG. FOLEY:  
Not for me it's not a change. Maybe for some other folks, but not for me it isn't.

Now this particular resolution, this is similar to what -- and it is one of the -- it is one of the good things that Nassau County does do, and they should be cited for this thing that --

LEG. BINDER:  
Uh-oh.

P.O. TONNA:  
Is this a County Executive proclamation bill?

LEG. FOLEY:  
This is a short version.

P.O. TONNA:  
Because that's what they do well over there. Anyway, go ahead.

LEG. FOLEY:  
Now what they have in that particular county, as they do in some other counties, is on the property tax bill, there is a separate line for the amount of property taxes that are apportioned for the community college. So I thought it would make sense for the general public to see really just the few amount of dollars that actually is --

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P.O. TONNA:  
Great.

LEG. FOLEY:  
The few amount of dollars that's on the property tax bill that goes to the community college, because here's what happens, folks, and I need to explain this just for another moment.

P.O. TONNA:  
No. We'll vote for it if you don't explain it.

LEG. FOLEY:  
Okay. Well, that works, too, then.

P.O. TONNA:  
We'll vote for it if you don't explain it.

LEG. FOLEY:  
That works, too.

P.O. TONNA:  
Okay. There's a motion and a second. No? Is there a motion? There's a motion by Legislator Foley.

LEG. BISHOP:  
On the motion.

P.O. TONNA:  
Wait. There's a second by Legislator Fisher. On the motion.

LEG. BISHOP:  
I hate to do this, but I would like to hear --

LEG. CRECCA:  
Don't do it.

LEG. BISHOP:  
-- Legislator Foley's rationale --

LEG. CRECCA:  
Don't do it.

LEG. BISHOP:  
-- since we all know that Legislator Foley is a great defender of the college, and I'm concerned. Wouldn't you be concerned that calling attention to the college --

LEG. FOLEY:  
No.

LEG. BISHOP:  
-- tax would --

LEG. FISHER:  
No, because it's so.

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LEG. FOLEY:  
Okay. Right, right.

LEG. FISHER:  
It's such a small amount.

LEG. FOLEY:  
Quite the contrary.

LEG. BISHOP:  
Well, I don't know if my constituents are going to react that way. They might react like, "Well, you know, I didn't know I was paying this. Why am I paying for the college? I don't go to the college?"

LEG. FOLEY:  
Well, quite the contrary. What it's going to show -- see, what's happened -- now that you've asked the question, what's happened is because people pay such a large portion of their property taxes for school districts for primary and secondary education, in the minds of some, they think the community college in the same terms that there's

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a lot of tax -- property tax dollars that's earmarked for the college, when, in fact, very -- as we all know, those of us in this business, we all know that a very small portion goes to the community college. And this is really just to show that and the fact that there's a very -- from a property tax point of view, there's very few dollars that goes to that particular institution. And perhaps in the future, we can use that as a reason to try to even give more money to them.

P.O. TONNA:

Dave, I would always think that, you know, you would want your constituents to know every bit of information. I was actually a little, you know, taken aback that you weren't --

LEG. BISHOP:

Well, I'd like to know -- if you follow that logic, we should have --

P.O. TONNA:

It's 12 o'clock at night and I just, you know --

LEG. BISHOP:

I'll just send them a copy of the county budget and then they can either --

P.O. TONNA:

Yeah, right, okay.

LEG. BISHOP:

I mean, there's a point at which it becomes --

P.O. TONNA:

Too much knowledge?

LEG. BINDER:

Do we have a line for the parks?

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LEG. BISHOP:

-- overwhelming and less informative to understand --

P.O. TONNA:

That's what I'm trying to have you work out here on the record. Go ahead.

LEG. BISHOP:

The reason that there's a separate police tax is because there's a separate police district, there's a separate line for that. This is

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breaking out a line item of our budget --

P.O. TONNA:  
That is actually a separate budget.

LEG. BISHOP:  
-- and making it a separate tax line. And why are we picking the college. You know --

LEG. FOLEY:  
Because you will just --

LEG. BISHOP:  
Why not pick --

LEG. FOLEY:  
I'll answer the question.

P.O. TONNA:  
The courts.

LEG. BISHOP:  
-- Social Services --

P.O. TONNA:  
The courts.

LEG. BISHOP:  
Or the courts --

P.O. TONNA:  
Let's put them on.

LEG. FOLEY:  
You could do that if you wanted to. You could.

LEG. CRECCA:  
We have it on there.

LEG. FOLEY:  
You could.

LEG. CRECCA:  
It's already separated out.

LEG. BISHOP:

Well, I don't think that's a good policy. I think that --

LEG. CARACCIOLO:

Vote no.

P.O. TONNA:

Okay.

LEG. BISHOP:

I'm concerned about the logic to that policy.

P.O. TONNA:

I knew Legislator Foley, if you explained this, it wouldn't go through. Go ahead.

LEG. FOLEY:

Well, the person asked the question, so I had to answer it. If he doesn't like the answer, I can't help that.

P.O. TONNA:

All. We're getting to whacky time.

LEG. POSTAL:

Maybe it's a baffling thing.

P.O. TONNA:

Go ahead.

D.P.O. POSTAL:

But I really agree with Legislator Bishop. I think that there are a lot of people here who don't even know that their taxes are supporting the community college. They think tuition --

LEG. FOLEY:

That's exactly right.

P.O. TONNA:

And it's better left that way?

D.P.O. POSTAL:

And wait. Let me --

LEG. FOLEY:

Yeah, you're absolutely right.

LEG. POSTAL:

If you'll let me continue. And I think that you could -- it could end up being a very -- it could end up producing exactly the opposite sentiment from the one that you're hoping to create.

LEG. FOLEY:

Well, so be it. I think they have the right to know, that's the whole point.

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LEG. POSTAL:

Well, I think that -- you know, I remember a few years ago when the administration in Babylon sent out a letter with percentage of increase, and even though it's a small amount of money, particularly because it's a small amount of money, if the increase ends up being a larger percentage increase -- sorry.

LEG. FOLEY:

I know, they really have this on.

LEG. POSTAL:

I think -- you know, I don't feel strongly enough that I would not support it, but I think it could do just the opposite of what you're intending it to do.

LEG. FOLEY:

Well, if I just may answer the question. I understand your point, but, actually, it's going to do the opposite, because if we all recall that when we receive the proposed operating budget and when we receive the Budget Review Office's analysis of the proposed budget, when you look at the town-by-town breakdown of the proposed community college budget, in most towns, it's less than \$10 a household. So when people see that, when it's \$9 a household or \$10 a household, in stark contrast to the 7,000 -- well, to the three or four or \$5,000 they pay for the school districts, I think they're going to see that there's a very small amount of property tax dollars going to the community college.

P.O. TONNA:

The only --

D.P.O. POSTAL:

I'm going to send you my angry letters.

P.O. TONNA:

Right. The only --

LEG. FOLEY:

That will be fine.

P.O. TONNA:

The only problem I see, Brian, and it was brought out, is that my tax bill now has the aggregate amount and then a percentage, and it's the percentages that can be very misleading. And when you might have a cut in a budget or a 4% increase, but you have a 10% increase in the community college piece, I think it does a disservice to the overall

look of the hard work that we provide with regard to trying to keep our costs down. So, you know, I think that -- I think that it might be misleading when I look at the percentage rather than the overall amount. And I think that probably decision and the debate that each person has to make is, you know, whether it's more informative for taxpayers to see the very, very minuscule infinitesimal amount that their overall tax bill goes to the college versus something that can be misleading, which is percentages. And I think every one of us who have run a couple of elections have been able to see that you might have an infinitesimal amount of increase in the general fund, and yet,

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you know, because there's a percentage attached to it, that it could be very misleading.

LEG. BISHOP:  
Paul, may I?

P.O. TONNA:  
Yeah.

LEG. BISHOP:  
You know, one of the things that we successfully argued, and Legislator Foley was a leader in it, is that the tax bill shouldn't be political, and what the towns were doing was that they were placing on the County portion what was their error and that was a political move. When you arbitrarily decide that this is something you want to highlight in the tax bill, not because it's a separate taxing jurisdiction, but because you want to make a statement that it's a bargain, now you're making the tax bill political, and I think that's a bad road to go down. It's --

LEG. FOLEY:  
Well, if I may answer that. It's not a political decision, it's a governmental decision, similar to what they do in other counties, is to inform the public as to what the property tax portion of the bill is for a -- for their community college. So I don't -- it's not a political decision, Legislator Bishop, it is a governmental decision to make them aware of what the tax -- property tax implications are --

LEG. BISHOP:  
Political support.

LEG. FOLEY:  
For that particular institution.

P.O. TONNA:  
Okay.

LEG. D'ANDRE:  
Mr. Chairman.

LEG. FOLEY:  
It's been done in other counties and I just think it would make sense to do the same here.

LEG. D'ANDRE:  
Mr. Chairman.

P.O. TONNA:  
Legislator D'Andre.

LEG. D'ANDRE:  
We're wasting too much time on this trivia.

P.O. TONNA:  
There we go. Let's vote.

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LEG. D'ANDRE:  
Let's vote, or table it, or knock it down, or pass it.

P.O. TONNA:  
All right. All in -- let's roll call this one.

LEG. D'ANDRE:  
I make a motion table.

P.O. TONNA:  
Table or just let it go up or down?

LEG. D'ANDRE:  
Well, it depends how long it takes you to call it.

P.O. TONNA:  
Okay. Let's start voting, and then if you need to table it, Legislator D'Andre, you can call the table and I'll second it. Go ahead.

(Roll Called by Mr. Barton)

LEG. FOLEY:  
Yes.

P.O. TONNA:

This is not -- this is to approve.

LEG. FISHER:  
Yes.

LEG. COOPER:  
No.

LEG. BINDER:  
No.

LEG. BISHOP:  
Respectfully, no.

LEG. D'ANDRE:  
No.

LEG. CRECCA:  
Pass.

LEG. FOLEY:  
Pass.

LEG. ALDEN:  
No.

LEG. FIELDS:  
No.

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LEG. LINDSAY:  
I have to abstain. I'm on the board of the Suffolk Community College Foundation, and I have not removed myself from that as yet.

LEG. HALEY:  
Pass.

LEG. CARACAPPA:  
No.

LEG. TOWLE:  
Yes.

LEG. GULDI:  
Pass.

LEG. CARACCILO:  
Yes.

LEG. POSTAL:  
No.

LEG. TONNA:  
No.

LEG. CRECCA:  
Yes.

LEG. HALEY:  
Yes.

LEG. GULDI:  
Yes.

LEG. CRECCA:  
You didn't take Carpenter's vote.

MR. BARTON:  
Legislator Carpenter.

LEG. FOLEY:  
Abstain.

MR. BARTON:  
Seven.

#### WAYS AND MEANS

P.O. TONNA:  
Okay. Let's go on to Ways and Means. Number 1124 (Authorizing the sale of surplus County van to the Town of East Hampton). Is there a motion?

LEG. GULDI:  
Motion.

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P.O. TONNA:  
Legislator Guldi.

LEG. TOWLE:  
Second

P.O. TONNA:

Motion and a second. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

Great. 1163 (Approving the appointment of Gerard McCarthy to Detective Lieutenant in the Suffolk County Police Department). Motion by -- is this somebody, in somebody's district here, Gerald McCarthy?

LEG. CARACCIOLO:

Motion.

P.O. TONNA:

Motion by Legislator --

LEG. ALDEN:

Second.

P.O. TONNA:

-- Caracciolo.

LEG. GULDI:

Second.

P.O. TONNA:

Seconded by Legislator Alden.

LEG. BINDER:

Mr. Chairman. Mr. Chairman.

P.O. TONNA:

Wait, wait, wait. Motion and a second. Yes, Legislator Binder.

LEG. BINDER:

On the motion. The reason I had this taken off, I objected to it being on the consent calendar, is this is -- I don't know Mr. McCarthy, it's not about him, it's a question of whether this division needs to be -- to be in existence. They just made 16 detectives. It's the Criminal Division, which is brand new, and 16 P.O.'s became detectives. And so I think we should start looking at things like this, whether this is a brand new division and now we're making it another detective. And so people who are on the street are not on the street, and so I think we should start looking at it. So I just wanted to highlight that and that's why objected to this, not this person.

LEG. GULDI:

On the motion.

P.O. TONNA:  
Right. Is this --

LEG. GULDI:  
On the motion.

P.O. TONNA:  
I just ask Legal Counsel before -- where is our Legal Counsel?

LEG. GULDI:  
If I may.

P.O. TONNA:  
Maybe you can answer this.

LEG. GULDI:  
This was in Ways and Means. The reason -- the only reason it was on the agenda is that this particular detective is related to another member of the Police Department who happens to be a sergeant. And it's here merely because of our conflicts rule or our nepotism rule for requiring those promotions to come before the Legislature.

P.O. TONNA:  
Okay.

LEG. GULDI:  
With respect to Legislator Binder's concern about the creation of the division, I respectfully submit that this bill, since it's merely a conflict resolution, isn't the proper way to raise that concern and we should look at that in the budget process.

LEG. BINDER:  
No. I think this should pass. It was just -- it gave me the opportunity --

P.O. TONNA:  
Right.

LEG. BINDER:  
-- just to raise it on the floor.

P.O. TONNA:  
To highlight it. Okay. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
1217 (Authorizing use of Smith Point County Park property by Mastic Beach Fire Department, Inc., for Fourth of July Fund Drive).

LEG. TOWLE:

Motion to table.

P.O. TONNA:

Motion to table by Legislator Towle, seconded by myself. All in

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favor? Opposed? Tabled

MR. BARTON:

18.

ENVIRONMENT, LAND ACQUISITION AND PLANNING

P.O. TONNA:

Okay. Yep.1100 (Authorizing the subdivision of th remainder fee of land in the Suffolk County Farmland Development Rights Program (Friars Head Farm).

LEG. CARACCIOLO:

Motion to approve.

P.O. TONNA:

Motion to approve by Legislator Caracciolo, seconded by Legislator Galdi. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

1141 (Reappointing member of the Council on Environmental Quality (R. Lawrence Swanson). Motion by Legislator D'Andre.

LEG. FISHER:

Second.

P.O. TONNA:

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

MR. BARTON:

18.

P.O. TONNA:

Okay. Bonding resolution 1181 (Appropriating funds in connection with the Brownfields Pilot Project). I'll make a -- who wants to do this one?

LEG. CARACCIOLO:

Bishop.

P.O. TONNA:  
Brownfields, Bishop?

LEG. CARACCIOLO:  
Bishop.

P.O. TONNA:  
Bishop, seconded by myself. Roll call.

(Roll Called by Mr. Barton)

LEG. BISHOP:  
Yes.

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P.O. TONNA:  
Yep.

LEG. COOPER:  
Yes.

LEG. BINDER:  
Abstain.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Yeah.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yep.

LEG. TOWLE:

Yes, cosponsor.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

D.P.O. POSTAL:

Yes.

MR. BARTON:

17, 1 abstention.

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P.O. TONNA:

Okay. Great. Same motion, same second, same vote. Okay. 1221  
(Authorizing subdivision of the remainder fee of land in the Suffolk  
County Farmland Development Rights Program (Le Clos Therese  
LP-Riverhead). Motion by Legislator Caracciolo.

LEG. GULDI:

Second.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

Well, let me -- second by Legislator Guldi?

LEG. CARACCIOLO:

Yes. Counsel, Paul, I just faxed to you this resolution with some  
comments from David Grier of the County Attorney's Office concerning  
what he felt was an amendment to the "resolved" clause, so that it  
would be consistent with 1100, Friars Head, in terms of the Riverhead  
Planning Board. Have you seen that yet, Paul?

MR. SABATINO:

On 1221, no. 1221 is yours.

LEG. CARACCIOLO:

No, I know that. I know 1100 is the County Executive.

MR. SABATINO:

Right. I've got nothing on 1221.

LEG. CARACCIOLO:

Okay. Maybe you haven't received it yet. But, in essence --

MR. SABATINO:

Well, unless it happened this afternoon, but --

LEG. CARACCIOLO:

Okay. In essence, what Dave points out is that for the purposes of consistency, we should have the same language in terms of a "resolved" clause as to actions taken by the Riverhead Planning Board, as was of the case with the Friars Head resolution. If you don't see a need to do that, then I will move the motion for passage.

MR. SABATINO:

Well, let me just go back and look at 1100, but the issues were different. The difference between the two is that the resolution that came on 1100 had a representation that the Town of Riverhead had approved --

LEG. CARACCIOLO:

Right. And that was in the Farmland Select Committee.

MR. SABATINO:

Right. It turned out that the information was incorrect, so that the correction that was asked for was to delete an inaccurate statement.

LEG. CARACCIOLO:

Okay.

MR. SABATINO:

Your resolution never recited that the Town of Riverhead had --

LEG. CARACCIOLO:

Okay. So this resolution, as you see it, is sufficient and meets all of the requirements for its passage tonight.

MR. SABATINO:

It was, based on the information that we had, unless we were given inaccurate information with regard to --

LEG. CARACCIOLO:

The only point he was making was, you know, should there be a reference -- there should be a reference to actions taken or not taken by the Riverhead Planning Board.

MR. SABATINO:

I think I understand your question. No, because the point of difference between the two --

LEG. CARACCIOLO:

All right. If that's your answer, then move the -- move the resolution.

P.O. TONNA:

Okay. Motion, second. All in favor? Opposed?

MR. BARTON:

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P.O. TONNA:

Fine. Number 1231 (Approving acquisition under Suffolk County Land Preservation Partnership Program Town of Riverhead). Is there a motion, Legislator Caracciolo?

LEG. CARACCIOLO:

Yes, motion.

P.O. TONNA:

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

MR. BARTON:

18.

P.O. TONNA:

1232 (Making a SEQRA determination in connection with the proposed improvements to Sewer District #15-Nob Hill, Hauppauge, Town of Islip). Motion? I guess Legislator -- where is -- which part of Islip is this?

LEG. CRECCA:

That's mine.

Okay.

LEG. CRECCA:  
Motion to approve.

P.O. TONNA:  
Motion by Legislator Crecca, seconded by Legislator Carpenter. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
1253 (Appointing member to the Council on Environmental Quality (Lance Mallamo). Motion by Legislator D'Andre, second by Legislator --

LEG. CRECCA:  
Second.

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

LEG. BISHOP:  
Opposed.

P.O. TONNA:  
Okay. You're opposed? Okay. Bishop is opposed.

MR. BARTON:  
17.

P.O. TONNA:  
Okay. 1257 (Authorizing planning steps for acquisition under Suffolk County Land Preservation Partnership Program (Property at Park Avenue, C.R. 35, Hilaire Woods) Town of Huntington). Motion by Legislator Cooper, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
1259 (Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program). Motion by Legislator Cooper, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:  
18.

DISCHARGED BY PETITION

P.O. TONNA:  
Okay. Discharged by petition. (1022-Implementing Greenways Program in connection with acquisition of active parklands at Riverhead (Town of Riverhead)

LEG. CARACCIOLO:  
Motion.

P.O. TONNA:  
Motion by Legislator Caracciolo.

LEG. HALEY:  
Second.

P.O. TONNA:  
Seconded by Legislator Haley. On the motion. Why was this discharged?

LEG. CARACCIOLO:  
It was inadvertently in committee tabled.

P.O. TONNA:  
Okay. Legislator Bishop, you're the Chairman of that committee. Why was this inadvertently tabled?

LEG. BISHOP:  
Well, because the Legislator of the First District was asleep at the switch for a moment.

LEG. CARACCIOLO:  
Oh, I will explain, Mr. Chairman, why.

P.O. TONNA:  
Well, wait, no. Instead of that, I don't --

LEG. TOWLE:  
I'll tell you what, you explain it, it fails.

LEG. BISHOP:  
And he made the wrong motion.

LEG. CRECCA:  
Don't explain anything.

LEG. TOWLE:  
Don't.

P.O. TONNA:  
All I ask you is, Dave, with your permission, did you sign this discharge?

LEG. BISHOP:

I did sign the discharge.

P.O. TONNA:  
Okay.

LEG. BISHOP:  
Because it was clear that --

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P.O. TONNA:  
Fine.

LEG. BISHOP:  
-- there was confusion.

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

MR. BARTON:  
18.

P.O. TONNA:  
Okay. Procedural motion.

LEG. CARACCIOLO:  
I have to correct the record, Mr. Chairman, on that comment. No,  
that's --

P.O. TONNA:  
Okay. Could we do that later.

LEG. CRECCA:  
Oh, please.

LEG. TOWLE:  
Motion to reconsider.

LEG. CARACCIOLO:  
No, we'll do that, point of personal privilege, exactly. On 1022 --

P.O. TONNA:  
You only get one a meeting now.

LEG. CARACCIOLO:  
There are three resolutions on the committee agenda for the same piece  
of property, and I inadvertently tabled this one thinking that it was  
one of the three that needed to be tabled, because we had already

approved passage of the correct one. That was not the case. So to set the record absolutely straight, it was inadvertent and now we have corrected that. And I thank Dave Bishop, as Chair of the committee, for bringing it to my attention immediately after that committee meeting ended, so that we could discharge it by petition.

LEG. HALEY:

So he wasn't asleep, he just screwed up.

P.O. TONNA:

Okay. All right. All right. You got a haircut for that. Let's go on.

LEG. CRECCA:

I signed it.

#### PROCEDURAL MOTIONS

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P.O. TONNA:

Procedural Motion Number 4 (Authorizing retention of law firm in connection with MTBE litigation).

LEG. ALDEN:

Motion.

P.O. TONNA:

Motion by Legislator Alden.

LEG. CRECCA:

Second.

P.O. TONNA:

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

LEG. COOPER:

I'm going to have to abstain on this.

P.O. TONNA:

Have Warren send out the press release. Okay. It's already cranking.

LEG. COOPER:

I have to abstain.

P.O. TONNA:

All right. Warren, send out that press release.

BUDGET

All right. 1125 (Amending the 2001 Operating Budget and transferring funds for the removal of iron from drinking water). Motion by Legislator Alden, seconded by Legislator Postal.

LEG. HALEY:  
On the motion.

P.O. TONNA:  
On the motion.

LEG. HALEY:  
How much?

LEG. GULDI:  
Fifty.

LEG. FISHER:  
Fifty thousand.

LEG. HALEY:  
How much iron are you going to get removed for \$50,000?

P.O. TONNA:  
Can I ask you something? Wait. Is this coming out of the -- where is this coming out of? Don't tell me the Legislative budget -- our Legislative budget.

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LEG. ALDEN:  
No. It's just your personal district office budget.

P.O. TONNA:  
Well, my district office budget is your district office budget. What -- where is this coming out of?

MR. POLLERT:  
Coming from the Budget Review 456 Account.

P.O. TONNA:  
How much are we down to?

LEG. FOLEY:  
We've got plenty.

P.O. TONNA:

Don't say it publicly, I want to find out later.

LEG. HALEY:  
I need 25 out of there.

P.O. TONNA:  
Give me a full report later. Anyway --

LEG. HALEY:  
I'm starting to wake up, Mr. Chairman.

P.O. TONNA:  
Yeah. I --

LEG. HALEY:  
Motion to --

P.O. TONNA:  
Can I just ask, can't we -- can't we --

LEG. HALEY:  
-- extend the meeting to three.

LEG. TOWLE:  
That was a joke, right?

P.O. TONNA:  
Can't we find another offset than these -- all this money from the 456? Why spend it where it's supposed to be spent out of? Can't we spend it something in the County Executive's Office somewhere, office supplies or something? All right. Anyway, all in favor? Opposed?

MR. BARTON:  
18.

LEG. FIELDS:  
Abstain.

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P.O. TONNA:  
Abstain?

LEG. FIELDS:  
Abstain.

P.O. TONNA:  
Okay.

MR. BARTON:  
17, 1 abstention.

LEG. FISHER:  
Abstain, Henry.

P.O. TONNA:  
Who else is abstaining?

MR. BARTON:  
Oh.

P.O. TONNA:  
That's two of the women caucus' members, only two? Okay.

D.P.O. POSTAL:  
But it's not a universal caucus position.

P.O. TONNA:  
Couldn't get a consensus. Okay. That's not a universal caucus position --

MR. BARTON:  
16, 2 abstentions.

P.O. TONNA:  
-- for the women's caucus. Okay. Human Resources.

LEG. CRECCA:  
On the motion

P.O. TONNA:  
Ginny. Ginny, do you want to say why you abstained, by the way? Yeah, you should. So why did you abstain on that vote? Okay, great. Yeah.

LEG. FIELDS:  
My son is employed there, so I have to abstain.

P.O. TONNA:  
Is that the Water Authority?

LEG. FIELDS:  
Yes.

P.O. TONNA:  
Okay, great. All right. Thank you.

HUMAN RESOURCES

All right. Human Resources, what I heard, very, very charged committee. 2325 (To grant quarterly open transfer period for health insurance). Legislator Alden, is there a motion?

LEG. ALDEN:  
Motion to table.

P.O. TONNA:  
Motion to table --

LEG. HALEY:  
Second.

P.O. TONNA:  
-- by Legislator Alden.

LEG. POSTAL:  
Second.

P.O. TONNA:  
Seconded by Legislator Postal.

LEG. TOWLE:  
You want to refer it to committee?

P.O. TONNA:  
Warren. Tell Warren to hold the press release on this one. All in favor? Opposed? Tabled.

MR. BARTON:  
18.

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P.O. TONNA:  
Yeah, okay. 1215 (Electing to grant performance of duty disability benefit for certain Sheriff's Office employees). Is there a motion?

LEG. CRECCA:  
Motion to approve.

P.O. TONNA:  
Motion to approve by Legislator Caracciolo, seconded by Legislator Towle. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Number 1216 (Electing to grant disability benefits to the County Sheriff, Undersheriffs, Deputy Sheriffs, and County Correction Officers).

LEG. CARACCIOLO:  
Motion.

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P.O. TONNA:  
Motion --

LEG. TOWLE:  
Second.

P.O. TONNA:  
-- by Legislator Caracciolo, seconded by myself. All in favor?  
Opposed? Approved.

MR. BARTON:  
18.

MR. MAGGI:  
Thank you all very much.

P.O. TONNA:  
You're welcome.

MR. MAGGI:  
I'm going to my cardiologist right now.

P.O. TONNA:  
Yeah, right.

LEG. ALDEN:  
So is your whole staff.

LEG. HALEY:  
Call the deputies.

P.O. TONNA:  
Billy.

LEG. HALEY:  
Throw them out for interrupting the meeting.

P.O. TONNA:  
Billy, can I say something? Billy, if you need a disability, it will  
be a mental one, trust me.

LEG. GULDI:  
Billy, tell him I wish him luck.

P.O. TONNA:  
Okay.

MR. MAGGI:  
The Vito Maggi connection. Thank you very much.

P.O. TONNA:  
All right. You're welcome. Jordan.

LEG. TOWLE:  
Vito Maggi.

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P.O. TONNA:  
Jordan, now that you're going to be flushed with cases; okay? Yeah, right.

Okay. 1254 (Creating Suffolk County "E -Government Task Force), E-Government Task Force. Go ahead, Jonathan, tell me what this is. I'll second it for the purposes of listening to this. What does this do?

LEG. COOPER:  
It's to create --

P.O. TONNA:  
Is this something with Pet Save Program

LEG. COOPER:  
Nothing to do with Pet Save. It --

P.O. TONNA:  
Okay.

LEG. CRECCA:  
It's a training program to teach pets how to use the internet.

LEG. TOWLE:  
For \$500,000 as well.

LEG. COOPER:  
I can't top that.

LEG. CRECCA:  
I'm sorry Jon.

P.O. TONNA:  
Go ahead, Jon.

LEG. COOPER:  
It's to create a Task Force drawing from both the private sector as well as the public sector to analyze ways that Suffolk County government could be run more efficiently, provide greater access to citizens, reduce costs, etcetera, etcetera.

P.O. TONNA:  
Great.

LEG. CRECCA:  
How much?

P.O. TONNA:  
How much money?

LEG. COOPER:  
I think it's a maximum of a thousand dollars.

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P.O. TONNA:  
Okay. We can -- where is it coming out of?

LEG. POSTAL:  
The 456 Account.

P.O. TONNA:  
Fred, is this the 456 Account?

MR. POLLERT:  
No, it doesn't transfer funds. It just says that expenses will not exceed \$2,500, but I don't believe that it --

P.O. TONNA:  
But it doesn't have any appropriation?

MR. POLLERT:  
That's correct.

P.O. TONNA:  
So, in other words, we say that we can spend money, but we don't direct where, so that means we can't spend any, right?

LEG. GULDI:

That's right. It says we can't spend more than 2,500.

P.O. TONNA:

All right. Can I ask you why you're coming with E-business concepts. There has E payment. All right? So how do we do that, Fred? I mean, it says you can't spend a -- or than 2,000, or whatever else, but I think -- Paul, maybe I'd ask you.

MR. POLLERT:

Probably what would be required is that the committee would have to come back before the Legislature to request a specific appropriation or --

P.O. TONNA:

Great. I love that.

MR. SABATINO:

Right. It's just like -- all the bills are done this way. There's a cap put on, just like there was on the DARE Program, and you have to come back to appropriate the money.

P.O. TONNA:

Okay, great. All in favor? Opposed?

LEG. BINDER:

Opposed.

P.O. TONNA:

Opposed, Legislator --

MR. BARTON:

17.

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P.O. TONNA:

-- Binder.

#### DISCHARGED BY PETITION

Okay. Discharge Petition Number 1129 (Expediting implementation of enhanced Child Care Program). Is there a motion?

LEG. FISHER:

Motion to approve.

P.O. TONNA:

Motion to approve, I'll second it.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

On the motion. Hold it a second. I think the Commissioner Hickey would like to come up and address this.

LEG. CARACCIOLO:

Could someone provide an explanation why this was done by discharge petition?

P.O. TONNA:

Sure.

LEG. FISHER:

I can explain.

P.O. TONNA:

How about the Chairman?

LEG. FISHER:

The Commissioner came to speak at the Human Resources Committee and he had to leave. It was taken out of order before I had arrived and I was able to state the case as to why -- to answer all of the issues that were brought up by the Commissioner, but there -- the Chair, who signed the discharge petition, had agreed not to pass it out of committee after the Commissioner had left, because he had already voted on it while the Commissioner was there. But we did discharge it in order to have it come to the full Legislature.

P.O. TONNA:

My thing was I think I was one of the signees of that discharge petition.

LEG. FISHER:

Yes.

P.O. TONNA:

But only after the Chairman of the Human Services Committee -- Human Resources Committee signed it.

LEG. CARACCIOLO:

Well, now I will refresh your failing memory, that you also signed my discharge petition.

P.O. TONNA:  
When did I sign your discharge petition?

LEG. CARACCIOLO:  
The one, 1022.

P.O. TONNA:  
I signed a discharge petition for you?

LEG. CARACCIOLO:  
You sure did. I have your signature on it.

LEG. TOWLE:  
Mr. Presiding Officer.

P.O. TONNA:  
Did I get permission from whoever the Chairman was of that committee?  
Who was that? Oh, Bishop, yeah.

LEG. HALEY:  
Paul, don't go there.

P.O. TONNA:  
All right.

LEG. TOWLE:  
Presiding Officer.

P.O. TONNA:  
I did. Yes.

LEG. TOWLE:  
Just to add a little bit to Legislator Caracciolo's question. The concern was also brought up at the committee meeting, unfortunately, after the Commissioner left. And once Legislator Fisher got there, that this program was about to start. The funding was urgent. It was a question of, you know, not delaying it. And, as I had said at the committee, to the County Executive's representative, the Commissioner could be here tonight. I had hoped tonight was going to be about five hours ago, but tonight nonetheless. I figured the debate could be had here and that's why I signed the discharge petition.

P.O. TONNA:  
Go ahead, Dan.

MR. HICKEY:  
First, I'd like to say good morning.

P.O. TONNA:  
Yeah, right.

LEG. GULDI:

Thank you.

LEG. TOWLE:

Do you have breakfast?

LEG. GULDI:

Are you buying breakfast?

MR. HICKEY:

Okay. When I went to the Human Services Committee, I had some issues with the legislation. We had some discussions with Vivian, but they were not finished at that point in time. Unfortunately, it resulted in the result here tonight.

One of the objectives that I had, and I said at that committee, that this resolution was passed in the omnibus bill, and as a resolution standing alone, it had never been discussed in committee or in the public, and I felt as the Commissioner, it was a substantial inflution of money in a new area and setting a precedent, and I felt that it needed public debate, and that was -- that was my primary objective for bringing it before the committee and making an issue of it. And I just want to make sure that every Legislator realizes that this is a half a million dollars, over a half a million dollars that's going to be spent. It's coming from County funds. It is not being supported in any way, shape or form by State and Federal funds. So this is something that we will be standing alone on.

We also took a look at the original resolution and we determined, to adequately do what Vivian had originally requested, was in excess of two-and-a-half million dollars. So we believe that this resolution, as it currently stands, is underfunded.

We also recognize the fact that this is a multi-year issue, not a single issue. That once we get into this funding --

LEG. CRECCA:

Dan, can you put the microphone closer to your mouth? I apologize to interrupt, but it's difficult hearing.

MR. HICKEY:

That once we get into this funding stream, it's anticipated that we will continue to pay these subsidies to these employees year in and year out. And I recognize that the wages are very low there, but as the Commissioner of the Department of Social Services, and as I explained to Vivian, I also have other concerns about nurses, home health care aides, home care providers, and other things, and this is just the tip of the iceberg. I feel that it really needs to be discussed. If this committee decides to go ahead with this legislation, this department will implement it vigorously, but I think

it needs public debate, and that's one of the reasons why I brought this issue up.

P.O. TONNA:

Okay. Just a question, and then I'll recognize Legislator Crecca.

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MR. HICKEY:

Yeah. Can I finish, Paul? I just --

P.O. TONNA:

Oh, I'm sorry. I thought you were done.

MR. HICKEY:

I would also like to say that the Department of Social Services, you know, really supports child care. Since 1997, we have raised the rates that we pay to our child care providers by over 53%. We were paying back in 1997 \$4,200 per child. Today we are paying \$6,500 per child. That money is based on going to the State maximum rates, and it's based on cost of overhead, including salaries, and is supposed to be past on to the employees out there. If this money was being supported by State and Federal funding, we would certainly be behind it, but as I say, it's a major commitment of County funds, it is a precedent, and I think we all have to be aware of that when we're making our decision. Thank you.

LEG. D'ANDRE:

Mr. Chairman.

P.O. TONNA:

Just wait. I had a question, and then I think Legislator --

LEG. D'ANDRE:

Identification here. On the bill in the envelope provided, it's 1478. On this one, it's 1129.

MR. SABATINO:

No. The documents in that folder are just backup. That's the first time it was introduced in the Year 2000. The one you're voting on is 1129.

LEG. D'ANDRE:

Okay. Okay, thank you.

P.O. TONNA:

Thank you. And thank you for that clarification. I was confused myself, Legislator D'Andre.

Okay. The concern that, or maybe the question that I have, I just want to -- does this in any way stagger or concentrate on the lower end salaries? That was the one concern I had.

MR. HICKEY:  
You know.

P.O. TONNA:  
And I think we brought it up at the omnibus --

LEG. FISHER:  
Yes. I had addressed that earlier when Paul Arfin was here.

P.O. TONNA:  
Okay.

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LEG. FISHER:  
And I've discussed this with the Commissioner, which is that what we're looking for in this resolution is to name an agency that would manage and implement the program. And in that implementation and management outcome from this resolution, we would prioritize who the recipients of the stipends would be. And we are all in agreement that it should be at the lower level -- the lowest paid day-care providers.

MR. HICKEY:  
In the discussion that we had, when we cost it out, the two-and-a-half million dollars, it was based on the original bill that Vivian proposed, and it was a tiered system, paying different amounts at different levels. The discussion that we had earlier this evening, if we decide to go ahead with this, we would concentrate on those people at the lowest levels.

P.O. TONNA:  
Okay. The concern that I have, we need an agency to develop the plan? Why can't -- why can't Social Services -- why do we have to go to an outside agency and pay some money, or is that how it's --

LEG. FISHER:  
Well, because this is how I was told by Social Services that you do this kind of procedure.

P.O. TONNA:  
They're going to -- we're going to -- we're going to contract --

LEG. FISHER:

Would you like to take that question?

P.O. TONNA:

We're going to contract somebody out of the \$500,000?

MR. HICKEY:

The contract agency that was to receive this money, which is the Child Care Council, was mentioned in the omnibus resolution, but in -- and that appropriation was given to our department. But in order for me to actually give that money to them without going through an RFP process, according --

P.O. TONNA:

Right.

MR. HICKEY:

-- to the County Attorney's office, required a separate resolution to do that. That's why we wound up in Human Services Committee.

P.O. TONNA:

Okay. Just the one last piece. We're going to ask the Child Care Council, right, to figure out how to appropriate this money or come up with a plan?

MR. HICKEY:

Well, I think they have a plan and we would negotiate, you know, the

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procedures with them, you know --

P.O. TONNA:

If they have a plan already --

MR. HICKEY:

-- to everybody's liking.

P.O. TONNA:

-- and we're giving a half a million dollars to industry --

MR. HICKEY:

That's correct.

P.O. TONNA:

-- why should we pay any of that portion to the Child Care Council, per se, for the services that -- I mean, we want to get this money to the -- right, to the teachers, the child care teachers?

LEG. FISHER:

Money goes right to the teachers.

P.O. TONNA:

Well, how much money are we paying the Child Care Council to come up with a plan?

LEG. FISHER:

Dan, I don't know how much.

MR. HICKEY:

I believe it's -- I believe it's 80,000.

P.O. TONNA:

Eighty thousand dollars?

MR. HICKEY:

Well, 5%.

LEG. FISHER:

Twenty-seven.

MR. HICKEY:

Forty thousand dollars?

LEG. FISHER:

Twenty-seven. Twenty-seven.

P.O. TONNA:

Okay. Why even \$27,000?

LEG. FISHER:

Because you have to have applicants who apply for the money, and then you have to have someone look at the application, verify the employment, verifying the certification.

P.O. TONNA:

Oh, there's a service that they're providing? This is not just a plan, a model. We're not -- it's not like a --

LEG. BISHOP:

They're administering it.

LEG. FISHER:

Right.

LEG. BISHOP:  
They're planning --

P.O. TONNA:  
They're administering it?

MR. HICKEY:  
It's administrative fees.

LEG. FISHER:  
They have to implement it. They have to administer.

P.O. TONNA:  
Why can't somebody in Social Services do this?

LEG. FISHER:  
Do you have lots of extra people, Dan, to do this?

P.O. TONNA:  
Wait, wait, wait. Can I ask you?

LEG. CRECCA:  
Mr. Chairman.

P.O. TONNA:  
Just from my standpoint, listen, I know --

LEG. CRECCA:  
Mr. Chairman.

P.O. TONNA:  
-- it's \$27,000 and people say, "Who cares," but \$27,000 might supplement four or five more teachers.

LEG. FISHER:  
But somebody has to do the work, so --

P.O. TONNA:  
Right.

LEG. FISHER:  
They are capable of performing this task. Social Services has been on board with having an outside agency do it. That's part of our omnibus.

P.O. TONNA:  
Of course Social Service. Why would they want to do it? I mean, you

know.

LEG. FISHER:

But, okay. Well, if \$27,000, they would have to hire someone to do it. They would need other people.

P.O. TONNA:

Listen, I'm with you.

LEG. FISHER:

That really wasn't an issue with Social Services. That wasn't a problem.

P.O. TONNA:

But it is with me, because if we're going to give \$500,000, we really wanted to give them 2.5 million at the minimum, right? I would just want to maximize every dollar to go to those kids. All that I --

LEG. FISHER:

But someone has to do the work of getting the applications, verifying that the qualifications have been met, disbursing the money, folding in what is being provided by the New York State enhancement, Child Care Enhancement Program. There's a lot of administrative work involved.

P.O. TONNA:

All right.

LEG. CRECCA:

Mr. Chairman.

LEG. FISHER:

So I think that \$27,000 is really not a lot of money for that kind of work.

P.O. TONNA:

But now it's administration, we're not talking about just coming up with -- we're not paying somebody to come up with a -- with a model.

LEG. CRECCA:

Mr. Chairman.

LEG. FISHER:

Well, that's all part of it.

P.O. TONNA:

We're paying somebody to administrate. Okay. Legislator Crecca, you have the floor.

LEG. CRECCA:

Thank you.

MR. HICKEY:

The omnibus resolution specifies that it's to be done by a contract agency --

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P.O. TONNA:  
Okay.

MR. HICKEY:  
-- a not-for-profit.

LEG. CRECCA:  
Doesn't it --

MR. HICKEY:  
That's the way it was written.

LEG. CRECCA:  
I guess a question for -- to start out with, wasn't it the Child Care Council that initially did the determination that this program was necessary, and now we're going to use them to implement this; is that correct?

LEG. FISHER:  
The Child Care Council is an advocate for child care workers. But when I was drawing up the resolution and brought it to the Budget Committee, I had done research on the North Carolina Wages Program. I had gone to the California Cares Program.

LEG. CRECCA:  
I wasn't asking --

LEG. FISHER:  
The New York State Child Care Enhancement Program. Those were models, so it wasn't a resolution that was written by the advocate who is now going to be administering it.

LEG. CRECCA:  
Okay. I mean, one of my concerns in moving forward with this today is that this is -- this bill, I think, has serious impacts. Some of those I intend to bring out through questions today. But I really think the more appropriate place for this to be hashed out is in committee. I understand why you did the discharge petition. I don't argue with the reasoning behind the discharge petition. But in the same respect, too, there are some serious implications, not just from a policy point of view, but from budgetary point of views, in enacting this legislation today. I think it would be more proper for Chairman Towle and the Committee to address these issues in a hearing in the committee process. I was --

LEG. FISHER:

But, actually, I think this is very appropriate, because there are -- everyone is present here.

LEG. CRECCA:  
Okay. If it was --

LEG. FISHER:  
As the Commissioner has said, this isn't a resolution --

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LEG. CRECCA:  
Legislator Fisher.

LEG. FISHER:  
-- that you're able to look at now because it's --

LEG. CRECCA:  
I'm not.

LEG. FISHER:  
-- part of the omnibus.

LEG. CRECCA:  
Okay. I just -- I was posing -- I'm really discussing debate. I'm sure we'll have an opportunity to address it again. So it was -- the question wasn't really posed to you.

LEG. FISHER:  
Oh, to whom was it --

P.O. TONNA:  
We have --

LEG. CRECCA:  
It's not. I'm trying --

LEG. FISHER:  
You were looking at me, weren't you?

LEG. CRECCA:  
I have some comments that I'd like to make as part of --

P.O. TONNA:  
All right.

LEG. CRECCA:

-- debate.

P.O. TONNA:  
Hello, hello, hello. Okay.

LEG. CRECCA:  
The other --

P.O. TONNA:  
Go ahead.

LEG. CRECCA:  
I'm not done. I guess, Fred, could you tell us what the real cost of this is? Would you estimate this year, to the extent you can? And, also, my -- the follow-up to that question is, obviously, we're funding it this year, but this is a -- this involves continued funding. And my concern is, is that we're going into -- end this year with a possible budget deficit and have problems next year. What's the cost going to be next year and the year after?

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MR. POLLERT:  
For the this year, the cost will be the funds included in the budget --

LEG. CRECCA:  
The mikes are dead.

MR. POLLERT:  
This year, the cost is going to be the amount of money which is included in the Operating Budget, roughly \$500,000. We have built that into our computer model for this fiscal year. The cost for next fiscal year has been estimated to be approximately \$2 million with no offsetting State or Federal aid. And we have not built that into our budget model for next year, we have just continued a cost to continue at \$500,000.

LEG. CRECCA:  
On that reason alone, I'm going to make a motion to table this bill. You know, we're talking about -- if we enact this today, we are, number one, singling out this industry. But number two, and more importantly, we are -- you know, we may be committing to spend \$500,000 this year, but I don't want to start a program that we can't fund next year. And you're talking about \$2 million next year, folks, in a year when we don't even know if we can make budget next year without major tax increase. So, you know, it's a noble idea, but that's a lot of money. And in a time when we're killing other

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projects and trying to cut things, we should not be funding something, and I've heard this said time and time again by people at this horseshoe, we should not fund programs unless we have a way or a source to have continued funding.

This issue is being addressed, maybe not to the extent we want, by the New York State Child Care Retention Program. I wish that program was a better program and provided more dollars into this industry.

LEG. FISHER:

You don't have to wish it were a better program. You could supplement it here tonight by voting for this program and you could make your wishes come true.

LEG. CRECCA:

With all due respect, Legislator Fisher, this is not personal with you. I support the Child Care Council --

LEG. FISHER:

It is very personal for me. Not that I take your comments against me personally, but this is about children, it's about child care.

P.O. TONNA:

The mike's got to go back down again.

LEG. FISHER:

It's about working mothers who want to be able to go to work and can't find a place to take care of their children, because we can't retain child care workers and fathers, too.

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LEG. CRECCA:

Would you like me to yield to you? I'll be happy to yield to you, Legislator Fisher.

LEG. TOWLE:

She already did that.

LEG. FISHER:

Okay. We have made --

LEG. CRECCA:

I think I -- I guess I did.

LEG. FISHER:

-- a representation to the people of Suffolk County that this was in the budget. I have been receiving requests since December where child

care providers have asked where can they apply, because they know that this is in our budget. We have said to the people of Suffolk County, "The check is in the mail," and I don't want that to be a lie.

LEG. CRECCA:

Legislator Fisher, first of all, I have a right to give my comments. I've kept it --

LEG. FISHER:

You certainly do, and I'm just returning --

LEG. CRECCA:

Okay. I'm not yielding.

LEG. FISHER:

-- the favor.

LEG. CRECCA:

I just would ask that you keep it in a professional tone. There's no reason -- I understand your passion about this bill.

P.O. TONNA:

I honestly believe part of it is our system, our microphone system.

LEG. CRECCA:

Okay.

P.O. TONNA:

Okay? I'm just -- you know, I'm trying to be --

LEG. CRECCA:

Whatever. Bottom line is, is that, you know, I just don't -- I don't hear an answer where we're going to get this \$2 million from next year. If you have that answer, I'll be happy to ask that question.

LEG. FISHER:

I'm not asking you for \$2 million for next year.

LEG. D'ANDRE:

There was a motion on the table --

P.O. TONNA:

Okay.

LEG. D'ANDRE:

-- to table.

P.O. TONNA:

Just wait. There's a motion. Is there a second?

LEG. D'ANDRE:

I'll second it.

P.O. TONNA:

You'll second it. Okay. Hold it one second now. There's a motion and a second to table. There's a motion to approve and a second, I think, to approve. There is two people who want to speak on this issue. Now, in the Women's Caucus thing, who has seniority? Okay, Legislator Postal.

LEG. BISHOP:

Am I on the list, too, Paul?

P.O. TONNA:

What? And who else wants to speak?

LEG. BISHOP:

Paul.

P.O. TONNA:

Oh, okay. After the Women's Caucus, then the Minority Leader.

LEG. POSTAL:

I would just like to address the issue of voting on something now in terms of hesitancy to make a commitment for the future. Legislator Crecca?

LEG. CRECCA:

I'm sorry.

LEG. POSTAL:

I was just -- I wanted to respond to your concern about voting for something appropriating funding now, when you're not sure that that funding will be available for the future. And I really think there's something that's been very important to me that's kind of analogous, and that is that I think three budget years ago, I sponsored a resolution to create a program called the Patient Navigator Program that I thought was a very valuable program. It's a program that provides intensive case management to victims of breast cancer. It has done incredible things for a large number of people who are victims of breast cancer. When we came to the next budget year, the money was not in the proposed budget. And I was able to, I think with Legislator Alden, provide the funding so that that program continued. That happened again this year when we got the proposed budget for the Year 2001. The money for the Patient Navigator Program was not in the proposed budget, and again, I think that Legislator --

LEG. ALDEN:

No.

LEG. POSTAL:

No?

LEG. ALDEN:

This year I didn't vote yes for the budget.

LEG. POSTAL:

Okay. It then -- sorry. Sorry, I take it back.

P.O. TONNA:

He was slash and burn this year.

LEG. POSTAL:

But the point was that I was able to in the omnibus budget provide funding for it. I think that if that hadn't happened, while I think it was an important program and it's still an important program, I would have felt that at least it did something positive while it continued to be in existence, and I feel the same way about this. That by approving this resolution, at least we do something that at least I feel is necessary. If we end up able to continue the program, then we'll continue to do something that is necessary. But at least we will have done something positive right now. So nobody knows what the future brings, and we go toward the future with the hope that we're going to have the resources to do the good things we want to do, but I don't think the fear of not being able to do them should prevent us from doing something positive now.

P.O. TONNA:

Okay. I'm going to make -- in the meantime, I'm going to make a motion to extend this meeting to 1:30.

LEG. GULDI:

No.

LEG. CARPENTER:

Second.

LEG. FIELDS:

Second.

P.O. TONNA:

We're going to use up all the time just vote on this issue.

LEG. TOWLE:

Roll call.

LEG. GULDI:

Well, let's call the issue.

P.O. TONNA:  
Seconded by Legislator --

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LEG. TOWLE:  
Roll call.

P.O. TONNA:  
No. We're going to let people speak. Legislator --

LEG. FIELDS:  
Fields.

P.O. TONNA:  
Fields. Okay. There's a motion and a second. Roll call.

LEG. GULDI:  
On th motion. This is the motion to extend we're calling?

P.O. TONNA:  
This is a not a debatable motion.

LEG. GULDI:  
Okay.

P.O. TONNA:  
Am I right?

(Roll Called by Mr. Barton)

LEG. TONNA:  
Yes.

LEG. FIELDS:  
Yes.

LEG. COOPER:  
Yes.

P.O. TONNA:  
I ruled it was undebatable.

LEG. BINDER:  
No.

P.O. TONNA:

George, I got you on that one.

LEG. BINDER:  
No to extend.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
Depends how long it takes. Yes.

LEG. CRECCA:  
I'll pass.

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LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
No.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
No.

LEG. TOWLE:  
No.

LEG. GULDI:  
No.

LEG. CARACCIOLO:  
No.

LEG. POSTAL:  
Yes.

LEG. CRECCA:  
I didn't vote yet.

P.O. TONNA:  
Please, Legislator Crecca --

MR. BARTON:  
Legislator Crecca.

P.O. TONNA:  
-- do the right thing here.

LEG. CRECCA:  
Yes.

P.O. TONNA:  
Thank you.

MR. BARTON:  
12.

P.O. TONNA:  
Good. And I just want you to know, Legislator Crecca, this is a little

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better on this end than it is to take whole another day out, because I will take another day to finish this stuff up.

LEG. D'ANDRE:  
So let's move it along.

P.O. TONNA:  
Yes. I would ask -- I would ask -- due to the generosity of Legislator D'Andre, I would ask that people try to keep as much of their comments succinct. Go ahead.

LEG. FIELDS:  
I have a question for the Commissioner. Are some of these women who are in --

LEG. CRECCA:  
I'm sorry.

LEG. FIELDS:  
Are some of these women who are in the child care field women who have come off the Social Services welfare roles?

MR. HICKEY:

I have no indication that they are, but I would assume some of them are. I have no indication of that.

LEG. FIELDS:

Did we not discuss that at a Social Services meeting last year? Many of them are women.

LEG. CRECCA:

Many are men, too.

MR. HICKEY:

Ginny.

LEG. FIELDS:

No. I think the majority of them are women.

MR. HICKEY:

Ginny, to answer your question, the 3,200 children that we serve, many of them are children of welfare recipients who receive this service. I don't know how many welfare recipients are, in fact, teachers. I have no idea, to be clear.

MS. DIAZ:

I don't think we've -- any data has been collected on the numbers of child care providers who employ welfare-to-work moms.

P.O. TONNA:

I think Legislator Fields asked about the people being served, not the people doing the teaching, teachers.

MS. DIAZ:

Yes.

LEG. FIELDS:

The actual people who are employed. Because I was thinking that if we could give them more money, we could keep them off welfare, and that would be a saving just in our budget alone.

P.O. TONNA:

Okay.

MS. DIAZ:

We don't know that.

P.O. TONNA:  
We don't know, okay.

LEG. FIELDS:  
Okay.

MS. DIAZ:  
Nobody's done any kind of survey.

LEG. FIELDS:  
Thank you.

P.O. TONNA:  
Legislator Bishop.

LEG. BISHOP:  
I'd like to change the perspective on this debate somewhat. When Legislator Fisher spoke, she spoke with passion. And, of course, it is about children and that's probably behind it. But if it was me speaking on the issue, I would be speaking with passion about the omnibus process and protecting the integrity of that.

P.O. TONNA:  
Absolutely.

LEG. BISHOP:  
And what we're doing here is we're pulling something out that we had previously agreed to as a Legislative body, that had been negotiated in a budget process with the Executive Branch and we're attacking it. And if -- we're attacking it in the name of this year's fiscal concerns. If this is going to be the only thing attacked, then we should know that. But if this is one of a series of items that are going to be attacked, we should know that as well. And I believe that the omnibus process serves this County's taxpayers very well, and if we were to go down this path of attacking this measure and pulling it out, then we will lose the future credibility in the process, we will lose the trust that we have among each other and with the Executive Branch, and that would do far more damage than the few dollars that we're talking about here at this time.

P.O. TONNA:  
Okay. And with that said and --

LEG. CARACCIOLO:  
I have a question.

LEG. HALEY:  
Oh, go ahead.

LEG. HALEY:  
Oh, no.

LEG. CARACCIOLO:  
What do you mean, "Oh, no"?

P.O. TONNA:  
Wait, wait. Legislator Caracciolo, our microphones are having problems. They're going up and down.

LEG. CARACCIOLO:  
Well, I could hear a lot of people over there talking into the microphone and making my ears go deaf. Fred Pollert? Where's Fred?

LEG. HALEY:  
What did you say?

LEG. CARACCIOLO:  
Okay. Vicky, as we sit here tonight --

P.O. TONNA:  
Just take the mike and just put it a little further away.

LEG. CARACCIOLO:  
As we sit here tonight, what has changed in terms of the County's financial outlook going forward the next 12 months from when we adopted the budget in November? Fred, I don't know if you heard the question.

MR. POLLERT:  
Yes, I did.

LEG. CARACCIOLO:  
Okay.

MR. POLLERT:  
When the omnibus bill was adopted, we had not anticipated that we would have the amount of drop-off in sales tax --

LEG. CARACCIOLO:  
Hold it, Fred. If people in the audience could keep quiet, we'd appreciate it.

MR. POLLERT:  
When the budget was adopted, we had not anticipated the drop-off in the amount of sales tax that has actually materialized for last year as a carry-over fund balance. We received approximately \$26 million less in General Fund sales tax. We're currently projecting approximately a \$13 million shortfall this year. We will know a lot better what the drop-off will be at the end of the quarter, which will

be on the 12th of this month.

LEG. CARACCIOLO:

What is your current best estimate of a County shortfall by year end?

MR. POLLERT:

The cost to continue budget for next year would result in a general fund property tax increase of approximately \$112 million. That includes a smaller carry-over fund balance from last year, and approximately a \$20 million shortfall from this Fiscal Year 2001.

LEG. CARACCIOLO:

Okay. Translate that into percentages.

LEG. BISHOP:

Mike. Mike. Mr. Chairman.

LEG. CARACCIOLO:

I have the floor, Dave.

LEG. BISHOP:

I know, but can --

P.O. TONNA:

No, no.

LEG. CARACCIOLO:

I'm not yielding. I have the floor.

P.O. TONNA:

He has the floor. Let him finish and then --

MR. POLLERT:

Currently, the General Fund property tax warrant is approximately \$50 million, so it would result in more than a 100% property tax increase --

LEG. CARACCIOLO:

Okay.

MR. POLLERT:

-- if no actions are taken.

LEG. CARACCIOLO:

And we want to add \$500,000 to that amount with this resolution, and \$2 1/2 million to that in the future, if you want to continue this program and fund it for a year. Okay.

P.O. TONNA:

Actually, we're not adding to it. This is part of the budget.

LEG. BISHOP:

That was the point of what I was saying.

LEG. FISHER:

This is already part of the budget.

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LEG. CARACCIOLO:

Well, I --

MR. POLLERT:

For this year --

P.O. TONNA:

This is already part of the budget.

MR. POLLERT:

We had assumed that these funds would be expended this year. And I asked Ken Weiss to also make that assumption in his budget model.

P.O. TONNA:

Right.

LEG. CARACCIOLO:

Okay. But nonetheless, we're looking at a significant shortfall of over \$100 million.

MR. POLLERT:

That is correct.

LEG. CARACCIOLO:

Thank you.

P.O. TONNA:

Okay.

LEG. CARACCIOLO:

That's what's changed since November, when omnibus was approved.

P.O. TONNA:

Right. But I could --

LEG. FISHER:

However, we're not revisiting all of the omnibus because of these

projections --

P.O. TONNA:  
Okay.

LEG. FISHER:  
-- and these numbers.

P.O. TONNA:  
I think -- let's -- can I ask all Legislators, please come to the horseshoe? We have three Legislators missing.

LEG. ALDEN:  
They're here.

P.O. TONNA:  
They're here?

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LEG. BISHOP:  
George is here.

LEG. ALDEN:  
He's out in the audience.

LEG. FISHER:  
No, Foley's not here.

P.O. TONNA:  
It's hard -- okay.

LEG. BISHOP:  
Am I on -- am I still on the list?

LEG. BINDER:  
Who's on the list.

P.O. TONNA:  
All right. I just say one thing while we get Legislators in so that they can cast their vote. It would seem to me --

LEG. FISHER:  
Mr. --

P.O. TONNA:  
It would seem to me, my concerns earlier, when asking Legislator Fisher, were about making sure that we can maximize the amount of

money for child care. I think my question was satisfied. More of a concern is, if we are going to prioritize, whether it be roads or whatever else, I would, I think, and many of us could make the argument, that there'd probably not be much more that we can do than to make sure that something that on the ground level has a lot of cost factors. If we are providing good child care and good teachers, and we're creating stability in this industry, then we're talking about saving money, a lot of money, down the road. And down the road, everyone knows that when the economy starts to dip, the area of Social Services is going to go up. We know there are going to be more single mothers who need good quality child care. And it would seem to me, if anything, from a preventive standpoint, and if we're going to take a chance or a risk, this is the place to do it. So, anyway, I would ask for a roll call.

LEG. FISHER:

Mr. Chairman, could I just say one --

P.O. TONNA:

Yes.

LEG. FISHER:

-- more thing, please?

LEG. BINDER:

No. Mr. Chairman. Mr. Chairman I'm on the list.

P.O. TONNA:

Oh, I'm sorry, Legislator Binder. First, Legislator Binder, then Legislator Fisher.

LEG. BINDER:

Thanks. I think it's proper for Legislator Crecca to bring out future questions on funding. I don't think you barrel ahead and say, "Well, I hope I have something, and maybe if we don't, then we don't." I very much care about the issue, and for over the years have been responsible for a lot of the funding. In fact, the base line of the funding in child care at one point was a million dollar increase because of money that I was able to put into it. And at the time, that was during budgetary deliberations, and we were in good shape, and taxes were coming in and we were doing well, and we saw a future where we weren't talking about deficits in the -- you know, in the hundred million plus range. And I think we should be thinking about not our process, our omnibus, or our budget, what we should be thinking about is fiscal responsibility, and not are we going to

attack this. Are we going to attack everything? Well, I think everything should be open to being looked at. Attacked? I don't know. It's pretty harsh language. I think it's more that we should be looking at how are we going to deal with what's coming? One way is to just look at the County Executive and say, "Why don't you do it all? Your going to your departments now, you're looking for cuts, and so you should" -- "you should make the cuts and get us ready for what's coming and help us save and do the cutting." And, oh, that's fine, we can look at him to do all that. I think what we can do, also, is to make sure that we look in our own house, at our own legislation, at our own budget, and if we don't start looking now, if we don't start analyzing what we need to do to be a part of the process of protecting ourselves, then we're to blame also.

And as much as I think this is an absolutely crucial program, as much as I think the child care workers are underpaid, I know a lot about the issue, and I think something has to be done. Unfortunately, it hadn't been done in the past, what we're looking at doing. We were talking about doing it, couldn't get up with the money to do it, couldn't get the support to do it in the past. Well, we had the money and we had the ability to do. Now we're at a point where we should be examining the budget. And I don't think you run ahead, whether it's in the budget or not. The fact is this budget that -- this money that's in the budget, we could use it for other things, or it should roll over, or just shouldn't be spent. We should start looking at that. And if we don't, then it's -- then it's our fault, and for that reason, as much as I care about the issue, I'll be voting no.

P.O. TONNA:  
Okay. Roll call.

LEG. HALEY:  
On the tabling, right?

P.O. TONNA:  
Is there a second to the tabling?

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LEG. CRECCA:  
Yeah, it was seconded by Legislator D'Andre.

P.O. TONNA:  
Fine.

LEG. CRECCA:  
I had a question on --

P.O. TONNA:

Go ahead.

LEG. CRECCA:

All right. I'll let it go --

P.O. TONNA:

No, no. If you have a question, you have a question.

LEG. CRECCA:

The only other question I had was regarding the program itself, was on whether or not what monitoring we were doing to ensure that the monies -- I would ask the question to both -- either the Commissioner or to Legislator Fisher. But one of my concerns is that the program doesn't have as part of the enhancement program a monitoring mechanism to make sure that the money is -- people are getting normal wage increases, as opposed to just -- are they still getting their normal wage increases? Are we enhancing their salary, or is this going to end up in the profits of the child care providers? And I guess that's one of my concerns, because I didn't see a monitoring part of the program in there. I know North Carolina has that.

P.O. TONNA:

Dan, can you answer that question?

MR. HICKEY:

I think most of the money will be going directly to the employees. We would contract with the Child Care Council, and my fiscal people would monitor that contract to make sure that whatever we agreed with them should be done would be done.

P.O. TONNA:

Thank you very much. Roll call.

MR. BARTON:

Legislator Crecca.

P.O. TONNA:

This is to table, by the way.

LEG. FISHER:

Just on the tabling motion, very quickly. Please remember that we're in April and half a year will have gone by if we pass it tonight. And there have been people who have been waiting since December to apply.

LEG. D'ANDRE:

Mr. Chairman, I want to withdraw my tabling motion.

P.O. TONNA:  
Its second? Okay. Is there -- is there -- okay.

LEG. D'ANDRE:  
I mean my second.

P.O. TONNA:  
Fine. All right. So there's a motion to approve and a second.

LEG. CARACAPPA:  
I'll second the motion to table.

P.O. TONNA:  
Roll call.

LEG. CRECCA:  
There's a second on the motion to table, Mr. Presiding Officer.

P.O. TONNA:  
Table now? Oh, okay. Legislator Caracappa now, so --

MR. BARTON:  
Okay.

(Roll Called by Mr. Barton)

LEG. CRECCA:  
Yes, on -- yes to table.

LEG. CARACAPPA:  
Yes.

LEG. COOPER:  
No to table.

LEG. BINDER:  
No.

LEG. BISHOP:  
No.

LEG. D'ANDRE:  
No to table.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes to table.

LEG. FIELDS:  
No.

LEG. LINDSAY:  
No.

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LEG. FOLEY:  
No.

LEG. HALEY:  
No.

LEG. FISHER:  
No.

LEG. TOWLE:  
Pass.

LEG. GULDI:  
No.

LEG. CARACCILO:  
Nope.

LEG. POSTAL:  
No.

P.O. TONNA:  
Nope.

LEG. TOWLE:  
No to table.

MR. BARTON:  
Four.

P.O. TONNA:  
Okay. Now let's go to the motion to approve by Legislator Fisher,  
seconded by myself.

MR. BARTON:  
Legislator Fisher.

LEG. CARPENTER:  
On the motion.

LEG. FISHER:  
Yes.

LEG. CARPENTER:  
On the motion.

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

LEG. BISHOP:  
Roll call is in progress, Mr. Chairman.

LEG. CARPENTER:  
Well, someone had my microphone.

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LEG. CRECCA:  
I did have her microphone. I apologize.

LEG. BISHOP:  
Somebody is very thoughtful.

LEG. CARPENTER:  
I just need to have one --

P.O. TONNA:  
It's the microphone exception.

LEG. GULDI:  
Take it back.

P.O. TONNA:  
Go ahead.

LEG. CARPENTER:  
One question answered. Will management staff be excluded from this program, as far as enhancements?

MR. HICKEY:  
The resolution provides no details, so that's something that we would have to negotiate.

LEG. CARPENTER:  
With whom?

MR. HICKEY:  
With Vivian and with the Child Care Council.

P.O. TONNA:  
Well, can I -- I think it's --

MR. HICKEY:  
This resolution --

LEG. FISHER:  
The way we discussed it at this point, management is not a part -- is not targeted by the program at all.

P.O. TONNA:  
Can we get that --

LEG. CARPENTER:  
Is there a commitment on --

P.O. TONNA:  
Yeah.

LEG. CARPENTER:  
Yeah.

LEG. FISHER:  
Yes.

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LEG. CARPENTER:  
I need to have that kind of commitment from the Commissioner, who will be doing negotiating with the agency, and the sponsor.

P.O. TONNA:  
How about if we just have --

LEG. FISHER:  
Yes.

P.O. TONNA:  
-- on the record our legislative intent is that all this money --

LEG. FISHER:  
Goes to teachers, to --

P.O. TONNA:  
None of this money goes to management, period.

LEG. CARPENTER:  
Goes directly to providing the child care.

LEG. FISHER:

Yes.

LEG. CARPENTER:

With the exception of the person administering the program, that every dollar is going directly to child care.

MR. HICKEY:

(Nodded head yes)

LEG. CARPENTER:

Okay, great. Thank you.

P.O. TONNA:

Could we add that? Could we add that into the contract.

MR. HICKEY:

We would, if so directed, yes.

LEG. ALDEN:

It wouldn't be child care.

LEG. POSTAL:

Pay the child care workers.

P.O. TONNA:

Right.

MR. SABATINO:

I think there's a little -- there's a statutory formula in the omnibus bill which lays out how the money is calculated. There are no management people in that statutory formula.

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MR. HICKEY:

Paul.

MR. SABATINO:

When you adopted the omnibus, there was a detailed four or five paragraph formula. It's very unusual. It was specified in excruciating detail. Now, if you're talking about that portion of it, that's not going to management people. If you're talking about the 5% administrative cost, that's going to the contract agency.

P.O. TONNA:

Right. Okay. I'm comfortable with that. Roll call.

(Roll Called by Mr. Barton)

LEG. TONNA:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
Abstain.

LEG. CRECCA:  
Pass.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
No.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
Yes.

LEG. CARACAPPA:  
Pass.

LEG. TOWLE:  
Pass.

LEG. GULDI:  
Yes.

LEG. CARACCILO:  
No.

LEG. POSTAL:  
Yes.

LEG. CRECCA:  
Yes.

LEG. CARACAPPA:  
Yep.

LEG. TOWLE:  
Yes.

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

MR. BARTON:  
14.

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

LEG. FOLEY:  
What was it?

MR. BARTON:  
14.

P.O. TONNA:  
14. Education and Youth. I would ask that Legislators stay focused. Unless you really want to say something, like really, really want to say something, I'd ask that you say nothing.

#### EDUCATION AND YOUTH

1172 (Accepting and appropriating an amendment to the College Budget for a grant award from the Rochester Institute of Technology for a Professional Development for Educational Interpreters Long Island Site 50% reimbursed by State funds at Suffolk County Community College). Is there a motion?

LEG. FISHER:  
Motion.

LEG. FOLEY:  
Motion.

P.O. TONNA:  
Motion, seconded by myself. All in favor? Opposed? Approved. 1148.

MR. BARTON:  
18.

P.O. TONNA:  
(1148-To encourage recruitment of volunteer firefighters and ambulance workers). Motion by Legislator Postal, seconded by myself. All in favor? Opposed? Approved.

LEG. CRECCA:  
Cosponsor, Henry.

LEG. COOPER:  
Cosponsor.

P.O. TONNA:  
Okay.

MR. BARTON:  
18.

P.O. TONNA:  
1260 (Implementing DARE Program evaluation study for Suffolk County). Motion by Legislator Carpenter, seconded by myself. All in favor? Opposed? Approved.

LEG. GULDI:  
Hold on.

LEG. BISHOP:  
No.

LEG. GULDI:  
Opposed.

P.O. TONNA:  
Okay. Opposed and opposed.

LEG. BINDER:  
Opposed.

P.O. TONNA:  
And opposed. We got three --

LEG. BISHOP:  
Roll call, Mr. Chairman.

P.O. TONNA:  
We got opposition.

LEG. CARACCILO:

Four.

P.O. TONNA:  
We got a Bishop.

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LEG. CARACCIOLO:  
Four.

P.O. TONNA:  
We got a Binder, and we got --

LEG. GULDI:  
Opposed.

P.O. TONNA:  
Okay. A Caracciolo and a Guldi. All right?

MR. BARTON:  
14.

#### PUBLIC WORKS AND TRANSPORTATION

P.O. TONNA:  
Great. 1228 (A resolution making certain findings and determinations in relation to a proposed improvement of facilities for Sewer District No. 15-Nob Hill). Is there a motion? I'll make the motion, seconded by Legislator Bishop.

LEG. CRECCA:  
I'll second it.

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

MR. BARTON:  
18.

P.O. TONNA:  
Okay. 1247 (Authorizing public hearing for authorization of alteration of rates for Fire Island Ferries, Incorporated).

LEG. CARPENTER:  
Motion.

P.O. TONNA:

Motion by Legislator Carpenter, seconded by Legislator Alden. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Okay.

LEG. CARACAPPA:  
Opposed on 1260?

P.O. TONNA:  
1249 (Allocating funding for pay-as-you-go financing for roofing of various County buildings).

221

LEG. FOLEY:  
Motion to table.

P.O. TONNA:  
Motion by Legislator Foley to table, seconded by Legislator Postal. All in favor? Opposed? Tabled. Number -- yes.

LEG. HALEY:  
Hold on. What's tabled.

LEG. CARACAPPA:  
Mr. Chairman, I'd like to cast my vote as a no on 1260.

LEG. TOWLE:  
Myself as well.

LEG. CARACAPPA:  
Can I just --

LEG. CRECCA:  
I'd ask that we do a roll call on that vote.

LEG. CARACAPPA:  
Yeah, it went kind of --

LEG. CRECCA:  
There seems to be some confusion --

LEG. CARACAPPA:  
It went a little fast.

LEG. CRECCA:  
-- with the Clerk, too.

LEG. CARACAPPA:  
Motion to reconsider. It's very important.

LEG. TOWLE:  
Second.

LEG. BISHOP:  
And I called for a roll call.

LEG. CARACAPPA:  
There's a motion and a second.

LEG. GULDI:  
Roll call was called for.

P.O. TONNA:  
Guys, we have to reconsider it and then we have to do it again.

LEG. TOWLE:  
Motion to reconsider.

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P.O. TONNA:  
Okay.

LEG. CARACAPPA:  
Second.

P.O. TONNA:  
Motion to reconsider, seconded. Okay. All in favor? Opposed? Fine, the reconsider is in front of us. Now there's a motion to approve by Legislator Carpenter, seconded by -- who is it?

LEG. POSTAL:  
Second.

P.O. TONNA:  
Postal. Fine, Carpenter and Postal. Okay. Roll call.

LEG. CARACAPPA:  
On the motion, Mr. Chairman, quickly. There was a CN requested for the competing study. Is there one coming over for that?

P.O. TONNA:  
No.

LEG. TOWLE:  
Motion to table.

LEG. CARACAPPA:  
No. There's a motion -- motion to table.

LEG. BINDER:  
The answer to that is that they said now they don't want to be involved.

LEG. CARACAPPA:  
Motion to table.

LEG. TOWLE:  
Second.

P.O. TONNA:  
Okay. So we have a motion to table and a second.

LEG. HALEY:  
Roll call.

P.O. TONNA:  
Roll call.

LEG. GULDI:  
Roll call on tabling?

P.O. TONNA:  
On the tabling. Go ahead.

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LEG. CARACAPPA:  
Yes.

P.O. TONNA:  
1260, motion to --

LEG. BISHOP:  
On the motion.

MR. BARTON:

Who was the second?

P.O. TONNA:  
The second was Legislator Towle.

(Roll Called by Mr. Barton)

MR. BARTON:  
Legislator Caracappa.

LEG. CARACAPPA:  
Yes.

MR. BARTON:  
Legislator Towle.

LEG. BISHOP:  
On the motion.

LEG. TOWLE:  
Yes.

LEG. BISHOP:  
Can I -- I can't speak? Okay.

LEG. TOWLE:  
It's a tabling motion.

(Roll Call Continued by Mr. Barton)

LEG. COOPER:  
No.

LEG. BINDER:  
Yes.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
No.

LEG. CRECCA:  
Pass.

LEG. CARPENTER:  
No.

LEG. ALDEN:  
Pass.

LEG. FIELDS:  
No.

LEG. LINDSAY:  
Yes.

LEG. FOLEY:  
No to table.

LEG. HALEY:  
No.

LEG. FISHER:  
No.

LEG. GULDI:  
Yes to table.

LEG. CARACCIOLO:  
No.

LEG. POSTAL:  
No.

P.O. TONNA:  
Nope.

LEG. CRECCA:  
No.

LEG. ALDEN:  
Abstain.

LEG. TOWLE:  
Profile in courage.

MR. BARTON:  
Six.

P.O. TONNA:  
Okay.

LEG. BISHOP:  
On the motion.

LEG. CARPENTER:  
Motion to approve.

P.O. TONNA:  
Motion to approve by Legislator Carpenter, seconded by Legislator

Postal. Can we please get through this roll call?

MR. BARTON:  
Legislator Carpenter.

LEG. BISHOP:  
On the motion. I've asked to speak.

P.O. TONNA:  
Oh, go ahead, Dave. I'm just cut off debate. No, sorry, sorry. Oh,  
that's what you want me to do with everyone else. Go ahead.

LEG. BISHOP:  
But my points are incredibly cogent.

LEG. HALEY:  
Oh, in that case, I'll make a motion to close debate.

LEG. TOWLE:  
A motion to close debate.

LEG. CRECCA:  
I'll second it, too.

LEG. GULDI:  
You got half of that.

LEG. BISHOP:  
I want to debate that.

LEG. HALEY:  
There's a motion.

LEG. TOWLE:  
There's a motion and it's standing.

LEG. BISHOP:  
When we -- when we started this process on the DARE Program --

P.O. TONNA:  
Maybe I'll recognize that motion now.

LEG. BISHOP:  
-- there was -- there is one question then and there's one question  
today that needs to be answered and that is does the program work?  
And when we ask ourselves that question and we say, "Who are we going

to hire to find that out," is there anyone in this horseshoe who could tell me that when they asked themselves that question, they said, "Yes, we should get a planner and a political scientist to tell us whether the program works or not"?

When we started down this path, we had a -- it wasn't a debate, we had a discussion on the record about what we wanted to see happen. And I know I articulated, and I believe most everybody agreed, what we wanted was the opportunity here in Suffolk County to conduct a thorough study that examines the last ten years of the program in

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Suffolk County and tries to come to a conclusion about whether the DARE Program makes a meaningful difference in -- excuse me -- in preventing our youth from taking drugs and in improving their attitudes towards police.

I have nothing negative to say about Dr. Koppelman. So much of the agenda that we have before us today relates to the lifetime of work that he's done; sewer hookups, farmland preservation, open space preservation, that's all Dr. Koppelman's realm. The DARE Program, dare I say, is far afield from that, and I don't know if this is the right -- the right vendor to do this. I think that we should -- we should have gotten somebody from a recognized -- you know --

LEG. HALEY:

Well, he ignored my motion, so he can ignore you.

P.O. TONNA:

I'm listening. I'm listening.

LEG. BISHOP:

No. You're clowning around and it's late.

P.O. TONNA:

No. We're trying to find a gavel. It was right in front of me. All right, he's not qualified. Thank you. Next. Okay.

LEG. D'ANDRE:

Move the question.

P.O. TONNA:

Legislator Binder.

LEG. BINDER:

I don't know about whether he's qualified or not qualified, but I do know what is important, and I think has been from the beginning, is the question of the credibility of what we're doing. And I can say

that I think it's pretty clear, and I know my colleagues were pretty upset when I went through the original legislation that created a Task Force, and all the way up until the moment we passed that on a CN, because we didn't want this to go to committee and actually have this debated. I went through the legislation as it was written, and it was three times written, that made it clear right in the words of the legislation that we already decided that DARE didn't work. We'd only changed it on the night of the CN to soften the language. And there were a number of reasons. It was very clear. The Chairman of it was already -- Commissioner Gallagher, we already decided that and he already come out against. It was pretty clear what we're doing. And so now the credibility to the general public, who understands what's going on, is already in question. So now what we do is we're going forward and we're going to do a Task Force.

By the way, this original legislation had no Task Force until the night -- that night when I was talking about putting it on my legislation, having an independent study, they said, "Oh, wait a minute, wait a minute, we should add 50,000 to that and add some kind of study." So that night, as we were changing the bill without

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committee consideration, without public input, we added a study, a possibility of a study, so we added \$50,000. We decided then 44,000 of that money was going to be used, or at least this Task Force, after meeting without notifying us, Newsday is notified afterwards and they said, "Oh, by the way, the notification in Newsday was we already had the meeting, because I had talked to Newsday and found that their notification was afterwards, so they couldn't be invited, they couldn't hear it. I looked at the minutes. There are a handful of single lines that don't tell you anything, so the minutes -- they didn't ask for transcription, so we don't really know what exactly was or wasn't said at the meeting. So now, just think about the credibility of the whole process here, and then they say we're going to have Dr. Koppelman, who is a man of integrity, but the question is do we want to give this to an agency that we fund to the tune of \$100,000 when some in our government, who are responsible for that funding, have already decided we should terminate the program.

Now, to us, maybe we can be comfortable with Dr. Koppelman's integrity. To the rest of the world, the question is what does that hundred thousand dollars to his agency represent, considering that some in our government have already decided that we should terminate the DARE Program? That's the problem.

As much as I think this is already a Task Force that was -- is put together to come out with a negative report so we have a way to kill the program and point to something as to why we did it, that's what I

I think, but as much as I already think that, to bring on this particular study is to add to the question of credibility. Because there's a whole string now, a whole line and a whole pattern of questions as to the credibility of this whole process, and by voting to this, you're going to be adding to it. That's the question you have to ask yourself when you vote for this. Do you want to be part of the process that adds to the question of the credibility of this whole process? And it's an important program, and I think a lot of people will question -- I think a lot of people in the public are going to question those who added to the questions surrounding how the DARE Program was killed. And I think in the end, that's what's going to happen here, that's where we're going to go. I would hope not, but I would hope -- but I think that's what's going to be questioned. And that's the question you have to ask yourself when you're voting.

I would -- I'm going to vote against this, obviously, because I think that's -- I think it's the wrong way to go with Dr. Koppelman. Though I think he's a man of integrity, he's not the right person for this job.

D.P.O. POSTAL:  
Legislator Lindsay.

LEG. LINDSAY:  
I as well -- am I on? I as --

D.P.O. POSTAL:  
These work, yeah.

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LEG. LINDSAY:  
It works, okay.

D.P.O. POSTAL:  
They turned them down, I think.

LEG. BINDER:  
Just get close.

LEG. LINDSAY:  
I as well am going to vote against this, not because I question Dr. Koppelman's integrity. I think we heard him say in his own words that we could spend this money, and with the amount of time and the amount of money that we have expended, he can't give us a definitive answer. And the other Doctor, I really didn't frankly have much credibility in what he's done so far. What I would prefer to do is,

for the time being, to support DARE, keep it in place, and find out what this multi-million dollar study says, because, if anything, that should be more credible than anything else.

LEG. BINDER:  
I agree with that.

D.P.O. POSTAL:  
Legislator Haley.

LEG. CARPENTER:  
Put me on the list, please.

LEG. BISHOP:  
Your maiden speech and it's an excellent one.

(Applause)

D.P.O. POSTAL:  
Legislator Haley.

LEG. HALEY:  
Tough act to follow, right, especially since my mike hardly works.

LEG. GULDI:  
We turned it off.

LEG. HALEY:  
How's that, better?

LEG. FOLEY:  
Better.

LEG. HALEY:  
Not much. Allan, you're still debating the original issue. The policy of this Legislature was to approve a Task Force --

LEG. BINDER:  
I haven't --

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LEG. HALEY:  
And every time -- don't interrupt. You'll get like Legislator Foley.

LEG. BINDER:  
No, I can't do that, wouldn't do that.

LEG. HALEY:

Every time we appoint a Task Force that works for nothing to help us, are we going to micromanage, because they -- we've entrusted them to do the job, and all of a sudden, we're going to say, "Y know what, we now don't like your decision." I think it's inappropriate for us at this juncture to say that we don't trust them. I think they've done a profound job. And I think Mr. Koppelman, Dr. Koppelman is profoundly qualified. His abilities and these skills he can apply in a myriad of arenas and I think be successful.

So I don't think -- I think you're debating an old issue. The policy of this Legislature is to entrust those people, and if we're not going to entrust them, perhaps we shouldn't have even passed it to begin with, but it's over. It's time to move on, trust the Task Force and let's be done with it.

D.P.O. POSTAL:

Thank you. You know, first, originally, there was a Task Force created, and whether the resolution that was the original version was the one that was adopted or not is irrelevant. The Task Force includes a representative of the School Superintendents Association, who, as a matter of fact, was the Superintendent who brought the DARE Program to the school district that he's the Superintendent of. It includes a representative of PTA, and PTA was very, very strongly in support of continuing the DARE Program. So that even if we accept the fact that the Police Commissioner had a point of view prior to the Task Force being created, there was representation from a number of different sectors, and there were certainly representation from different points of view.

In the discussion, it was I guess recommended that there be a consultant, and the resolution to create the Task Force included a provision of funding for a consultant who would do research. There's been some feeling expressed here, and I know that this was not your sentiment, Legislator Binder, about the objectivity of Dr. Koppelman in doing this study, but as I listened to him today, it seemed to me that if he truly wanted to convince of that he was absolutely objective and this was something that he wanted to do, he would have told us that he could have done this study and he could come out and give us some real hardened fact, fast recommendations.

I thought he was very honest. I thought that the way he responded to us was absolutely true. I don't know how anybody, honestly, whether it's Dr. Burger or Dr. Koppelman, I don't know how you could do a study to objectively measure whether the DARE Program prevents kids from abusing substances. When you take school districts that have the DARE Program, school districts that don't have the DARE Program, you have to take two school districts, which are absolutely demographically identical, so that you remove all variables. But even if you do that, you can't possibly remove all variables. So he told

us the truth. Dr. Burger said exactly the same thing, that it's virtually impossible to do a study that will give you an accurate and objective measure of whether the DARE Program works.

We started out with the premise that we should establish a Task Force representative of all segments of the Suffolk County community to look at this program and tell us what they thought, and then someplace along the line, we inserted this additional requirement that there be funding for a consultant. Well, you know, if we're -- if we believed that that was necessary, which we did in passing that resolution to begin with, I truly think that Dr. Koppelman was absolutely honest with us. He's going to do the best job that can be done in gathering the information to provide to the Task Force, so that the Task Force can make a recommendation. Dr. Koppelman, or whichever consultant we were to fund, is not making any kind of recommendation to us.

But I think that the point is that there's little enough time and we should move, we should move ahead on this tonight. We can debate forever about who the best consultant would be. And I really suggest to everyone here that I was impressed that Dr. Koppelman said that even the Robert Woods Johnson study is going to spend \$13 million and he truly wonders whether they're going to be able to come up with a recommendation with regard to the efficacy of the DARE Program.

P.O. TONNA:  
Okay. Roll call on the motion.

LEG. CARPENTER:  
On the motion.

D.P.O. POSTAL:  
Legislator Carpenter was next.

P.O. TONNA:  
Can we -- go ahead.  
LEG. CARPENTER:  
Please.

LEG. D'ANDRE:  
What is this vote for?

LEG. CARPENTER:  
Yes, to approve 1260. We have discussed this ad nauseam. The one thing I would ask everyone to keep in mind, however, is that the Task Force did -- I mean, when we first came to pass the resolution and it was passed overwhelmingly to form the Task Force, and then decided to give them some dollars, so that they could do whatever research they felt was necessary, it was Budget Review who had initially said to help in what you're trying to do, because if everyone would remember, that when the Police Commissioner came and spoke about the DARE Program and said that there was studies that were done in Tennessee and Carolina, and other parts of the country, there were members of

this very body that poo-pooed that. So now to say let's sit back and wait and see what comes from the Robert Woods Foundation study would be poo-pooed later on. They said, "Let's see what we can find in Suffolk County." So Budget Review, in trying to be helpful, as they

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always are, said, "You know, you can real maximize your dollars if you go to the University of Stony Brook." They have a very good program in place there. And it was Budget Review that first put the Task Force in touch with some of the resources that were available to them at SUNY Stony Brook.

And the Task Force was very impressed with Dr. Koppelman, as I think everyone would agree we were here today. And I think he proved today that he certainly is more than a planner, that he has his Doctorate in Behavioral Studies from NYU. I think really speaks to what he brings to the program in addition to all of the resources that would be available to him from SUNY Stony Brook. And I think for us not to go forward with this at this point is really doing the people who have stepped up to spend hours of their time to date and will be spending countless hours in public hearings and future meetings not to give them the resources that they have asked for.

P.O. TONNA:  
Roll call.

(Roll Called by Mr. Barton)

LEG. CARPENTER:  
Yes.

LEG. POSTAL:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. BISHOP:  
Pass -- no.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Yes.

LEG. ALDEN:  
Yes.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
No.

LEG. FOLEY:  
Yes.

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LEG. HALEY:  
Yes.

LEG. FISHER:  
No.

LEG. CARACAPPA:  
No.

LEG. TOWLE:  
No.

LEG. GULDI:  
No.

LEG. CARACCIOLO:  
No.

P.O. TONNA:  
Yeah.

MR. BARTON:  
Ten.

PARKS, SPORTS, AND CULTURAL AFFAIRS

P.O. TONNA:  
Great. Okay. 1213 (Reappointing Michael Broxmeyer as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 3). Stay focused, please. 1213. I'll make a motion, seconded by Legislator Crecca. All in favor? Opposed? Approved. All right. We're going to the the nonsense resolutions. Here we go.

MR. BARTON:  
18.

SENSE RESOLUTIONS

P.O. TONNA:  
Okay the Sense Resolution Number 8-2001 (Memorializing resolution requesting Purple Heart Stamp for veterans). Motion by Legislator Crecca, seconded by myself. All in favor? Opposed? Approved.

Number -- Sense Number 19-2001 (Memorializing resolution requesting State of New York to adopt keg-tagging deposit beer to reduce underage drinking).

MR. BARTON:  
18. (Sense 8-2001)

P.O. TONNA:  
Legislator Carpenter, seconded by Legislator Ginny Fields. All in favor? Opposed? Approved. Now, just --

MR. BARTON:  
18.

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P.O. TONNA:  
-- stay with me.

LEG. CARACAPPA:  
Mr. Chairman.

P.O. TONNA:  
Yes.

LEG. TOWLE:  
Cosponsor on 19. 19.

LEG. CARACAPPA:  
I'd like to make a motion to lay on the table and approve Sense 28. It's before everybody.

P.O. TONNA:  
Is it in front of everybody?

LEG. CARACAPPA:  
Yes, it is. (Sense 28) Memorializing Resolution requesting State of  
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New York to add sex crimes under Megan's Law.

P.O. TONNA:

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

MR. BARTON:

18.

LEG. D'ANDRE:

Mr. Chairman.

LEG. CRECCA:

Henry, cosponsor.

LEG. D'ANDRE:

Mr. Chairman.

P.O. TONNA:

Yeah.

LEG. CRECCA:

Cosponsor.

LEG. D'ANDRE:

Cosponsor on that veterans bill.

P.O. TONNA:

Okay. I'm going to lay on the table 1339, 40 and 41. 39 assigned to Economic Development, 40 assigned to Ways and Means, and 41 assigned to Ways and Means. All in favor? Opposed? Approved.

We have three CN's.

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MR. BARTON:

Mr. Chairman.

P.O. TONNA:

CN Number -- what?

MR. BARTON:

Before you do the CN's, we don't have a vote recorded on 1249, which is on the top of Page 11. It's the second one from --

P.O. TONNA:

Okay. 1249? Thank you very much.

LEG. FOLEY:  
Motion to table.

P.O. TONNA:  
Motion to approve by -- oh, motion to table by Legislator --

LEG. FOLEY:  
Foley.

P.O. TONNA:  
Foley, seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:  
18.

P.O. TONNA:  
Great. Now we go to the CN's. Number 1272. I'll make a motion to approve, seconded by Legislator Postal.

LEG. FOLEY:  
Hold on.

LEG. GULDI:  
Hold on, hold on.

LEG. TOWLE:  
Explanation.

LEG. FISHER:  
What about 1267?

LEG. FOLEY:  
We've got 1267 before, 1267 first.

P.O. TONNA:  
All right. You know what, we'll do 1267 first. Legislator Bishop makes a motion, seconded by Legislator Foley.

LEG. FOLEY:  
No, I'm not the second on the motion.

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

Why is it a CN?

LEG. CRECCA:  
Why is it a CN?

LEG. BISHOP:  
Because they want to start the program April 15th.

MR. BARTON:  
18.

P.O. TONNA:  
Great. Number 1315. Motion by --

LEG. CARACCIOLO:  
Me.

P.O. TONNA:  
Legislator Caracciolo, seconded by Legislator Guldi. All in favor?  
Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Okay. Number 1272.

LEG. TOWLE:  
Explanation.

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

LEG. TOWLE:  
Explanation.

P.O. TONNA:  
Explanation, please, quickly, maybe.

LEG. GULDI:  
Tax grievance charge-backs.

MS. ROSENBERG:  
It's a charge-back. A woman was charged over the years over \$11,000  
in incorrect garbage fees, and this is to give her the money back.

P.O. TONNA:  
Find. Okay. All in favor?

LEG. GULDI:  
Why does it have to be done by CN? Why can't it go to committee?

MS. ROSENBERG:  
She's been waiting a very long time. It's been several years.

LEG. GULDI:

I was confused, though. The one -- the resolution I have before me has Smithtown, Southampton. This is a massive array of charge-backs.

MS. ROSENBERG:

It's -- can I have the resolution? I don't have the resolution in front of me.

LEG. FOLEY:

This is 1272?

LEG. GULDI:

Yeah.

LEG. FISHER:

Yes.

LEG. FOLEY:

Put it through committee. Put it through committee.

P.O. TONNA:

Could I ask you, Brenda, just in general, we've always made the argument -- we made the argument that we have CN's because -- not because of convenience, but because of the necessity.

MS. ROSENBERG:

Well, this woman was charged over \$11,000 --

P.O. TONNA:

Right.

MS. ROSENBERG:

-- for many years.

P.O. TONNA:

So she can wait a week.

MS. ROSENBERG:

It's a courtesy from the Town.

P.O. TONNA:

I would -- what?

MS. ROSENBERG:

I don't have a problem if you want to wait with it.

P.O. TONNA:

There's ten people different people here.

LEG. GULDI:

Yeah, and there's dozens --

MS. ROSENBERG:

Yeah, because it comes as one resolution from Real Property.

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P.O. TONNA:

Okay. This is something that --

LEG. TOWLE:

Motion to defer to committee.

P.O. TONNA:

This is something that should go to committee.

MS. ROSENBERG:

Okay.

P.O. TONNA:

I'll make a motion to --

MS. ROSENBERG:

I don't have a problem.

P.O. TONNA:

-- refer it to committee, seconded by Legislator Guldi. All in favor?  
Opposed? And it will go to Ways and Means, right? Oh, finance.

MR. BARTON:

18.

P.O. TONNA:

Okay. Thank you very much. Okay. Motion to adjourn, seconded by --  
and we finished on -- we have five minutes to go.

LEG. POSTAL:

Very good.

P.O. TONNA:

Seconded by Legislator D'Andre. All in favor? Opposed?

[THE MEETING WAS ADJOURNED AT 1:25 A.M.]

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